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Course Descriptions
(Includes only new, revised or discontinued)
Please see the Course Descriptions section in the Online Catalog for course descriptions not listed below. Revised course descriptions will be shown in italics, discontinued courses will be indicated with a strikethrough. New course descriptions will be standard font.

BUS 319 The Social Responsibility of Organization — 3 Credits
The course is designed to provide students with insights into the complex environment that organizations of any size operate. Organizational leaders’ and organizational members’ responsibility to use ethical thinking to balance stakeholder interests with organizational duty are examined. Modern managers and leaders face increasing demands in local, regional, national and global environments with competing value expectations. The values and beliefs of organizational members fundamentally impact the success of the organization. In this course, students will gain appreciation for and understanding of social responsibility of the organization under such conditions. Prerequisites: ENG 121 and ENG 122.
This course is no longer offered.

JRN 330 Media Law & Ethics (3 Credits)
Media Law and Ethics familiarizes students with the major laws and ethical guidelines associated with news and information media. This course will explore the fundamental principles of media law and the ethical responsibilities of media practitioners. Prerequisite: JRN 200 & JRN 201.
Ashford Notice of Nondiscrimination

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Revision Effective 8/14/2020

[All sections from Gender/Sexual Discrimination, Misconduct, Harassment or Violence - Title IX/SaVE Purpose through Additional Information for Sexual Misconduct/Harassment Investigations have been replaced with the following.]

Ashford University Notice of Nondiscrimination

Ashford University does not discriminate in its education programs and activities on the basis of race, color, creed, national or ethnic origin, religion, sex, pregnancy, childbirth and related medical conditions, marital status, medical condition, service in the uniformed services, political activities and affiliations, age, disability, sexual orientation, gender identity, veteran status, or any other consideration made unlawful by federal, state, or local laws. Please report any non-Title IX incidents to the Student Dispute Resolution Center:

https://www.ashford.edu/online-learning-experience/student-support/student-dispute-resolution-center, 866.974.5700, ext. 20091, fax 877.817.6732 or email dispute.resolution@ashford.edu

For Title IX related incidents, see below on how to report.

Ashford University Notice of Title IX Nondiscrimination

Ashford University does not discriminate on the basis of sex/gender in its education program or activity, and the University is required by title IX and PART 106 of title 34 of the Code of Federal Regulations not to discriminate in such a manner. This requirement not to discriminate in the education program or activity extends to admission and employment. Inquiries about the application of title IX and PART 106 to Ashford University may be made to the Title IX Coordinator, to the Assistant Secretary of the US Department of Education, or both. The University’s grievance procedures and grievance process, including how to report or file a complaint of sex/gender discrimination, misconduct, or harassment, and how the University will respond, can be found below.

Contact Information

Any person may report sex/gender discrimination, including sex/gender harassment and misconduct, or related retaliation (whether or not the person reporting is the person alleged to be the victim of such conduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Leah Belsley:  Title IX Coordinator
P / 866.974.5700 X/ 20705
E / titleIX@ashford.edu
M / 8620 Spectrum Center Blvd., San Diego, CA 92123

Christina Jaquez:  Deputy Title IX Coordinator
P / 866.974.5700 X/ 20793
E / titleIX@ashford.edu
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Title IX Notice, Education and Training

The University notifies applicants for admission and employment, students, and employees of this policy through the Ashford University Academic Catalog, which is provided to the University community online through the University website, the Student Portal, and other appropriate channels of communication.

Annually, Ashford University new and current students and employees will be provided with primary prevention training and educational materials to promote familiarity with the University’s policy on sex/gender discrimination, misconduct and harassment and specifically address issues of risk reduction and bystander intervention. This material will be provided via an online training program that prepares the community to recognize, respond to, and prevent, especially but not exclusively, domestic violence, dating violence, stalking and sexual assault.

Ashford University prohibits the crimes of domestic violence, dating violence, stalking and sexual assault as those terms are defined for purposes of the Clery Act (see Definitions).

Additionally, student educational efforts and employee training provide ongoing awareness and prevention campaigns that identify safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such bystander. Information is also provided on risk reduction
so that students, faculty, and staff may recognize
warning signs.

Educational efforts designed to promote equality and
enhance awareness about sexual assault prevention
include:

**Promoting Awareness and Wellness (PAWs)**
This monthly initiative is an awareness program that
highlights diversity and wellness related topics that
reflect the values of the University, and actively
promotes equality.

