



Ashford University Campus Security and Fire Safety Report

Clery Crime Statistics 2015-2017

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INTRODUCTION

Ashford University (“University”) is providing the following information to all current and prospective students and employees as part of the University’s commitment to safety and security pursuant to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and the Violence Against Women Reauthorization Act of 2013 (“VAWA”), which added Campus SaVE Act provisions. Campus safety and security is a shared responsibility; the best protection against crime is a community that is informed, aware, and engaged in helping to keep our campus safe. To further those ends, we prepare an annual security report that includes the three most recent calendar years. Please take a moment to read this year’s report, which contains statistics about crime on campus from January 1, 2015 through December 31, 2017.

As a point of reference, the Violence Against Women Act (VAWA) amended the Clery Act, requiring institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports. Effective July 1, 2015, the U.S. Department of Education published final regulations implementing the changes to the Clery Act by VAWA.

This report is prepared in support of the Clery Act, which requires universities to provide timely warnings of dangerous situations that may pose a threat to the campus and to collect and report certain crime data to everyone on campus. The Clery Act, enforced by the U. S. Department of Education, affects nearly all public and private institutions of higher education. The Clery Act also requires reports of student disciplinary referrals, as well as arrests for drug, alcohol and weapons offenses on campus.

We hope you find this report informative and welcome questions and requests for more information about safety and security on campus.

With Kind Regards,

Sean Mullen, Director Security & Safety

Poppy Fitch, Ed.D., Associate Vice President, Student Affairs, ADA/Title IX Coordinator

PREPARING THE ANNUAL SAFETY REPORT

This report was prepared in cooperation with the San Diego, California and Clinton, Iowa Police Departments, the Ashford University Security & Safety and Student Affairs Offices. Campus crime, arrest, and referral statistics include those reported to Campus Public Safety, designated campus officials (including but not limited to the Associate Vice President, Student Affairs, ADA/Title IX Coordinator, the Director of Security & Safety, other directors, deans, department heads), and local law enforcement agencies.

This report is compiled annually under the direction of the Associate Vice President, Student Affairs, ADA/Title IX Coordinator and the Director of Security & Safety, who are responsible for checking the accuracy of reports and reconciling statistics to assure proper categorization and to avoid double counting. For questions about any of the information provided in this report, please contact the Associate Vice President, Student Affairs, ADA/Title IX Coordinator, Poppy Fitch, at 866.974.5700 Ext. 20702.

CRIME STATISTICS

Federal law requires all institutions of higher education to collect and maintain statistics concerning specific crimes and to report these statistics annually to students and employees, and prospective students and employees. We report San Diego and Clinton campus crime statistics to all Ashford students, including those enrolled in distance education courses and programs.

The University gathers statistics concerning the occurrence of certain offenses on the Clinton campus, in or on our off-campus housing facilities (prior to ceasing to offer housing after May, 2016), in or on non-campus buildings or property, and on public property.

The University prepared this report in cooperation with the Clinton Police Department, the San Diego Police Department, and University administrators.

Campus crime, arrest, and referral statistics include those reported to the Campus Public Safety Office, designated campus officials and local law enforcement agencies.

*Residence Halls: Statistics reported in the Durham and Regis Residence Halls column are included in the On---Campus column. Statistics reflecting actions at the BW Residence Hall are included in the Non---Campus Property (BW Residence Hall) column. The “total” is the sum of the columns labeled “On---Campus” + “Non---Campus Property (BW Residence Hall)” + “San Diego – Sunroad” + “public property.” Ashford University ceased offering on--- campus housing to students after May 2016.

**Public Property includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus.

^Hate Crimes: These include any crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability and refers to the following crimes: criminal homicide (murder and non-negligent manslaughter), sex offenses (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny--- theft, simple assault, intimidation, destruction/damage/vandalism of property and any other crime involving bodily injury.

IOWA: CRIMINAL OFFENSES 2015-2017

Criminal Offenses	Year	On- Campus (Including Residence Halls)	Residence Halls* (Excl. BW Res. Hall)	Non- Campus (BW Residence Hall)	Public Property**	Total
Murder and Non-Negligent Manslaughter	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Manslaughter by Negligence	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Rape	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Fondling	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Incest	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Statutory Rape	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Robbery	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Aggravated Assault	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Burglary	2015	2	2	0	0	2
	2016	3	0	N/A	0	3
	2017	0	0	N/A	0	0
Motor Vehicle Theft	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Arson	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0

IOWA: HATE CRIMES 2015-2017

Hate Crimes^	Year	On- Campus (Including Residence Halls)	Residence Halls* (Excl. BW Res. Hall)	Non- Campus (BW Residence Hall)	Public Property**	Total
Murder and Non-Negligent Manslaughter	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Rape	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Fondling	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Incest	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Statutory Rape	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Robbery	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Aggravated Assault	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Burglary	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Motor Vehicle Theft	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Arson	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Larceny/Theft	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Simple Assault	2015	0	0	0	0	0
	2016	0	0	N/A	0	0

	2017	0	0	N/A	0	0
Intimidation	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Destruction/Damage/Vandalism of Property	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Any Crime Involving Bodily Injury	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0

IOWA: VAWA OFFENSES 2015						
VAWA Offenses	Year	On- Campus (Including Residence Halls)	Residence Halls* (Excl. BW Res. Hall)	Non- Campus (BW Residence Hall)	Public Property**	Total
Domestic Violence	2015	1	0	0	1	2
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Dating Violence	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Stalking	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0

IOWA: ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION 2015-2017						
Offense	Year	On- Campus (Including Residence Halls)	Residence Halls* (Excl. BW Res. Hall)	Non- Campus (BW Residence Hall)	Public Property**	Total
Liquor Law Arrests	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Liquor Law Referrals	2015	3	3	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Drug Law Arrests	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Drug Law Referrals	2015	6	6	0	0	6
	2016	1	0	N/A	0	1
	2017	0	0	N/A	0	0
Weapons Law Arrests	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0
Weapons Law Referrals	2015	0	0	0	0	0
	2016	0	0	N/A	0	0
	2017	0	0	N/A	0	0

IOWA UNFOUNDED: 2015-2017		
Offense	Year	Total
Unfounded Crimes	2015	0
	2016	0
	2017	0

SAN DIEGO: CRIMINAL OFFENSES 2015-2017		
Criminal Offenses	Year	Sunroad+
Murder and Non-Negligent Manslaughter	2015	N/A
	2016	0
	2017	0
Manslaughter by Negligence	2015	N/A
	2016	0
	2017	0
Rape	2015	N/A
	2016	0
	2017	0
Fondling	2015	N/A
	2016	0
	2017	0
Incest	2015	N/A
	2016	0
	2017	0
Statutory Rape	2015	N/A
	2016	1
	2017	0
Robbery	2015	N/A
	2016	0
	2017	0
Aggravated Assault	2015	N/A
	2016	0
	2017	0
Burglary	2015	N/A
	2016	1
	2017	2
Motor Vehicle Theft	2015	N/A
	2016	1
	2017	0
Arson	2015	N/A
	2016	0
	2017	0

SAN DIEGO: HATE CRIMES 2015-2017		
Hate Crimes^	Year	Sunroad+
Murder and Non-Negligent Manslaughter	2015	N/A
	2016	0
	2017	0
Rape	2015	N/A
	2016	0
	2017	0
Fondling	2015	N/A
	2016	0
	2017	0
Incest	2015	N/A
	2016	0
	2017	0
Statutory Rape	2015	N/A
	2016	0
	2017	0
Robbery	2015	N/A
	2016	0
	2017	0
Aggravated Assault	2015	N/A
	2016	0
	2017	0
Burglary	2015	N/A
	2016	0
	2017	0
Motor Vehicle Theft	2015	N/A
	2016	0
	2017	0
Arson	2015	N/A
	2016	0
	2017	0
Larceny/Theft	2015	N/A
	2016	0
	2017	0
Simple Assault	2015	N/A
	2016	0

	2017	0
Intimidation	2015	N/A
	2016	0
	2017	0
Destruction/Damage/Vandalism of Property	2015	N/A
	2016	0
	2017	0
Any Crime Involving Bodily Injury	2015	N/A
	2016	0
	2017	0

SAN DIEGO: VAWA OFFENSES 2015-2017		
VAWA Offenses	Year	Sunroad+
Domestic Violence	2015	N/A
	2016	0
	2017	0
Dating Violence	2015	N/A
	2016	0
	2017	0
Stalking	2015	N/A
	2016	0
	2017	0

SAN DIEGO: ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION 2015-2017		
Offense	Year	Sunroad+
Liquor Law Arrests	2015	N/A
	2016	0
	2017	0
Liquor Law Referrals	2015	N/A
	2016	0
	2017	0
Drug Law Arrests	2015	N/A
	2016	0

	2017	0
Drug Law Referrals	2015	N/A
	2016	0
	2017	0
Weapons Law Arrests	2015	N/A
	2016	0
	2017	0
Weapons Law Referrals	2015	N/A
	2016	0
	2017	0

SAN DIEGO UNFOUNDED 2015-2017		
Offense	Year	Total
Unfounded Crimes	2015	0
	2016	0
	2017	0

REPORTING CRIMINAL ACTIONS & EMERGENCIES

It is important for students, as well as other members of the campus community, to take responsibility for their own safety and wellbeing. The University strongly encourages all members of our community to take steps to ensure the safety and security of their belongings, themselves, and others. The University encourages all members of our community to report crimes, suspicious activity, safety hazards or campus emergencies to Security Officers or to police by dialing 9-1-1. Elevators are equipped with emergency intercoms. Emergency information wallet cards can be obtained in the biz hubs. Emergency information is available online on the Ashford University Emergency Notification website.

