

# **Annual Security Report**

Including Clery Act Disclosures of Campus Security Policy and Crime  
Statistics

October 1, 2016 (including Calendar Year 2013-2015 statistics)

**UEI College - Bakersfield**

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## **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

The Jeanne Clery Act Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) is a Federal Law that requires colleges and universities to:

- Publish and distribute an Annual Security Report (“Report”) by October 1st that contains the three prior calendar years’ crime statistics and certain UEI College security policy statements;
- Inform all active students and employees, as well as prospective students and employees, about the existence of the Annual Security Report and how to access it on the internet or request a paper copy;
- Disclose crime statistics for the UEI College campus, public property areas immediately adjacent to or accessible from the school, and any non-campus facilities or remote classrooms. The statistics must be gathered from a number of resources, including local law enforcement, school security officers, and other school officials who have “significant responsibility for student and school activities” including designated Campus Security Authorities;
- Provide “timely warning” notices and/or “emergency notifications” of crimes that have occurred which pose an ongoing threat to the Campus Community.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* (Public Law 113-14) was signed into law. *VAWA* includes amendments to the Clery Act. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes. Specifically, these changes added or modified requirements related to:

- Disclosure of statistics of the number of dating violence, domestic violence, sexual assault and stalking incidents;
- Disclosure of statistics of new categories of Hate Crimes;
- Implementation by institutions and disclosure of programs to prevent dating violence, domestic violence, sexual assault and stalking, including primary prevention and awareness programs for incoming students and employees; and ongoing prevention and awareness campaigns for students and employees;
- Disclosure of procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred; and
- Implementation by institutions and disclosure of procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking, including descriptions of each disciplinary proceeding used by the institution; the standard of evidence used during each disciplinary proceeding; possible sanctions imposed following the results of disciplinary proceedings; the range of protective measures that the institution may offer a victim; provisions to ensure that proceedings will be prompt, fair and impartial; provisions that state that proceedings will be conducted by officials who receive annual training; and ensuring equal opportunities for the accuser and accused to have others present during proceedings, including an advisor of their choice.

## Security Policies & Procedures (October 1, 2016)

### Introduction

UEI College is strongly committed to crime prevention and the safety of our Campus Community. Although we have been fortunate in not experiencing a serious problem at our schools, the school is potentially subject to many of the same problems that occur in any urban area of the country. The following information has been prepared to increase awareness of the current programs and procedures that exist to protect the safety and well-being of our students, employees, and guests.

The **Campus Community** is defined as all active students, faculty, and staff.

As members of the Campus Community, you are encouraged to take personal responsibility for your conduct and safety. Adopting a posture of individual responsibility will enhance the quality of life for all students. The cooperation and involvement of all members of the Campus Community in crime prevention programs sponsored by the institution and by reporting all suspected criminal actions and emergencies is essential to minimize criminal activity.

The institution believes that a well-informed Campus Community helps create a safety conscious public which is more important today than ever before. Pursuant to the requirements set forth by the Clery Act, the institution will publish and distribute an Annual Security Report by October 1st of each year, to include the crime statistics for reported crimes over the previous three calendar years.

### Preparation and Distribution of the Annual Security Report

The Campus Security Authority (CSA), with the assistance of the Corporate Compliance Department, is responsible for facilitating preparation, and ensuring the distribution, of this Report to the Campus Community. The Campus President/Executive Director serves as a CSA and is responsible for preparing and distributing the Report, and soliciting and obtaining crime reports from the CSAs and local police throughout the year for collection of the annual crime report statistics used in this Report.

No later than October 1st of each year, the Campus Community is provided the Annual Information Notification literature announcing that the updated Annual Security Report is available on the UEI College internet website. This notification contains a direct link to the Annual Security Report. Additionally upon request, the Annual Security Report is available in paper copy.

We encourage all members of the Campus Community to use this Report as a guide for safe practices on campus and off campus. A hard copy of the Report can be obtained by visiting the UEI College Education Department/Admissions Department. This Report is also available on the internet at the following location: <http://www.uei.edu/student-consumer-info>

The institution distributes a notification of the availability and the internet location of this Report to all enrolled students and current employees via electronic mail and handout notifications, stating that the current version of the Report has been posted to the Institution's website and that a paper copy of the Report will be provided upon request by contacting the Education

Department/Admissions Department. The Education Department/Admissions Department provides written notice to all prospective students prior to enrollment regarding the availability and location of the Report. The Annual Security Report with the crime statistics are available on the Unify portal for employees. The Human Resources Department provides all prospective employees with information regarding the availability and location of the Report. All prospective employees may receive a copy of the Report by contacting the CSA at the campus. In addition, a copy of the current Report is made available to the public on the Institution's website. The crime statistics contained in this Report, as reported annually to the U.S. Secretary of Education, can also be viewed by searching the Institution's name at <http://nces.ed.gov/collegenavigator/>.