**Ashford Hub**
The Ashford hub is a monthly electronic magazine that
promotes student wellbeing across the spectrum of
individual health and wellbeing topics. Monthly
publications provide an *ongoing prevention and
awareness campaign* that promote student wellbeing and
specifically addresses topics of gender equity and sexual
health and wellbeing. Specific topics covered annually
include publications promoting bystander intervention,
sexual assault prevention, consent, and educational
support for survivors of sexual assault.

**Ashford Community Safety Page**
The Community Safety Page of the Ashford University
website provides site visitors with information related to
sexual assault prevention, including information on
seeking support, understanding sexual violence, contact
information, and emergency assistance resources.

**Confidential Campus Student Resources**
If a student desires that details of the incident be kept
confidential, he or she should speak with support
resources maintained by the University. Online students
should contact the Office of Student Access and
Wellness Student Advocate HELPline at (866) 974-5700
ext. 24357 in order to access support services.

For additional student resources, please refer to the
Counseling, Treatment, and Rehabilitation Programs
section in the *Student Support, Health, and Safety*
section of this Academic Catalog.

**Record Keeping**
Ashford University will maintain the records described
below for a period of seven (7) years. The Title IX
Coordinator, Student Dispute Resolution Center, and
Human Resources when applicable, are responsible for
maintaining these records.

1. Each sexual harassment investigation
   including any determination regarding
   responsibility and any audio or
   audiovisual recording or transcript
   required under federal regulation;
2. Any disciplinary sanctions imposed on
   the Respondent;
3. Any remedies provided to the
   Complainant designed to restore or
   preserve equal access to the University’s
   education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result
   therefrom;
6. All materials used to train Title IX
   Coordinators, Investigators, Hearing
   Officers, and any person who facilitates
   an Informal Resolution process. The
   University will make these training
   materials publicly available on the
   University’s website;
7. Any actions, including any
   protective/supportive measures, taken in
   response to a report or formal complaint
   of sexual harassment, including:
   a. The basis for all conclusions that
      the response was not deliberately
      indifferent;
   b. Any measures designed to restore
      or preserve equal access to the
      University’s education program
      or activity; and
   c. If no protective/supportive
      measures were provided to the
      Complainant, documentation of
      the reasons why such a response
      was not clearly unreasonable in
      light of the known circumstances.

**DEFINITIONS - procedural**
*Formal complaint* means a document filed by a
complainant or signed by the Title IX Coordinator
alleging sexual harassment against a respondent and
requesting that the recipient investigate the allegation of
sexual harassment. At the time of filing a formal
complaint, a complainant must be participating in or
attempting to participate in the education program or
activity of the recipient with which the formal complaint
is filed. A formal complaint may be filed with the Title
IX Coordinator in person, by mail, or by electronic mail,
by using the contact information required to be listed for
the Title IX Coordinator under § 106.8(a), and by any
additional method designated by the recipient. As used
in this paragraph, the phrase “document filed by a
complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the recipient) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this part or under §106.45, and must comply with the requirements of this part, including §106.45(b)(1)(iii).

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

DEFINITIONS - offenses

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or


See below.

Additional Federal definitions (for California definitions, including that of Consent, see end of this policy/procedure):

Sexual Assault

The term “sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Related Definitions:

Sex Offense: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

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

Dating Violence

The term “dating violence” means violence committed by a person—A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and B. where the existence of such a relationship shall be determined based on a consideration of the following factors: i. The length of the relationship. ii. The type of relationship. iii. The frequency of interaction between the persons involved in the relationship.

Domestic Violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—A. fear for his or her safety or the safety of others; or B. suffer substantial emotional distress.

General Response to Sex/gender Discrimination, Misconduct and Harassment

When the University has actual knowledge of sex/gender discrimination, misconduct or harassment in the University’s education program or activity, the University will respond promptly, equitably, and reasonably. The University will treat complainants and
respondents equitably by offering protective/supportive measures, and by following its grievance process before the imposition of any disciplinary sanctions or other actions that are not protective/supportive measures against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of protective/supportive measures, consider the complainant’s wishes with respect to protective/supportive measures, inform the complainant of the availability of protective/supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

University personnel will first inform students and employees in writing of:

- The importance of the preservation of any evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order, and where and how to get a forensic examination;
- That a forensic examination does not require a police report to be filed;
- How and to whom the alleged offense should be reported;
- Options regarding the assistance of local law enforcement and University officials;
- The option to decline assistance, or decline notifying local law enforcement;
- The option to be assisted by University officials in notifying law enforcement: Ashford University will comply with a student’s request for assistance in notifying authorities.
- Any protective/supportive measures that will be taken and options for protective orders; and
- Resources including counseling, health, mental health, and other services.