To report a crime or emergency occurring in the community surrounding Ashford University in Clinton, Iowa:

Clinton, Iowa Contact Information to Report a Crime or Emergency	
Clinton Police Department	911 or 563.243.1458 (non-emergency)
Director, Security & Safety	866.475.0317 x13010
Campus President	509-721-0128

To report a crime or emergency occurring in the community surrounding Ashford University in San Diego, California:

San Diego Contact Information to Report a Crime or Emergency	
San Diego Police Department	911 or 619.531.2000 (non-emergency)
Director, Security & Safety	866.475.0317 x13010
Associate Vice President, Student Affairs	858.335.4104
General Security line	858.414.5415

A procedure is in place to capture crime statistics reported to these designated campus officials for inclusion in our annual crime statistics, and to issue a timely warning or emergency notification, if appropriate.

The Security & Safety Office maintains crime logs documenting any criminal incident or alleged criminal incident that occurs on the campus, on public property within or immediately adjacent to and is accessible from the campus, and is reported to Facilities. These logs extend beyond Clery Act crimes. This information is available for public inspection, upon request, during normal business hours. Logs are maintained at the reception desk and with Security personnel.

Information in the crime log includes the following: the nature of the crime, the date and time the crime occurred, a general location of the crime, the case number, and any known disposition of the complaint. Any portion of the logs older than 60 days will be made available within two business days of a request for public inspection. The University reserves the right to maintain the privacy of both the victim and the accused in any of these situations except as may be required by law.

EMERGENCY RESPONSE AND EVACUATION

The University's emergency response and evacuation policies and procedures are maintained in the Crisis Management Plan and overseen by the Director of Security & Safety. Two cross-functional teams are responsible for anticipating, monitoring, and responding to threats or emergencies, they include:

The Crisis Threat Management Team (CTMT) consists of key stakeholders of the University who respond to any threat to employees or the organization. The team includes representatives from Facilities & Security, Employee Relations (HR), Business Technology (IT), Student Affairs, and Corporate Communication. The cross functional team will determine which (if any) additional tactical expertise or resources are needed to ensure the incident is contained.

The Ashford University Behavioral Intervention Team (AUBIT) addresses students of concern who may present a threat to the community. This team meets bi-weekly to evaluate and respond to concerning behaviors, assess threats and/or risks, identify appropriate interventions, and recommend departmental processes that will contribute to a safe educational environment for students and staff. Team membership includes representation from most student support departments, as well as Security & Safety, Dispute Resolution, Faculty, the Center for Excellence in Teaching and Learning (faculty support), and Employee Relations.

The University's Crisis Management Plan includes information about Incident Teams, University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements.

Departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts emergency response exercises each year, these include evacuation drills and tests of the security equipment and systems. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

The University Security & Safety team receive emergency management training such as active shooter and incident response. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the CTMT in conjunction with local Police, Fire and Emergency Medical Services, and they typically respond and work together to

manage the incident. Depending on the nature of the incident, other University departments and other local or federal agencies could also be involved in responding to the incident.

The Emergency Volunteer Team (EVT) is an emergency response team comprised of employees that have agreed to participate and assume specific roles in the event of an emergency/evacuation. These volunteers participate as a member of the team are required to complete annual online training to learn about who is on the team, the roles, and how to efficiently evacuate the building while ensure all employees/students and visitors are evacuated to assembly area safely.

General information about the University's emergency response and evacuation procedures are publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the Ashford University web site. The Crisis Management Plan is available on the University intranet. The Emergency Procedures Guide is located throughout the building in biz hubs and is located on the University intranet. This document is intended to guide members of the community on how to respond to various types of emergencies and to familiarize with the practices and procedures contained in it. In addition, it serves as a reminder to follow the directions of the Emergency Volunteer Team (EVT), First Responders, CTMT and business continuity groups.

All members of the community are notified on an annual basis that they are required to notify the University of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of the campus community. The Director of Security & Safety has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the Director of Security & Safety has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

The overall security and safety program includes components including annual online training and quarterly emails which are sent to all community members and include emergency evacuation behaviors, safe assembly areas, reminders of the policy on piggy backing and see something / say something reminders for reporting.

TIMELY WARNINGS FOR CLERY CRIMES (SEE ALSO EMERGENCY NOTIFICATION)

The university will issue a timely warning when appropriate. The Crisis Threat Management Team (CTMT) is responsible for the decision to issue a timely warning and will confer with a campus security authority, if one is designated by the campus and available, upon receiving a report of an incident. The CTMT will complete a case by case analysis utilizing open

communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets all of the following factors: 1) is a Clery reportable crime; 2) occurred in Clery defined geography; and 3) poses a serious or ongoing threat to the community.

If it is determined that any of the three factors are not met, then no timely warning will be issued.

If it is determined that all three factors are met, the CTMT will determine the content of the timely warning bulletin, disseminates the timely warning expeditiously in a manner likely to reach the entire affected campus community utilizing one or more, and not limited to, the following methods to issue the timely warning bulletin:

- All employee and student e-mail distribution
- University website

For clarity to the community when a timely warning is issued it will be titled “Timely Warning Crime Bulletin” and include the following:

- A statement that the Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime.
- The Clery Act reportable crime that occurred
- The date, time, and location the crime occurred
- The date the Timely Warning Bulletin is issued
- A description of the suspect, and name if known, when the suspect is at large and evading apprehension and/or law enforcement is seeking assistance from the public to locate
- Preventative information specifically related to the type of crime which occurred that could help others from becoming the victim of a similar crime

Every effort to ensure that the timely warning bulletins will not include the name of the victim, or information so specific that would or likely could identify the victim of the crimes of sexual violence to include rape, dating violence, domestic violence, or stalking. Issuance of timely warnings will be delayed only if the issuance would compromise the apprehension of the suspect or compromise the ability of law enforcement to investigate the crime.

EMERGENCY NOTIFICATION

The University will issue an emergency notification when appropriate. The Crisis Threat Management Team (CTMT) is responsible for the decision to issue an emergency notification and will confer with a campus security authority, if one is designated by the campus and available, upon receiving a report of an incident. The CTMT will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, and will complete a case by case analysis utilizing open communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets both factors for emergency notification: 1) an emergency or dangerous situation in fact exists in on-campus geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community.

If both of the above factors are not met, no emergency notification will be issued.

If it is determined that both factors are met, the CTMT will prepare the content of the notification taking into account the safety of the on-campus community. They will also determine, based on the confirmed facts of the emergency, if the entire campus community or only a specific segment of the on-campus community is threatened and need to be notified. Examples of emergencies where only a segment might be alerted would be a chemical spill where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.

Once the notification is prepared, the CTMT or the management designee(s) will, without delay and taking into account the safety of the community, transmit the emergency notification unless doing so would delay the ability to mitigate and/or contain the emergency, including the ability to provide immediate, life saving measures.

- All employee and student e-mail distribution
- The campus mass notification system, including but not limited to phone, campus email, or text messaging
- Audible alarms/sirens
- In person or door-to-door notifications in a building
- Other means appropriate under the circumstances

For clarity to the community when an emergency notification is issued it will be titled "Emergency Notification."

The CTMT or the management designee(s) will provide follow-up notifications and information until the emergency is mitigated and no longer poses a threat.

ANNUAL TESTING OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES

University policy requires the planning and conducting of periodic and annual physical security inspections, testing of equipment, and physical security surveys to remain cognizant of security changes or requirements impacting security to company's assets (people, property and information). This policy is overseen by the Director of Security and Safety and includes specific requirements for the testing of security equipment and systems such as the access badge system, the CCTV system or the building alarm system, which are considered essential elements of security infrastructure. Security equipment inspection and maintenance must be considered an important element of overall physical security and is the responsibility of the Security and Facilities departments. Results for each equipment/system test will be recorded in a Testing Log, maintained by the Facilities Department.

An annual, unannounced evacuation drill is coordinated by the Director of Security and Safety and Facilities. Evacuees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting the building for a short-term evacuation.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits, meeting points, and the sound of the fire alarm. The process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Director of Security and Safety, Building Management, and the Emergency Volunteer Team (EVT) to evaluate egress and behavioral patterns. After the all clear is given for the floor, EVT Members proceed to evacuate the building and assemble at their designated safe zone. Once there, the Floor Warden will give the all clear check-in for their floor zone, report the location of any personnel with special needs to emergency responders and await further instructions from emergency responders and the Director of Security and Safety. Reports are prepared by participating EVT Members to help identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted by the EVT Members for consideration.

Emergency Evacuation Team Members are provided with online training including the Emergency Volunteer Flow Chart which provides information on the roles and responsibilities of each volunteer assignment. Floors are broken down into two zones (East and West). Each zone will consist of one Floor Warden, two Sweepers, one Elevator Monitor and one Stairwell Monitor; all EVT members will report to their respective Floor Warden in emergency situations. The Emergency Volunteer Flow Chart include instructions on EVT roles and processes.

VOLUNTARY CONFIDENTIAL REPORTING

University policies do not provide for victims or witnesses to report crimes on a voluntary, confidential basis with us.

The University neither employs professional counselors or pastoral (faith--based) counselors for use by students, faculty or staff, nor follows a policy that encourages pastoral counselors and professional counselors to inform the persons whom they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

All campus incident reports are forwarded to the Associate Vice President of Student Affairs for review and potential action by Student Affairs if Student Community Standards and/or violations of law are suspected. When appropriate, these will be referred to law enforcement agencies. When a potentially dangerous threat to the University community arises, a timely warning or emergency notification will be issued as set forth in the sections above.

Non-University resources for confidential reporting of crimes are outlined below:

San Diego, California Contact Information for Voluntary and Confidential Reporting	
San Diego Crime Stoppers	https://www.p3tips.com
Clinton, Iowa Contact Information for Voluntary and Confidential Reporting	
Clinton County Sheriff's Office Crime Stoppers	563.242.6595 or 888.883.8015 (toll free)
Clinton Police Department "Text-A-Tip" (anonymous hotline)	274637 (CRIMES)

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

University policy requires that it define, implement and maintain procedures and control devices/mechanisms to grant, limit and revoke access to physical facilities, and that access to facilities will be justified, authorized, logged and periodically audited.

Access to all University facilities during business and non--business hours is by access card or key, or by admittance via security staff only. After-hours access to facilities is limited to authorized faculty and staff with valid access card or key. Visitors to the campus are subject to University policies. All criminal incidents involving, or observed by, campus visitors should be reported immediately.

Emergencies may necessitate changes or alterations to posted schedules. Safety officers conduct rounds of all campus buildings during and after business hours. Safety officers have access to all areas of campus. The Campus President, the Director of Security & Safety, and the Director of Facilities meet periodically to discuss any issues of pressing concern related to facilities, security, and maintenance.

LAW ENFORCEMENT AUTHORITY

The University takes any reported criminal action seriously and responds to it accordingly; the University relies on law enforcement authorities to assist during criminal investigations and emergencies.

The University does not employ campus police. The University maintains a security team supervised by the Director of Security & Safety. Additional persons to whom a student or employee may report a crime or emergency include the Campus President, Associate Vice President of Student Affairs, Title IX Coordinator, and the local police. The University encourages all members of our community to report crimes, suspicious activity, safety hazards or campus emergencies to Security Officers or to police.

During the period covered by this Report, the University contracts with a professional security firm to provide additional security services. Campus public safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the University. In addition, they have the authority to issue parking tickets for parking violations on University property. Campus public safety officers have no formal arrest authority. City, county, or state law enforcement officers make arrests, if necessary.

The University coordinates with the San Diego and Clinton Police Departments, Clinton County Sheriff's Office, and the Iowa Highway Patrol, and refers all criminal incidents to local authorities who have jurisdiction on campus. The Campus President, Director of Security & Safety, and local authorities confer on issues of campus security and safety. The University and the local law enforcement authorities have not entered into a formal memorandum of understanding.

Students and staff may contact the local authorities directly. Campus public safety officers will make contact on behalf of the University or individuals involved if the officers determine it is necessary or when such contact is requested.

CRIME PREVENTION PROGRAMS

Crime prevention information was posted on campus bulletin boards, in the Campus Safety Tips Brochure, and at presentations offered throughout the year. Community members are also informed of the AUBIT and their referral process during various departmental trainings throughout the year. In addition, Security & Safety best practices and updates are also sent to

employees through internal email and InSite postings. The Director of Security & Safety and Student Affairs maintain documentation of educational programming and safety updates.

The University does not have officially recognized organizations with non-campus locations, and therefore does not monitor or document activity of this type.

ALCOHOL AND DRUG POLICIES

Student Alcohol Policy

All individuals must observe state and federal laws regarding the possession, use, sale, or distribution of alcohol. The University strictly prohibits the unauthorized possession, use, sale, or distribution of alcohol by any student, regardless of legal drinking age, at the University or at University sponsored events and activities.

Alcohol may be served at certain University events or functions and only to those persons of legal drinking age who can verify their age with identification as required by the state in which the event or function occurs. Written permission must be obtained from the Vice President of Student Affairs or Clery designee to serve alcohol and any legally required alcohol permits obtained prior to the function.

Employee Alcohol Policy

The Company prohibits employees from reporting to work under the influence of, dispensing, possessing or using alcohol on Company premises or while conducting Company business except as permitted at specific Company events. For the purposes of this policy, any alcohol concentration of greater than .04, expressed in terms of grams of alcohol per two hundred liters of breath, or its equivalent, shall be deemed to violate this policy.

Upon receipt of a confirmed positive alcohol test that indicates violation of this policy by an employee who (1) has been employed by the Company for at least twelve of the preceding eighteen months and (2) has not previously violated this policy, the Company shall give the employee the option of enrolling in a Company-provided or approved rehabilitation, treatment, or counseling program (“Rehabilitation Program”) as an alternative to disciplinary action. If an eligible employee declines to participate in a Rehabilitation Program, then that employee shall be subject to the disciplinary action set forth in this policy. A Rehabilitation Program may include additional drug or alcohol testing. For employees participating in a Rehabilitation Program pursuant to this policy, participation in and successful completion of a Rehabilitation Program may be a condition of continued employment. The costs of the Rehabilitation Program shall be apportioned as provided under the Company’s employee benefits plan.

The Company shall not take adverse action under this policy against any employee who complies with the requirements of and successfully completes a Rehabilitation Program. Participation in a Rehabilitation Program, however, shall not preclude the Company from taking any adverse

employment action against an employee during the Rehabilitation Program based on the employee's failure to comply with any requirement of the Rehabilitation Program, including any action by the employee to invalidate a test sample provided by the employee pursuant to the Rehabilitation Program.

Student Drug Policy

All individuals must observe state and federal laws regarding the possession, use, sale, or distribution of illegal drugs and controlled substances. The University prohibits the unlawful possession, use, sale, or distribution of illegal drugs or controlled substances by any student at the University or at University-sponsored events and activities. Controlled substances include those drugs listed in the federal Controlled Substances Act.

Employee Drug Policy

The Company prohibits the manufacture, distribution, dispensation, sale, purchase, or transfer of any controlled substance by its employees on Company premises or while conducting Company business. The Company prohibits the unlawful possession or use of any controlled substance by its employees on Company premises or while conducting Company business. Employees may not report to work under the influence of an unauthorized controlled substance. Controlled substances include those drugs listed in the federal Controlled Substances Act.

The Company also prohibits the use, possession, distribution, transfer or sale of any drug paraphernalia on Company premises or while conducting Company business.

In compliance with the Drug-Free Workplace Act of 1988, and as a condition of employment, all employees must:

Abide by the terms set forth above;

Notify the Campus President, President, Director of Human Resources, Director of Human Resources Shared Services or other office designated for violations if an employee is convicted of violating any criminal drug statute and the violation occurred on or off Company premises while conducting Company business within five (5) days of the conviction.

When the Campus President, President, Director of Human Resources, Director of Human Resources Shared Services or other office designated for violations receives notice of a conviction of any criminal drug statute; he or she will coordinate efforts to comply with the reporting requirements of the Drug-Free Workplace Act of 1988.

Prescription and OTC Drugs

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her

job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

Drug and Alcohol Testing

The Company reserves the right to conduct blood and/or urine tests for alcohol and drugs when the Company has reasonable suspicion that: the employee is under the influence of, or impaired by, controlled substances while performing services for the Company or while on Company premises; has used controlled substances while performing services for the Company or while on Company premises; is impaired by alcohol while performing services for the Company or while on Company premises; or has used alcohol while on Company premises or while performing services for the Company, except at approved Company events. Reasonable suspicion may be based on a variety of factors, including but not limited to the employee's appearance, conduct, activity/inactivity, equilibrium, speech, attention span, behavior, mental and physical reactions, statements made, odor of intoxicants on breath or clothing of the employee, unsteady gait, and dilated or constricted pupils. The testing will be performed by qualified personnel at an independent drug testing facility selected by the Company.

When a supervisor believes that an employee is under the influence of drugs or alcohol while on the job, the employee's supervisor will immediately contact the Human Resources Department. The employee may be removed from the workplace until the employee is no longer under the influence and/or during the time an investigation is underway. The Human Resources Department will arrange to have the employee transported home or, if there is reasonable suspicion to believe that the employee violated this policy, the Human Resources Department will arrange for transportation to a drug testing facility selected by the Company.

Desks, cubicles, offices, storage areas, and all Company materials are Company property and must be maintained according to Company rules and regulations. The Company reserves the right to inspect all Company property without notice to the employee and at any time to ensure compliance with this policy.

Additionally, whenever the Company suspects that an employee has violated this policy, the Company may inspect the employee's personal effects (including parcels, purses, lunch boxes and briefcases) or automobile if those personal effects or automobile are located on Company property.

ALCOHOL AND DRUG ABUSE PREVENTION PROGRAM

The University provides Student Advocates who can assist students in identifying resources related to drug and alcohol use and abuse for students. In addition, employees may receive services through the Employee Assistance Program. The University disseminates informational

materials, education programs, and referrals regarding the use of alcohol and /or controlled substances. Students who violate University policies related to the use of drugs or alcohol are subject to the disciplinary procedures. Employees who violate the Drug Free Workplace policy face discipline, up to and including termination. Student Affairs coordinates the [Drug--Free Schools and Communities Act Program](#) through the following departments:

Alcohol and Drug Education: Access and Wellness, Student Affairs, Human Relations

Counseling Referrals: Access and Wellness, Human Resources

University Disciplinary Actions: Student Affairs

Employee Disciplinary Actions: Human Resources

The University provides local and national toll--free telephone numbers to help any member of the University community who may require assistance in dealing with a drug or alcohol problem. The University maintains this information in the [Emergency and Counseling Hotline Telephone Numbers](#) section found on the [Community Safety page](#) of the website. Additional resources are offered through contact with a Student Advocate.

SEXUAL MISCONDUCT/HARASSMENT POLICY

Ashford University is committed to maintaining an academic climate in which individuals of the University community have access to an opportunity to benefit fully from the University's programs and activities. When students experience acts of sexual misconduct, their sense of safety and trust is violated. This can significantly interfere with their lives, including their educational goals. This policy has been developed to proactively create an environment in which incidents of sexual misconduct can be promptly, equitably, and effectively responded to without further victimization, retaliation, and with possible remediation of its effects. Complaints which arise from all allegations including, but not limited to, dating violence, domestic violence, sexual assault, or stalking, include a prompt, fair, and impartial process from the initial investigation to the final result.

The University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the Clery Act (see definition section immediately below). For educational and awareness purposes, local jurisdiction definitions are also provided; however, these definitions are not used for the purposes of reporting Clery Act statistics. Note that local jurisdiction definitions may be different than the definitions used for Clery Act purposes. The University reserves the right to determine the applicable definition based upon factors including but not limited to location of alleged offense, applicable laws or location of the University. Under University policy or Title IX or other federal law, conduct may constitute sexual misconduct/harassment even though that conduct does not meet a specific state or other definition of an offense.