The Title IX Coordinator will next engage in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment include:

- The Title IX Coordinator seeks to determine if the complainant is alleging facts, which if taken as true, constitute sex/gender harassment, and occurred in the recipient’s education program or activity and against a person in the United States.
- If so, the Coordinator determines if the complainant wishes to make a formal complaint, and assists them if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint under the circumstances allowed the Coordinator by law.
- If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, and may seek to determine if the Respondent is also willing to engage in informal resolution.
- If a formal or informal complaint is not applicable (there are no assumed facts alleging sex/gender harassment) AND desired (the Complainant does not desire a formal or informal procedure although alleged facts do constitute sex/gender harassment), the Title IX Coordinator works with the Complainant on a supportive and remedial response.

**Protective/Supportive Measures**

The University will reach out to discuss protective/supportive measures to the parties upon notice of alleged sex/gender based misconduct, harassment, discrimination, and/or retaliation.

Protective/supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter sexual harassment.

The University will maintain as confidential any protective/supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the protective/supportive measures.

Protective/supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, and other similar measures.

**Confidentiality**

**Confidentiality and Title IX**

Ashford University will keep confidential the identity of any individual who has made a report or complaint of sex/gender discrimination, including any individual who has made a report or filed a formal complaint of sex/gender harassment, any complainant, any individual who has been reported to be the perpetrator of
sex/gender discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, FERPA regulations, as required by law, or to carry out the purposes of this IX policy and procedure, including the conduct of any investigation, hearing, or judicial proceeding arising under it.

Confidentiality and the Clery Act (applies to sexual assault, dating violence, domestic violence and stalking)

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.

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.

Response and Process for Formal Complaints of Sexual Harassment

The University’s grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not protective/supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services as protective/supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

The University will ensure that Title IX Coordinator(s), investigators, hearing officer(s), hearing chair and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The University’s process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provides that credibility determinations may not be based on a person's status as a complainant, respondent, or witness. Materials used to train Title IX Coordinators, investigators, hearing officer(s), hearing chair, and any person who facilitates an informal resolution process are available at https://www.ashford.edu/online-learning-experience/student-support/community-safety.

The process begins with a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Remedies/Sanctions

Factors considered when determining a remedy/sanction may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent’s disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for remedies/sanctions to bring an end to the discrimination, harassment, and/or retaliation
The need for remedies/sanctions to prevent the future recurrence of discrimination, harassment, and/or retaliation

The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community

The impact on the parties

Any other information deemed relevant by the Hearing Officers/Decision-maker(s)

The remedies/sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The remedies/sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities. The following are examples of student sanctions that may be imposed upon students singly or in combination (for examples of remedies, see protective/supportive measures):

- **Warning**: A formal statement that the conduct was unacceptable and a warning that further violation of any University policy, procedure, or directive will result in more severe sanctions.

- **Required Counseling**: A mandate to meet with and engage in either University or external counseling to better comprehend the misconduct and its effects.

- **Probation**: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any additional institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include no-contact orders, and/or other measures deemed appropriate.

- **Suspension**: Termination of student status for a definite period of time not to exceed one year and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the University.

- **Expulsion**: Permanent termination of student status. This sanction will be noted permanently as a Conduct Expulsion on the student’s official transcript.

- **Withholding Diploma**: The University may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities.

- **Other Actions**: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

The following are the employee sanctions that may be imposed singly or in combination:

- **Warning – Verbal or Written**
- **Performance Improvement/Management Process**
- **Required Counseling/ Employee Assistance Program**
- **Required Training or Education**
- **Probation**
- **Loss of Annual Pay Increase**
- **Loss of Oversight or Supervisory Responsibility**
- **Demotion**
- **Suspension with pay**
- **Suspension without pay**
- **Termination**
- **Other Actions**: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

The **standard of evidence** to be used to determine responsibility is the preponderance of the evidence standard. The process will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

**Notice of Allegations**

Upon receipt of a formal complaint, the University will simultaneously provide the following written notice to the parties who are known.