This policy shall be disseminated through the *Ashford University Academic Catalog*, provided to the University community online through the University website, Student Portal, and other appropriate channels of communication.

REQUIRED DEFINITIONS

Sex Discrimination

Gender-based harassment or discrimination may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Harassment

Sexual harassment includes unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that has the effect of unreasonably interfering with an individual's academic or work performance, or creates an intimidating, hostile, or offensive environment. Sexual violence is a form of sexual harassment prohibited by Title IX/SaVE.

Three Types of Sexual Harassment:

1. Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive/persistent or patently offensive so that it alters the conditions of education or employment, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint. The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include:
 - The frequency of the conduct;
 - The nature and severity of the conduct;
 - Whether the conduct was physically threatening;
 - Whether the conduct was humiliating;
 - The effect of the conduct on the alleged victim's mental or emotional state;
 - Whether the conduct was directed at more than one person;
 - Whether the conduct arose in the context of other discriminatory conduct;
 - Whether the statement is a mere utterance of an epithet which engenders offense in an individual, or offends by mere discourtesy or rudeness; and
 - Whether the speech or conduct deserves the protections under other principles such as academic freedom.

Hostile Environment sexual harassment may occur in student to student, faculty/staff to student or student to faculty/staff relationships or third party to student/faculty/staff.

2. Quid Pro Quo sexual harassment exists when there are:

Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and

Submission to or rejection of such conduct results in adverse educational or employment action.

Quid Pro Quo sexual harassment may occur in student to student, faculty/staff to student or student to faculty/staff relationships.

3. Retaliation:

The University will sanction a faculty, student, or staff member who takes adverse action against a person because of the person's participation in or support of an investigation of Sexual Misconduct/Harassment. Adverse action includes, but is not limited to, threats, harassment, intimidation (implied threats) or actual violence against the person or his or her property, adverse educational or employment consequences, ridicule, taunting, bullying, or ostracism.

Retaliation sexual harassment may occur in student to student, faculty/staff to student or student to faculty/staff relationships, or third party to student/faculty/staff.

Sexual Violence

Sexual violence is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion, domestic violence, dating violence, and/or stalking. Sexual violence can be carried out by University employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

Sexual Assault

California law defines sexual assault as engaging in sexual intercourse, oral or anal sex, or even slight penetration (including with an object), without the other person's consent.

Iowa law does not define sexual assault, but defines sexual abuse to include sexual intercourse or oral or anal sex (including penetration with a finger, hand, or an object) with a person who:

- is forced, threatened, or coerced
- does not (or cannot) consent

Sexual abuse also includes sexual exploitation of an emotionally dependent patient by a therapist, or of a student by a school employee.

Consent

Under California law defining sex offenses, consent means an informed, voluntary, and affirmative decision to engage in sexual activity, which cannot be given by someone who is:

- unconscious, asleep, or incapacitated by drugs or alcohol
- unable to understand the nature of the activity due to a mental, physical, or developmental disability
- forced, threatened, or coerced
- under age (generally, the age of consent is 18)

In addition, asking the perpetrator to use a condom or other birth control device does not imply consent.

Under Iowa law consent to sexual activity cannot be given by a person who is:

- forced or threatened
- unable to understand the nature of the conduct or its consequences, or to exercise self-control, due to drugs, alcohol, or a mental defect
- unconscious, asleep, or otherwise physically unable to object, resist, or flee
- underage (generally, the age of consent is 16 years old)

Consent cannot be implied because the person did not physically resist.

Incapacitation

Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol or drugs are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. Being intoxicated by drugs or alcohol does not diminish one's responsibilities to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

Domestic & Dating Violence

California law defines domestic violence as abusive behavior between two people who:

- have dated, married, or lived together
- have a child in common

- are related by blood or marriage
- are parent and child

Domestic and dating abuse can be spoken, written, or physical, and includes:

- sexual assault
- actual or attempted physical injury
- causing fear of imminent serious bodily injury
- threatening, harassing, stalking, disturbing their peace, or destroying their personal property
- emotional abuse, financial or property control, or other coercive and controlling behaviors

Iowa law defines domestic and dating abuse as assault between two people who:

- have married, dated, or lived together
- have a child in common
- are related by blood or marriage

Assault is actual or threatened acts — including physical contact — intended to insult, offend, or injure the other person. Anyone who commits assault in a dating or domestic abuse situation can go to jail (or prison, if the conduct is a felony).

Stalking

California law defines stalking as repeatedly following someone or engaging in a course of conduct that seriously alarms a person, and threatening to hurt them or a member of their immediate family or household.

The crime of cyberstalking involves annoying or harassing someone with repeated calls or electronic communications that are obscene or threatening.

It is also a crime to use an electronic device to distribute personal information about or digital images of someone with the intent to harass or harm that person.

Iowa law defines stalking as a pattern of conduct that causes the target to fear for the personal safety of the target or an immediate family member. Some common stalking behaviors are following the target, repeatedly making phone calls, leaving voice, text, or email messages, or delivering gifts. While each of these acts alone may seem noncriminal and nonthreatening, it's the pattern and context of the acts that turn them into a crime.

Harassment occurs when the actor intimidates, annoys, or alarms the target by actions such as:

- communications, threats, or other contact
- items or packages delivered to the target
- false police reports against the target

Iowa law additionally requires anyone convicted of sexually motivated stalking or harassment to register as a sex offender.

PREVENTION AND AWARENESS OF SEXUAL VIOLENCE

Programs to promote the prevention and awareness of sexual violence, sexual assault, domestic and/or dating violence, stalking, sexual exploitation, and other sexual misconduct offenses are provided by the University to promote a safe working and learning environment. Educational programs, awareness and prevention campaigns identify safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such bystander. Additionally, information is provided on risk reduction so that students, faculty/staff may recognize warning signs.

All new Ashford University students are invited to complete training on sexual violence prevention, response, and reporting, and include the University's policy on sexual misconduct/harassment. Students are informed of University and national resources for those who experience sexual misconduct. New Ashford University faculty and staff are required to complete training on sexual violence prevention, response, and reporting, and include the University's policy on sexual misconduct/harassment. All employees are required to complete annual training. Employees who address allegations of dating violence, domestic violence, sexual assault and stalking also receive annual training appropriate to their roles and responsibilities. For those responsible for investigation, this annual training addresses contemporary issues including the following topics:

- relevant evidence and how it should be used during a proceeding;
- proper techniques for questioning witnesses;
- basic procedural rules for conducting a proceeding; and
- avoiding actual and perceived conflicts of interest.

These trainings are delivered in person or by electronic means.

Prior to the May, 2016 closure of the residential campus, University sexual assault prevention programs included Residence Hall Orientation, campus presentations on prevention, awareness, and response, and the *Ashford Student Health 101* magazine, which provides regular features on topics related to gender equity, sexual violence, and sexual health.. Students attending the

mandatory Residence Hall Orientation (prior to the May 2016 closure of the campus) received the *University Sexual Misconduct Response Brochure* that details the University policy regarding sexual misconduct, contains resource information for victims, and provides information on the University process for responding to reports of sexual misconduct.

All students, faculty, and staff received notification of the University’s Sexual Misconduct Process through the annual distribution of the Academic Catalog.

BYSTANDER INTERVENTION AND RISK REDUCTION

Safe and positive options for bystander intervention are presented in both faculty/staff and student trainings and awareness campaigns. Understanding healthy behaviors with a focus on communication, respect, and consent are included, and community members are encouraged to be aware of signs that personal boundaries are not being respected, or that coercive, pressuring, or aggressive behaviors may be present. These trainings include guidance for safely intervening as a bystander to prevent violence, and encourage speaking up about acceptable and unacceptable behaviors, being direct when communicating about concerns, enlisting the support of peers, and reporting incidents of concern. Bystander intervention strategies are frequently a topic addressed through Ashford Student Health 101 magazine, which provides regular features on topics related to gender equity, sexual violence, and sexual health, including dating violence, domestic violence, sexual assault, and stalking.

The table below represents primary prevention programs and ongoing awareness and education efforts of the University. These include awareness programs, bystander intervention, ongoing prevention and awareness campaigns, primary prevention programs, and risk reduction.

Program Name	Description	Frequency	Contact Information
Sexual Misconduct and Gender Equity Curriculum	Employees learn about important concepts related to sexual misconduct, prevention and reporting, and about their reporting options and obligations, and learn about support and resources for those who experience sexual misconduct.	Online upon new hire/Required	Director, Learning and Development titleix@ashford.edu

Sexual Harassment and Sexual Misconduct Prevention	A prevention video reviewing important concepts related to sexual misconduct, prevention, reporting options and obligations, and support resources for those who experience sexual misconduct.	Online annually/Required	Director, Learning and Development (titleix@ashford.edu)
Community Safety, Prevention and Response: Understanding Title IX, VAWA, and the Clery Act	An interactive educational tool where employees are introduced to the regulatory framework that support our sexual misconduct policies, along with reporting options and obligations.	Online annually/Required	Title IX Coordinator (titleix@ashford.edu)
Campus Clarity: Think About It	Students learn about important concepts related to sexual misconduct, prevention and reporting, and about their reporting options. Students are informed of University and national resources for those who experience sexual misconduct.	Online upon enrollment/Optional	Student Care Manager, Student Affairs (access@ashford.edu)
Victim's Rights for Sexual Harassment or Misconduct	An educational tool where students are introduced to the sexual misconduct policy, along with reporting options and resources.	Online upon enrollment/Optional	Title IX Coordinator (titleix@ashford.edu)

Ashford Student Health 101 – Title IX Edition	Employees and students are provided with access to the Title IX Special Edition for a focused delivery of information on establishing and maintaining community safety, bystander intervention, and getting help after an assault.	Online upon enrollment or new hire/Optional	Student Care Manager, Student Affairs access@ashford.edu
Ashford Student Health 101	This monthly publication is delivered to faculty, staff, and students. Information is provided on risk reduction so that students, faculty and staff may recognize warning signs and opportunities to offer support.	Monthly upon new hire or enrollment/Awareness	Student Care Manager, Student Affairs access@ashford.edu
Promoting Awareness and Wellness (PAWs)	A monthly video blog focused on raising awareness of issues related to gender equity, sexual misconduct, and community wellbeing.	Online monthly/Awareness	Student Care Manager, Student Affairs access@ashford.edu
Ashford Community Safety Page	Identifies safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such bystander.	Online resource	Title IX Coordinator titleix@ashford.edu

Intimate Partner Violence 101: Recognize, Respond, Refer	Webinar addressing issues of interpersonal violence, including dating and domestic violence, with a focus on understanding risk factors, recognizing concerning behaviors, and responding to instances through intervention and referral.	Online periodic/Awareness	Title IX Coordinator (titleix@ashford.edu)
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REPORTING

Sexual Misconduct/Harassment is a threat to the entire University community. Members from the University community are strongly encouraged to report all incidents that threaten a student’s continued well-being, safety, or security. Complaints from any member of the University community relating to discrimination, misconduct, harassment, domestic violence, dating or other related violence, stalking, or retaliation based on gender or sex concerning a faculty, staff, a student or students should be reported to:

Title IX/SaVE Coordinator for Ashford University:

Poppy Fitch, Associate Vice President, Student Affairs, Title IX/ADA Compliance Coordinator

Dr. Poppy Fitch can be contacted at:

Phone: (866) 974-5700, ext. 20702

Email: titleix@ashford.edu

Mailing Address: 8620 Spectrum Center Blvd,
San Diego, CA 92123

Christina Jaquez, Student Conduct Specialist, Deputy Title IX Coordinator

Christina Jaquez can be contacted at:

Phone: (866) 974-5700, ext. 20793

Email: titleix@ashford.edu

Mailing Address: 8620 Spectrum Center Blvd,
San Diego, CA 92123

The Title IX/SaVE Coordinator is responsible for the oversight, coordination and implementation of all Title IX compliance activities for the University. Title IX/SaVE Coordinator responsibilities include, but are not limited to, monitoring of the ongoing publication of the University’s policy of Nondiscrimination including the Title IX/SaVE Coordinators contact information, continuous monitoring and oversight of overall University activities for compliance with Title IX requirements

including equity, grievance procedures, investigations, sanctions and evaluating requests for confidentiality.

Students are strongly encouraged to report all incidents that threaten their or another person's continued well-being, safety, or security. University personnel will assist the student in notifying authorities, if requested.

REPORTING OPTIONS

Victims have options for reporting, and may choose to pursue one or more of these options. The campus Title IX Coordinator can assist in notifying the police, if requested. Victims have a right to have a friend, family member, sexual assault victim advocate, or other representative present while reporting the incident. Victims have the right to have a sexual assault victim advocate and support person of their choice present with them during a rape examination. Victims may also take any of the actions listed below.

Reporting to the Police

Reporting to local police is an option at any time. Victims who choose not to report to the police immediately following an incident of Sexual Misconduct, Dating and Domestic Violence, or Stalking can choose to report at a later time. However, the passage of time may limit the ability to gather evidence to assist with criminal prosecution. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim's behalf.

As soon after the incident as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police by dialing 911. The University will support all victims regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim. The University will protect the confidentiality of the victim to the extent permitted by applicable California State law.

If a victim reports to a local police agency about Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator.

The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

In cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the preservation of physical evidence is important to facilitate the identity and successful prosecution of the

offender. The victim should not change clothes, bathe, douche, or shower following the attack. Sexual Assault Response Team (S.A.R.T.) medical personnel are trained to collect, process, and preserve physical evidence of Sexual Misconduct, and are committed in their assistance to the victim. Victims may request a S.A.R.T. exam to preserve forensic evidence without completing a police report. This evidence may be used in the case a victim wishes to report the assault at a later date. Victims are not financially responsible for S.A.R.T. exams and the cost will be the responsibility of the local law enforcement jurisdiction.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders related to the incident more difficult. Victims who choose not to make a complaint regarding an incident, nevertheless should consider speaking with law enforcement to preserve evidence in case they change their mind and decide to report the assault at a later date.

A victim has the right to have a confidential advocate present when reporting to law enforcement and during examinations. With the victim's consent, the confidential advocate will assess the victim's immediate needs and provide support and referral as appropriate. This confidential assistance may include: counseling, information concerning rape trauma syndrome; information on the collection of medical evidence and available health services to test for injuries, sexually transmitted diseases, and/or pregnancy. Assistance is also available with access to other resources and services, including assistance in obtaining emergency protection orders and restraining orders.

Reporting to a Campus Security Authority

Members of the University community may report incidents of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking to any Campus Security Authority (CSA). These University personnel will assist the victim in notifying the appropriate law enforcement agency, if requested. All campus employees including CSA's are required to report incidents of Sexual Misconduct, Dating Violence, Dating Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, under the Clery Act the campus may be required to issue a timely warning to the community.

Reporting to a Title IX Coordinator or Responsible Employee

Victims may report to the campus Title IX Coordinator, who will provide written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident. The Title IX Coordinator will also provide information regarding resources available to victims, as well as information regarding their rights and options. Contact information for the Title IX Coordinator is listed above.

Many resources and options are available to victims. The University has designated a Title IX Coordinator as the primary point of contact to provide them with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct, Dating and Domestic Violence, and Stalking. The Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant complaint process, and rights to receive assistance with that process, including the investigation process; how confidentiality is handled; and available resources, both on and off campus.

University employees have a duty to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incidents when they are on notice of it. When a victim tells the Title IX Coordinator or another University employee about a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened, and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking directly to the campus Title IX Coordinator. The University will need to determine what happened and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. No University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request

for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other steps. Without information about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

Under California law, and pursuant to University policy, many University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the incident to the police. However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking campus-wide, reports (including

non-identifying reports) may also require the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported incident(s) occurred; increased education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices.

Non-Reporting

Victims are encouraged to report any incident of Sexual Misconduct, Dating and Domestic Violence, or Stalking to the police and/or campus Title IX Coordinator so that steps may be taken to protect them as well as the campus community. However, non-reporting is also an option.

Civil Lawsuits and Protective Orders

Whether or not criminal charges have been filed, victims may choose to file a civil lawsuit against the perpetrator. A civil lawsuit provides the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress.

Additionally, victims may choose to obtain a protective or restraining order (such as a Domestic Violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can protect victims who have experienced or are reasonably in fear of physical violence, Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking. The campus Title IX Coordinator can offer assistance with obtaining a protective or restraining order.

WRITTEN NOTIFICATION

When a student or employee reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide them a written explanation of their rights and options. University personnel will inform in writing of procedures that victims should follow, including:

- The importance of preservation of any evidence;
- Options regarding the assistance of local law enforcement, including the option to be assisted by campus authorities, if the victim so chooses;
- The option to decline assistance, or decline notifying local law enforcement;
- Options for and how to request accommodations or protective measures such as changes to academic or working situations and their options for protective orders, and;
- Community and campus-based resources including counseling, health, and mental health resources, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims.

Reporting sexual misconduct helps:

- Protect the victim and others from future harm.
- Apprehend the alleged assailant.
- Maintain future options regarding prosecution.
- Disciplinary action, criminal, and/or civil action against the perpetrator.

If you are raped or sexually assaulted:

- Go to a safe place. Think safety first.
- Preserve evidence. Do not bathe, shower, douche, change clothes or straighten up the crime scene.
- Contact someone who can help. The police, campus security, a friend, campus staff or faculty.

Seek medical attention at a hospital emergency room to:

- Assess and treat any physical injuries.
- Determine the risk of sexually transmitted infections or pregnancy and to take appropriate measures.
- Collect evidence.

Upon receiving notice of a possible violation of the *Sexual Misconduct/Harassment* policy, the University will take immediate and appropriate steps to:

- End the behavior;
- Conduct a prompt, fair and impartial investigation;
- Remedy the effects, and;
- Prevent it from reoccurring.

The investigator(s) will conduct investigation(s) in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the complainant, the respondent, and any witnesses. As part of the investigation, the University will provide an opportunity for the parties to present statements, witnesses, and other evidence. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available including but not limited to law enforcement investigation documents and student or employee personnel files. The investigation is to be prompt, equitable, effective, fair and impartial, and all individuals will be treated with appropriate sensitivity and respect throughout the investigation.

Individuals with complaints of any nature described above always have the right to simultaneously file a formal complaint with the Office for Civil Rights (OCR), United States Department of Education, Washington DC 20201, and/or a criminal complaint with local law enforcement.

CONFIDENTIALITY AND SEXUAL MISCONDUCT/HARASSMENT

Students or parents of minor students, reporting incidents of Sexual Misconduct/Harassment may ask that the students' names not be disclosed to the accused, or that no investigation or disciplinary action be pursued to address the alleged Sexual Misconduct/Harassment. The University strongly supports a student's interest in confidentiality in cases involving Sexual Misconduct/Harassment. There are situations in which the University must override a student's request for confidentiality in order to meet its Title IX obligations; however, these instances will be limited and the information will only be shared with individuals who are responsible for handling the University's response to incidents of Sexual Misconduct/Harassment.

Given the sensitive nature of reports of Sexual Misconduct/Harassment, the University will ensure that the information is maintained in a secure manner. The University is aware that disregarding requests for confidentiality can have a chilling effect and discourage other students from reporting Sexual Misconduct/Harassment. In the case of minors, state mandatory reporting laws may require disclosure, but will generally be followed without disclosing information to University personnel who are not responsible for handling the University's response to incidents of Sexual Misconduct/Harassment.