- **Notice of the recipient's grievance process**, including any informal resolution process;
- **Notice of the allegations potentially constituting sexual harassment**, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the
parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice will inform the parties of the provision in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and

- If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the first notice provided, the University will provide simultaneous and written notice of the additional allegations to the parties whose identities are known.

**Dismissal of a formal complaint**
The University will investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University will dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under title IX. However, such a dismissal does not preclude action under another provision of the University code of conduct. The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Upon a dismissal required or permitted above, the University will promptly and simultaneously send written notice of the dismissal, and the reason(s) for the dismissal, to the parties.

**Consolidation of formal complaints**
The University may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where the process involves more than one complainant or more than one respondent, references in this procedure to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

**Investigation of a formal complaint**
Upon receipt of a formal complaint, the Title IX Coordinator will provide the written formal complaint to the investigators within the Student Dispute Resolution Center (SDRC), and, if applicable, Human Resources staff, to 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. The investigation results in a written report summarizing the relevant exculpatory and inculpatory evidence. The investigator(s) will present the written investigative report to the involved parties, advisors and hearing officers(s) within forty-five (45) business days of the receipt of the complaint. There may be extensions of this or any timeframe within this procedure for good cause with simultaneous, written notice to the parties of the delay and the reason(s) for the delay.

When investigating a formal complaint and throughout this grievance process, the University:

- Will ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties.
- Cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for this grievance process.
- Will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is
not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

- Will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

- Will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

- Will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

- Will create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a hearing or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the University has sent the investigative report to the parties, simultaneously and in writing, and before reaching a determination regarding responsibility in a hearing, the hearing officer(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The hearing officer(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

**Hearing**

The University provides for a live hearing for formal complaints that are not dismissed pursuant to this policy and procedure.

- At the live hearing, the hearing officer(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the University to otherwise restrict the extent to which advisors may participate in the proceedings.

- The University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the hearing officer decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

- Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing officer(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

- If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- If a party or witness does not submit to cross-examination at the live hearing, the hearing
officer(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the hearing officer(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

- Live hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- The University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

**Determination Regarding Responsibility**

The hearing officer chair, who will not be the same person(s) as the Title IX Coordinator or the investigator(s), will issue a written determination regarding responsibility. To reach this determination, the University will apply the preponderance of the evidence standard. The written determination will include:

- Identification of the actions constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and
- The University's procedures and permissible bases for the complainant and respondent to appeal.

The University will provide the written determination to the parties simultaneously within five (5) business days of the hearing completion. The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effective implementation of any remedies for complainant, but no sanctions are imposed on the respondent until appeals are exhausted or untimely.

**Appeals**

The University will offer both parties an appeal from a determination regarding responsibility, and from any dismissal of a formal complaint or any allegations therein, on the following alleged bases. Any appeal will be conducted by the Vice President of Student Affairs & University Registrar or designee.

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to all appeals, the University will:

- Notify the other party, simultaneously and in writing, when an appeal is filed and implement appeal procedures equally for both parties;
- Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- Ensure that the decision-maker(s) for the appeal complies with the standards set forth in this policy and procedure;
- Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Issue a written decision describing the result of the appeal and the rationale for the result; and
- Provide the written decision simultaneously to both parties.

If the complainant and/or respondent do not indicate his/her acceptance or Appeal of the findings within five
(5) business days of communication, non-communication will be considered acceptance.

If the appeal is denied, the Title IX Coordinator will proceed accordingly with any sanctions determined by the hearing chair.

If the appeal is granted, the Title IX Coordinator will begin an adjusted investigation/hearing process and all involved will proceed without prejudice.

**Informal Resolution**

Informal Resolution may commence when the parties agree to resolve a matter qualified for formal process, through an informal resolution mechanism such as restorative justice when available. The University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution. *The University does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.*

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate. Any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the University will simultaneously provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University.

The ultimate determination of whether Informal Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution are not appealable.

The University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

The University will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed.

**Emergency removal**

Nothing precludes the University from removing a respondent from the recipient’s education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis (when feasible, through its Behavioral Intervention Team). Removal may occur if the University determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal. The University will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

**Violence Risk Assessment**

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the Behavioral Intervention Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate created by behavior;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether a Clery Act Timely Warning is needed.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., 5150 in California), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations.

**Administrative leave**

Nothing precludes the University from placing a non-student employee respondent on administrative leave during the pendency of a grievance process.
California offense definitions

Sexual Assault as defined in the California Penal Code is rape or sexual battery:

Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

(1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act.