Even if a student does not specifically ask for confidentiality, to the extent possible, the University will only disclose information regarding alleged incidents of Sexual Misconduct/Harassment to individuals who are responsible for handling the University's response. To improve trust in the process for investigating Sexual Misconduct/Harassment complaints, the University will notify students of the information that will be disclosed, to whom it will be disclosed, and why. Regardless of whether the student complainant requests confidentiality, the University will take steps to protect the complainant as necessary, including taking interim measures before the final outcome of an investigation.

For Title IX purposes, if a student requests that his/her name not be revealed to the accused or asks that the University not investigate or seek action against the accused, the University will inform the student that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the accused. The University will also explain that Title IX includes protection against retaliation, and that University officials will not only take steps to prevent retaliation but also take strong, responsive action if it occurs. This includes retaliatory action taken by the University and University officials. When the University knows or reasonably should know of possible retaliation by other students or third parties, including threats,

intimidation, coercion, or discrimination (including harassment), it will take immediate and appropriate steps to investigate or otherwise determine what occurred. The University will protect the complainant and insure his/her safety, as necessary. If the student still requests that his/her name not be disclosed to the accused, or that the University not investigate or seek action against the accused, the University will determine whether or not it can honor such a request while still providing a safe and non-discriminatory environment for all students, including the student who reported the Sexual Misconduct/Harassment. The Title IX Coordinator will evaluate confidentiality requests.

If the University determines that it can respect the student's request not to disclose his/her identity to the accused it will take all reasonable steps to respond to the complaint consistent with the request. Although a student's request to have his/her name withheld may limit the University's ability to respond fully to an individual allegation of Sexual Misconduct/Harassment, the University will investigate other means available to address the Sexual Misconduct/Harassment, without initiating formal action against the accused or revealing the identity of the student complainant. The University will also take immediate action as necessary to protect the student while keeping the identity of the student confidential.

CONFIDENTIALITY AND THE CLERY ACT

The University will protect a Clery crime victim's confidentiality, even if the victim does not specifically request confidentiality, where possible and in the following ways:

The victim's personally identifying information will not be included in any publicly available record, including *Clery Act* reporting and disclosures such as the annual security report and the daily crime log. Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

The *Clery Act* statistics that are included in the Annual Security Report will not include any personally identifiable information about the individuals involved in the crime reflected in the statistics.

In some cases, the University may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. The University will

inform victims before sharing personally identifying information that the institution believes is necessary to provide an accommodation or protective measure and will tell the victim what information will be shared, with whom it will be shared and why. University Title IX Coordinators and professional staff of the Office of Student Access and Wellness, through professional consultation and drawing upon specialized training and expertise, will determine what information about a victim should be disclosed, to whom this information will be disclosed, and will use only official University systems to transmit the information necessary to provide the accommodation or protective measure.

DISCIPLINARY PROCEDURE FOR INCIDENTS OF SEXUAL MISCONDUCT/HARASSMENT

Upon receipt of a complaint, the Title IX/SaVE Coordinator will refer the complaint to the Student Dispute Resolution Center (SDRC), and if necessary, to Employee Relations, for investigation.

Generally, the investigation will be completed and findings and sanctions issued within sixty (60) calendar days from the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay.

In all complaints, the Title IX/SaVE Coordinator and, if necessary, Human Resources, will provide interim measures upon the request of a reporting party if such measures are reasonably necessary and available.

In order to protect the complainant at any time during the investigation, the University may also recommend interim measures. These interim measures may include, but are not limited to, resources and support services, issuance of No Contact orders to separate or limit contact between the parties, modification of extracurricular, transportation, dining, working or course schedules, assignments or tests, increased monitoring, supervising, or security at applicable locations or activities, and/or interim suspension(s) pending investigation. These measures may apply in ground or online contexts.

Efforts will be made to minimize the burden on the complainant. Failure to comply with these interim measures may be considered a separate violation of this policy.

Initial Investigation of Complaint

NOTE: As discussed under “Confidentiality,” students reporting incidents of Sexual Misconduct/Harassment may ask that the students’ names not be disclosed to the accused or that no investigation or disciplinary action be pursued to address the alleged Sexual Misconduct/Harassment. While the University strongly supports a student’s interest in confidentiality in cases involving Sexual Misconduct/Harassment when the University can honor such a request, the formal investigation described here cannot take place when confidentiality is

honored. Only informal measures with no potential discipline for the responding party can result in circumstances where confidentiality does not allow the respondent to know the identity of the complainant and the allegations against her or him.

- The Initial Investigation will be completed within ten (10) calendar days from the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay.
- Upon receipt of a complaint from the Title IX/SaVE Coordinator, the Student Dispute Resolution Center (SDRC), and if necessary, Human Resources staff, will mutually investigate the complaint.
- Only trained investigators will analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence – including both inculpatory and exculpatory evidence – and take into account the unique and complex circumstances of each case.
- SDRC and, if necessary, Human Resources staff, will mutually determine the identity and contact information of the complainant, whether that will be the initiator, the alleged victim, or a University proxy or representative.
- SDRC and, if necessary, Human Resources staff, will mutually collaborate with the complainant to identify the correct policies allegedly violated.
- SDRC and, if necessary, Human Resources staff, will mutually conduct an immediate initial investigation to determine if there is reasonable cause to charge the accused individual, and what policy violations should be alleged as part of the complaint.
- Once SDRC and, if necessary, Human Resources staff, determines the need to open an investigation, SDRC and/or HR will provide written notice to the responding party of the allegations constituting a potential violation of the sexual misconduct policy, including sufficient details and with sufficient time to prepare a response before any initial interview.
- Sufficient details include the identities of the parties involved, the specific section of the code of conduct allegedly violated, the precise conduct allegedly constituting the potential violation, and the date and location of the alleged incident.
- The investigation should result in a written report summarizing the relevant exculpatory and inculpatory evidence.
- The reporting and responding parties and appropriate officials must have timely and equal access to any information that will be used during informal and formal meetings in

this and all subsequent steps of the process, and be given the opportunity to present evidence, including written witness statements.

- If a reasonable cause exists, SDRC and, if necessary, Human Resources staff, will mutually prepare the Initial Investigation Report and if applicable, a proposed Notice of Charges on the basis of the initial investigation and submit it to the Title IX/SaVE Coordinator for further action.
- Once the Title IX/SaVE Coordinator receives a copy of the report of initial findings, the Title IX/SaVE Coordinator will review the findings and make a determination within three (3) calendar days of receipt of the initial investigation report and if applicable, the proposed Notice of Charges as to whether reasonable cause exists to bring charges against the accused individual. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay. If reasonable cause exists, the matter shall proceed to a formal investigation.
- If the Title IX/SaVE Coordinator determines there is insufficient evidence to support reasonable cause, the Title IX/SaVE Coordinator or designee or, if necessary, Human Resources, will simultaneously and in writing inform the complainant and the accused that the investigation is discontinued and include the rationale for the result. Any interim measures taken will be reversed.

Notice of Charges and Continued Investigation of Complaint

- The decision whether to continue the Investigation will be made and communicated to the parties within fifteen (15) calendar days of the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay.
- The Title IX/SaVE Coordinator or his/her designee, will simultaneously communicate in writing to the parties the continuation of the investigation and intent to present the accused with a Notice of Charges. This notification must include any initial or interim decision and the rationale.
- If the Title IX/SaVE Coordinator determines there is sufficient evidence to support reasonable cause and approve the charges, the Title IX/SaVE Coordinator and, if necessary, Human Resources staff, will mutually determine the need for additional interim measure for any parties involved in the complaint.
- In all complaints, the Title IX/SaVE Coordinator and, if necessary, Human Resources, will provide interim measures upon the request of a reporting party if such measures are reasonably necessary and available..

- In order to protect the complainant at any time during the investigation, the University may also recommend interim measure.
- These interim measures may include, but are not limited to, resources and support services, issuance of No Contact orders to separate or limit contact between the parties, modification of extracurricular, transportation, dining, working or living arrangements or course schedules, assignments or tests, increased monitoring, supervising, or security at applicable locations or activities, and/or interim suspension(s) pending investigation. These measures may apply in ground or online contexts.
- Efforts will be made to minimize the burden on the complainant. Failure to comply with these interim measures may be considered a separate violation of this policy
- Any requests for updates on the status of the investigation prior to its completion should be directed to the Title IX/SaVE Coordinator.
- The investigator will make a finding and present the findings to the Title IX/SaVE Coordinator within forty-five (45) calendar days of the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay..
- The Title IX/SaVE Coordinator will review the findings and make a determination in the case applying a preponderance of the evidence standard within three (3) calendar days of receipt of the investigation report. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay.
- The Title IX/SaVE Coordinator will communicate the results, if applicable, to Human Resources staff.
- At any time during this process, the individual maintains the right to simultaneously file a formal complaint with the Office of Civil Rights (OCR), United States Department of Education, Washington DC 20201, and/or a criminal complaint with local law enforcement.

Presentation of Investigation Findings to the Parties

- The Title IX/SaVE Coordinator or designee, or, if necessary, Human Resources staff, will simultaneously and in writing communicate the findings to the accused and the complainant within fifty (50) calendar days of the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with written notice to the parties of the delay and the reason for the delay.
- This communication will inform the parties whether the preponderance of the evidence supports a finding against the accused for the alleged violation(s).

- The communicated findings will inform the parties as to 1) whether there is a finding of sexual harassment; 2) whether the interim measures will continue; 3) what actions will be taken, including any disciplinary procedures that will be initiated; and 4) whether any assistance will be provided to the victim.
- Where the accused is found not responsible for a violation, the Title IX/SaVE Coordinator and Human Resources staff where applicable, will consider the reversal of any remedial actions taken.
- The accused or the complainant may appeal the findings in part or in whole; the Title IX/SaVE Coordinator or his/her designee will advise the parties of the procedures to appeal of the result when communicating the findings.

Investigation Findings: Acceptance

- If the complainant and/or accused individual(s) accept the findings in whole, each shall notify the Title IX/SaVE Coordinator within three (3) business days of communication of findings. If the complainant and/or accused individual do not indicate his/her acceptance or Appeal of the findings within three (3) business days of communication, non-communication will be considered acceptance and the University will proceed accordingly with the process four (4) business days following communication of the investigation findings.
- The Title IX SaVE/Coordinator will review all case information and determine appropriate sanctions within eight (8) business days following notification of all findings to the complainant and accused individual, barring documented unforeseen circumstances. If the accused is an employee, the Title IX/SaVE Coordinator in coordination with the Human Resources staff will determine appropriate sanctions.
- The Title IX/SaVE Coordinator, or Human Resources staff (if applicable) shall, within two (2) business days, barring documented unforeseen circumstances, simultaneously and in writing inform the complainant and the accused of the sanction decision.
- Sanctions against student(s) determined by this process are subject to the Sanction Appeal Process by the accused party.

Investigation Findings: Appeal

If the complainant and/or the accused individual (s) disagree with the findings, in part or in totality, either the complainant or the accused may appeal the finding in part or in totality on the following bases:

- The accused and/or complainant wants consideration of new evidence, which was unavailable during the original investigation that could be outcome determinative. A summary of this new evidence and its potential impact must be included;

- The accused and/or complainant alleges that a material deviation from written procedures impacted the fairness of the process in a way that could be outcome determinative;
- The accused and/or complainant challenges the assertion that the evidence presented during the investigation process was sufficient to find them responsible by a preponderance of the evidence; or,
- The accused and/or complainant alleges bias by the investigator, or the Title IX/SaVE Coordinator which deprived the process of impartiality in a way that was outcome determinative.

The accused and/or complainant have five (5) business days, barring documented unforeseen circumstances from the date of communication of findings, to present the formal appeal, in writing, to the Senior Vice President for Academic Affairs and CAO of Ashford University, Dr. Laura Palmer Noone.

The Senior Vice President for Academic Affairs and CAO may be contacted as follows:

Email: Laura.PalmerNoone@ashford.edu

Mailing Address:

Dr. Laura Palmer Noone

Senior Vice President for Academic Affairs and CAO, Ashford University

8620 Spectrum Center Blvd, San Diego, CA 92123

- Upon receipt of either party's appeal of the findings, the Vice President for Academic Affairs will acknowledge receipt of the notice within three (3) business days.
- The written appeal must state the basis for appeal and provide sufficient information that supports the grounds for appeal.
- The Vice President for Academic Affairs or his/her designee will review all cases presented for appeal within five (5) business days of the appeal, barring documented unforeseen circumstances, to determine if the presented grounds for appeal and supporting information will be accepted or rejected.
- If the appeal does not meet the stated grounds for appeal, the appeal will be rejected. The Vice President for Academic Affairs, shall, within two (2) business days of the determination, barring documented unforeseen circumstances, simultaneously and in writing, inform the complainant and the accused of the appeal decision.
- If the Vice President for Academic Affairs determines there is sufficient evidence to support an appeal, the matter will return to the Student Dispute Resolution Center for further investigation unless the appeal alleges bias of the investigator which deprived the

process of impartiality in a way that was outcome determinative or an assertion that the evidence was insufficient to meet the preponderance of the evidence standard. In those cases, the appeal will remain with the Vice President for Academic Affairs or his/her designee for review and final decision.

- Whether the investigation goes to the Student Dispute Resolution Center or remains with the Vice President for Academic Affairs or his/her designee, the appeal investigation will be completed within fourteen (14) calendar days of submission to the Vice President for Academic Affairs, barring documented unforeseen circumstances that may extend the appeal review.
- The Vice President for Academic Affairs, and if applicable in coordination with Human Resources, will communicate the appeal findings simultaneously and in writing to the complainant and the accused.
- Additionally, the Vice President for Academic Affairs will consult with the Title IX/SaVE Coordinator and Human Resources (when necessary) to consider the reversal of any remedial actions taken.

Notification of Outcomes

The University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. See also, Presentation of Investigation Findings to the Parties under Reporting/Filing a Complaint for Title IX – Sexual Misconduct/Harassment.

In the event that the alleged victim is deceased as a result of the crime or offense, the notification will be made to next of kin (upon written request).

SANCTIONS FOR CASES OF SEXUAL MISCONDUCT/HARASSMENT

Possible Sanctions and Protective Measures

Any student found responsible for violating the policy on Sexual Misconduct/Harassment may receive a sanction ranging from a verbal warning, probation, and suspension to expulsion/termination, depending on the severity of the incident, and taking into account any previous documented conduct issues. If the accused individual is an employee, sanctions will be determined by Title IX/SaVE Coordinator in consultation with Human Resources if applicable.

In order to protect the complainant, at any time during the investigation, the University may recommend short term, or interim, protections or remedies. These remedial actions may include, but are not limited to, making the complainant aware of their rights, resources and support services, issuance of No Contact orders to separate or limit contact between the parties,

modification of academic or working environments, and/or interim suspension(s) pending investigation. These remedies or protections may apply to ground or online contexts.

Efforts will be made to minimize the burden on the complainant. Failure to comply with these interim protections may be considered a separate violation of this policy.

Sanction Process

The Title IX/SaVE Coordinator will review all case information and determine appropriate sanctions within five (5) business days of notification of acceptance or determination on appeal barring documented unforeseen circumstances.

Sanction Appeal Process

Where the accused party disagrees with the sanction(s), they have five (5) business days from the date sanctions are communicated, barring documented unforeseen circumstances to present an appeal of the sanctions, in writing, to the Vice President for Academic Affairs. The written request for appeal of the sanctions must state one or more of the five (5) basis for appeal (see the following), along with facts and information that support the grounds for appeal; and be accompanied by any relevant, new information or evidence that was not available during the investigation phase of the process. The Title IX/SaVE Coordinator will forward all case information to the Vice President for Academic Affairs or designee who will make a determination as to whether there is sufficient evidence to support an appeal of sanctions on the basis of:

- The availability of new information, unavailable during the original investigation, that could be outcome determinative regarding sanctions;
- A potential material deviation from written procedures which impacted the fairness of the process in a way that was outcome determinative regarding the sanctions;
- The potential of bias by the Title IX/SaVE Coordinator which may have deprived the process of impartiality in a way that was outcome determinative;
- A belief that a sanction(s) is substantially disproportionate to the severity of the offense.

The sanction(s) appeal will be reviewed by the Vice President for Academic Affairs within five (5) business days of the sanction appeal notice, barring documented unforeseen circumstances, to determine whether there are sufficient grounds for appeal.

If the appeal of the sanctions does not state a ground for appeal or sufficiently meet the grounds for appeal, the appeal will be rejected by the Vice President for Academic Affairs, or designee, and the decision to reject the appeal communicated to the Title IX/SaVE Coordinator and, if applicable, Human Resources.

The Title IX/SaVE Coordinator and, if applicable, Human Resources, will in writing inform the accused of the rejection of the appeal within seven (7) calendar days of the determination, barring documented unforeseen circumstances.

The Title IX/SaVE Coordinator will impose all sanctions on the accused student for the violation. Human Resources in consultation with the Title IX/SaVE Coordinator will impose all sanctions on the accused employee. Once the sanctions are carried out, the case will be closed.

If the Vice President for Academic Affairs determines there are grounds for the sanction appeal, the Vice President for Academic Affairs will review all information presented with the sanction appeal and make a final sanction determination within fourteen (14) calendar days of acceptance of the appeal of sanctions, barring documented circumstances that may extend the determination. The Vice President for Academic Affairs will forward the determination to the Title IX/SaVE Coordinator.

The Title IX/SaVE Coordinator and, if applicable, Human Resources, will in writing inform the accused of the appeal decision within seven (7) calendar days of the decision, barring documented unforeseen circumstances.

The Title IX/SaVE Coordinator or designee, and if applicable, Human Resources, will impose all sanctions for the violation. Once the sanctions are carried out, the case will be closed.

ADDITIONAL INFORMATION FOR SEXUAL MISCONDUCT/HARASSMENT INVESTIGATIONS

Amnesty Policy: Ashford University encourages the reporting of crimes by victims and/or witnesses. Sometimes, victims and/or witnesses are hesitant to report to University officials because they fear that by reporting an incident he/she may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims and/or witnesses as possible choose to report to University officials. To encourage reporting, Ashford University pursues a policy of offering victims and/or witnesses of crimes immunity from policy violations related to the incident, as long as those policy violations are not directly related to the crime itself. For example, if a student reported a rape in which he or she was involved as an accused individual, he or she would not be immune from policy violations.

Attempted Violations: In most circumstances, Ashford University will treat attempts to commit Sexual Misconduct/Harassment as if those attempts had been completed.

False Reporting: Ashford University will not tolerate intentional false reporting of incidents.

Group Actions: When members of groups, individuals acting collusively, or members of an organization act in concert in violation of any policy, they may be held accountable as a group or

individually, and may proceed against the group of jointly accused students, or individually, at the discretion of the University.

Right to Present Own Complaint or Use Proxy: The alleged victim has the right to present his or her own complaint if he or she wants to, or to ask the University to stand as complainant in his or her place.

Sexual History: Questioning or presenting of evidence about the complainant's prior sexual conduct with anyone other than the accused will be prohibited. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of Sexual Misconduct/Harassment.

University as Complainant: As necessary, Ashford University reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of Sexual Misconduct/Harassment.