(2) Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions:
   a. Was unconscious or asleep.
   b. Was not aware, knowing, perceiving, or cognizant that the act occurred.
   c. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
   d. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

Sexual battery is when any person touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse.

Consent means positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue.

Dating Violence is when a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.

Domestic Violence is when any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim, where the victim is or was one or more of the following:

(1) The offender’s spouse or former spouse.
(2) The offender’s cohabitant or former cohabitant.
(3) The offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.
(4) The mother or father of the offender’s child.

Stalking is when any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.
Errata

The errata listed below apply to the 2020-2021 Ashford University Academic Catalog (effective date is July 1, 2020 unless otherwise noted). Entries below are provided to correct information presented in the original publication of the Catalog. Page numbers are provided to reference where the original entry may be found. To view all updates in context of the original publication, access the Online Catalog. If you have questions related to changes listed, please contact your Student Advisor for assistance.

Page 64, 65 & 66
Revision, Published 7/14/2020

Financial Information

**The Course Digital Materials (CDM) fee is fully refundable if a student does not attend beyond Day 3 of a course (Week 3 if covered under the Ashford Promise Refund Schedule). After this time, the fee becomes nonrefundable. Students are not charged the CDM fee for repeated coursework if previously charged. For courses where third-party course digital or physical materials are provided, a variable Materials Fee (MATFEE) (based on market price for materials) is applied per course directly to the student’s account concurrent with the charge for tuition. Students are not charged the MATFEE for repeated coursework if previously charged. Students can opt out of the third-party course digital materials and the MATFEE by contacting their advisor via email five (5) calendar days prior to the first day of their course.

Page 76
Revision, Published 8/5/20

Veterans Benefits Deferment Policy

Ashford University will permit students who are entitled to educational assistance under chapter 31, Vocational Rehabilitation-Veteran Readiness and Employment, or chapter 33, Post-9/11 GI Bill® benefits to attend their course of education when the student provides the necessary eligibility documentation, until the earlier of either:

- the date VA provides payment to the educational institution, or
- 90 days after the date the educational institution certifies the student’s tuition and fees charges to VA.

Page 71
Revision, Effective 7/31/2020

Employee Tuition Savings Program

An important condition of ETS is that students maintain Satisfactory Academic Progress in their program of study. Receipt of an unsuccessful grade (as defined by Ashford University in the General Academic Information and Policies Section in this Catalog, or grades below an employer’s grade policy), may necessitate a student’s ETS eligibility being reviewed by the ETS Review Committee. If a student earns a grade that is unsuccessful by Ashford’s or an employer’s policy, it will be considered an allowance. Students who carry more than two (2) allowances at any time during their course of study may lose eligibility for ETS. Allowances may reset on an annual basis provided students maintain successful progression and still meet their required funding amount.

Any of the following circumstances may result in the loss of ETS benefit eligibility:

- Receive more than two (2) unsuccessful grades (as defined by Ashford University in the General Academic Information and Policies Section of this Catalog, or grades below an employer’s grade policy)

Page 125
Correction, Published 7/28/2020

Bachelor’s Degree Transfer Credit, Prior Learning Credit, and Nontraditional Credit Provisions and Limitations

Washington residents may apply a maximum of 30 credits toward a Bachelor’s degree from any combination of prior learning assessment or other nontraditional learning, including national testing programs, or credit recommendation services.

Page 127
Correction, Published 8/13/20

Master’s Transfer Credit Policy

- In order to transfer credits into the Master of Public Health program, the credits to be transferred must come from a school or program accredited by the Council on Education for Public Health (CEPH).

Page 137
Revision, Effective 8/12/2020 [GPA]

Honors College

Honors College Distinctions

Students who are accepted into the Honors College, complete their honors curriculum, and who meet the 3.5
3.0 cumulative GPA graduation requirement will graduation with Honors College Distinctions as defined below:

Page 268

Correction, Published 8/13/20

Master of Public Health

The Master of Public Health program is not accredited by the Council on Education for Public Health (CEPH). CEPH is an independent accrediting organization whose mission is to serve the public interest by establishing and enforcing quality Accreditation Standards for Public Health programs. Academic leadership intends to pursue CEPH programmatic accreditation once eligible to apply.

In order to transfer credits into the Master of Public Health program, the credits to be transferred must come from a school or program accredited by the Council on Education for Public Health (CEPH).