SEX OFFENDER REGISTRY & ACCESS TO RELATED INFORMATION

The federal Campus Sex Crimes Prevention Act went into effect October 28, 2000. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also mandates that sex offenders already required to register in a State also provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

Iowa law requires sex offenders who reside, are employed, or attend school in Iowa to register with the county sheriff. The person must register within five business days of changing a residence, employment, or attendance as a student. (See Iowa Code § 692A.104) The Campus Sex Crimes Prevention Act requires institutions to inform members of the campus community of the means by which they can obtain information about registered sex offenders who may be present on campus. The campus community may find law enforcement agency information provided by the State of Iowa concerning registered sex offenders at www.iowasexoffender.com. Illinois registry information is available at <http://www.isp.state.il.us/sor/>. Questions regarding local sex offender registry can be directed to the Clinton County Sheriff's Office at 563.242.9211.

Under Iowa law, persons required to register as sex offenders are those convicted of a sex offense listed in Iowa Code section 692A.102, as well as individuals who are required to register as a sex offender in another jurisdiction under the other jurisdiction's sex offender registry.

The State of California maintains a Sex Offense Registry known as the Megan's Law Sex Offense Registry. You may view this site by logging onto, [Megan's Law Web Site](#).

MISSING STUDENT NOTIFICATION

After its Clinton, Iowa residential campus teach-out announcement, Ashford University ceased offering on-campus housing effective May, 2016. Prior to that date, the University adhered to the following missing student policies and procedures.

When it offered on-campus housing, the University developed a missing student notification policy for students who resided in on-campus housing. Each student who resided in on-campus housing had the option to identify and register a confidential contact with Student Affairs. Only Student Affairs and local law enforcement had access to the confidential contact information and only for the purpose of a missing student investigation). This confidential contact would have been notified by Student Affairs no later than 24 hours after the time that the student was determined missing in accordance with the following notification procedures.

Contact Information for the Office of Student Affairs to Register a Confidential Contact	
Director of Student Affairs	563.242.4023 x27152, Rm F2132
Campus Director of Campus Student Affairs	866.475.0317 x13010

If the missing student was under 18 years of age and was not an emancipated individual, the University was required to notify a custodial parent or guardian, as well as any confidential contact, no later than 24 hours after the time that the student was determined missing.

No later than 24 hours after the time the student was determined missing, the University Campus Security Office was required to notify the local law enforcement agency and to have provided the confidential contact information to local law enforcement at that time.

Any member of the University community with knowledge of a missing student who has been missing for 24 hours must immediately contact Student Affairs, which was required to immediately refer the report to the Campus Security Office. If, upon investigation of the official report, the Campus Security Office determined that that student has been missing for more than 24 hours, the Office was required to contact the individual's confidential contact registered with the Student Affairs, and, if the student was under the age of 18, the student's custodial parent or guardian via telephone within 24 hours.

Regardless of whether the student had identified a contact person, was above the age of 18, or was an emancipated minor, the Office of Campus Security was required to inform the local law enforcement agency within 24 hours of a student determined to be missing.

FIRE SAFETY ACT

The San Diego campus location is a non-residential facility and the institution thus does not maintain a Fire Safety Report/Fire Log or formal Missing Student Notification Policies and

Procedures. After its Clinton, Iowa residential campus teach---out announcement, Ashford University ceased offering on---campus housing effective May, 2016. Prior to that date, the University adhered to the following fire safety policies and procedures.

Fire Safety Awareness Program

At the beginning of each academic year, the Clinton Fire Marshall visited the Campus Director of Security & Safety to discuss fire safety with resident students, including fire prevention measures and evacuation procedures. Fire safety and severe weather evacuation procedures were reviewed at the annual Residence Hall meeting at the beginning of the 2015---2016 academic year. Resident Assistants also reviewed the information with their floor residents at their individual floor meetings.

Fire safety education was provided to Faculty and staff via a web---based presentation. The Campus Director of Security & Safety prepared, as needed, annual reports detailing any recommendations for improvement in fire safety.

Fire Alarms

Fire alarm boxes were located on every floor and were tested on an annual basis. Fire alarm boxes were directly connected to the Clinton County Law Enforcement Center. A fire could be reported by pulling the lever on any of these boxes. If a fire was suspected, University policy directed a student, faculty, or staff member immediately to sound the building alarm, leave by the nearest exit, notify the Campus Public Safety Office at 563.242.2752, and provide it with as much information as possible.

Regis and Durham Residence Halls

Every room and common area in Halls had photo---electric smoke and heat detectors that were connected to a heat---activated alarm system.

Halls were equipped with an Intelliknight 5820XL Addressable Fire Alarm Panel and Silent Knight. This advanced heat---activated alarm system monitored the sprinkler system of the building and controlled water flow, temper switches, and pump---run functions.

Fire extinguishers were located on every floor in each Hall. Extinguishers were tested annually.

University policy declared that turning on a false fire alarm was both dangerous and illegal. A significant fine has also assessed for the misuses of fire extinguishers, activating alarms on emergency exit doors, or both.

Fire Notification

In the event of a fire, the pertinent campus community required evacuation (if possible), pulled the fire alarm, and ensured that the then Campus Director of Security & Safety and the Director of Student Affairs were immediately notified. The Campus Director of Security & Safety

documented all fire-related incidences in the fire log within two business days of the report of the incident to the local fire department.

Contact Information to Report a Crime or Emergency Prior to May, 2016	
Clinton Police Department	911 or 563.243.1458
Campus Public Safety Office	563.242.2752, Campus Room C1240
Director of Student Affairs	858.610.7060, Online
Associate University Registrar	563.249.9882, Iowa Online Center
Campus Director of Security & Safety	858.345.0879, Online
Campus President	563.242.4023 Ext. 27101

Items Not Allowed in Residence Halls

For a comprehensive list of the items prohibited by the University in the resident rooms, students were referred to the Residence Hall guidebook. Items specific to fire safety that were prohibited are:

- Hotplates/Toasters/Ovens
- Heating elements of any kind, including sunlamps and halogen lamps
- Candles/Incense/Candle Warmers
- Extension cords (power strips with breaker switches/surge protectors, built-in are acceptable for use with computer and stereo equipment)
- Deep fat-frying machines (submerging food in oil to cook is prohibited)

The University complied with the Iowa Smoke-free Air Act. Smoking was prohibited on campus.

Fire Evacuation Procedures

The University provided the following guidance to the members of the campus community about procedures for evacuating a building during a fire:

When an alarm sounds, individuals should keep low to the floor if there is smoke in the room and to feel the door or doorknob before opening any doors. If either is hot, do not open the door. If no heat is felt, open the door slightly to check for heat or heavy smoke. If heat or heavy smoke is present outside the room, close the door and stay in the room until help arrives.

If you are unable to leave the room, seal up the cracks around the door using wet clothing, sheets, and the like. Hang an object out the window, such as a jacket, shirt, or sheet to attract attention. If a phone is available, call Campus Security at 563.242. 2752 and inform them of your location.

If you are unable to leave the room, seal up the cracks around the door using wet clothing, sheets, and the like. Hang an object out the window, such as a jacket, shirt, or sheet to attract attention. If a phone is available, call Campus Security at 563.242. 2752 and inform them of your location.

If you try to escape through a smoke-filled room or corridor, move quickly in a crouched position. Cover your head and body with something that can be easily discarded should it catch on fire (preferably wet) and breathe through a wet cloth, taking short breaths through your nose.

After evacuating the building, stand clear; emergency equipment will need to maneuver around the buildings. Stay away from main entrances.

Follow all directions given by fire and police personnel, Campus Security staff, or Residence Life staff.

Even if an alarm has been turned off, you should not return to the building until authorized to do so by a Fire Department official. Never re-enter a burning building.

The University prepared an extensive guide relating to emergency evacuation procedures. The Emergency Reference Guide contains information on campus emergency contacts, as well as procedures for medical emergencies, bomb threats, violent crime, fire, evacuations, and weather emergencies and can be found on the [Emergency Assistance page](#) of the University website.

Residential Campus Testing of Emergency Response and Evacuation Procedures

After its Clinton, Iowa residential campus teach-out announcement, Ashford University ceased offering on-campus housing effective May, 2016. Prior to that date, the University adhered to the following fire safety policies and procedures. University policy requires the planning and conducting of periodic and annual physical security inspections, testing of equipment, and physical security surveys to remain cognizant of security changes or requirements impacting security to people, property and information.

On the Ashford University residential campus, emergency response and evacuation drills were conducted at least once annually.

Unannounced drills were conducted by the Campus Director of Security & Safety in each campus residence hall in the spring of 2016. Drills were also conducted for the entire campus in the spring. The drills were conducted in order for the community to practice safe evacuation procedures. The SendWordNow emergency notification system was used and tested as a component of these drills.

For each test, the Campus Director of Security & Safety documented a description of the exercise, the date, the time, and whether the test was announced or unannounced.

Conducting Fire Drills

The fire alarm was activated to begin the evacuation; once the evacuation was complete, the building was checked by staff to ensure that everyone has evacuated the building. Once the all clear was given, the then Campus Director of Security & Safety will issue a message giving the all clear. Timed evacuations were noted and responsibilities reviewed.

During 2016, one unannounced fire drill was conducted in addition to a tornado drill. The team determined that the time in which the evacuations took place was satisfactory.

Everyone evacuated as required, and a review of actions with staff was completed.

On March 17, 2016 at 3:00 pm, an unannounced fire drill was conducted at all University residential and non---residential facilities. The drill was terminated at 3:30 pm.

After each drill, Campus Public Safety and Facilities Operations documented the timing of the evacuations and conduct a debriefing of the drill.

Fire Log

The University maintained a fire log documenting any fire that occurred in an on---campus student housing facility. The log included the nature, date, time, and general location of the fire. The log was available to the public during normal business hours. Any portion of the log older than 60 days was to be made available within two business days of a request for public inspection.

REQUEST A COPY OF THE CAMPUS SECURITY AND FIRE SAFETY REPORT

Requests for a hard copy of the University Campus Security and Fire Safety Report can be made by emailing studentaffairs@ashford.edu.