### **Campus Security Authorities**

The Clery Act defines a Campus Security Authority (CSA) as any school official that has a significant responsibility for students and/or school activities. The Act requires the school to identify the school officials that fall into this category and will be responsible for reporting any crimes of which they are made aware which have been reported in good faith.

The Institution has designated the school's **Campus President/Executive Director as the CSA**. A secondary CSA is the Director of Education, Associate Director of Education or other designate.

Upon observing or involvement in any type of crime or criminal offence on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus:

- A member of the Campus Community should immediately notify a CSA at the contact information listed below. If the CSAs are not available, then the student should notify any campus level employee.

Members of the Campus Community should report any criminal offense to one of the following CSAs for purposes of issuing a notification or timely warning to the entire Campus Community, where necessary, and for inclusion of the information in the school's Clery Act annual crime statistics disclosure.

The contact information for the CSAs below is also located in the school catalog supplement for this institution. This supplement is located on the institution's website along with the school catalog. This supplement is updated quarterly.

| <b>Title</b>          | <b>Phone</b>   |
|-----------------------|----------------|
| Campus President      | (661) 427-4309 |
| Director of Education | (661) 427-4305 |

A CSA who receives a report of a sexual offense (dating violence, domestic violence, sexual assault and stalking), will also notify the UEI College Title IX Coordinator for further action under the UEI College's Title IX policy. The Title IX Coordinator has primary authority for investigating sex offenses. A copy of the UEI College Title IX policy and Title IX grievance procedure is contained in the school catalog.

The Title IX Coordinator contact information:

**Title IX Coordinator**

Director of Regulatory Compliance  
International Education Corporation  
16485 Laguna Canyon Rd Ste. 300  
Irvine, CA 92618  
(949) 812-7706  
[TitleIXCoordinator@ieccolleges.com](mailto:TitleIXCoordinator@ieccolleges.com)

**Campus Police**

UEI College does not have a campus police department or employ campus police. UEI College personnel have no authority to arrest or detain any individual. UEI College will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Members of the Campus Community are encouraged to accurately and promptly report all crimes and public safety related incidents to a CSA. Members of the Campus Community should contact the emergency authorities directly if an immediate emergency situation exists.

**Clery Geography:**

For the purposes of collecting statistics for submission to the Department and inclusion in an institution's annual security report, Clery geography includes:

- Buildings and property that are part of the institution's campus;
- Public property within or immediately adjacent to and accessible from the campus; and
- Non-campus buildings or property that the institution owns or controls.

**On-Campus:**

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

**Public property:**

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-campus Property**

The institution does not have any Non-campus Property

**Off-Campus Organizations and Residential Housing**

UEI College does not have any off-campus student organizations recognized by the institution or any residential housing.

**Reporting Criminal Activities and Emergencies**

UEI College encourages Members of the Campus Community to report all criminal activities and emergencies that have occurred at the school.

**Emergencies:** In emergency situations occurring on campus, in any public areas immediately adjacent to or accessible from the school, or any non-campus facilities or remote classroom locations, requiring the response of fire, police, or medical assistance, first dial 9-1-1. Thereafter, contact one of UEI College's designated CSAs.

**Non-emergencies:** In a non-emergency criminal offense situation occurring on campus, in any public areas immediately adjacent to or accessible from the school, or any non-campus facilities or remote classroom locations, report the incident to one of the school's designated CSAs.

### **Voluntary and Confidential Reporting**

**Voluntary Reporting and Confidentiality:** Reports about crimes and sex offenses do not have to be formal signed complaints. Information may be provided in confidence to a CSA and/or Title IX Coordinator. He/she will make every attempt to maintain privacy in accordance with FERPA regulations unless required by law to disclose the victim's identity to protect the safety of others. UEI College will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations and protective measures. You will be informed if the institution cannot maintain the requested confidentiality of the information. The institution does not have pastoral or professional counselors. Therefore, the institution does not have confidential reporting procedures that encourage pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The institution encourages and will provide assistance, if needed, to victims of crimes or offenses to seek out these counseling services.

UEI College strongly encourages persons who are victims of a sex offense or that witness a sex offense to report the incident to a CSA voluntarily and on a confidential basis to permit the inclusion of that information in the Institution's annual crime statistics. The institution is required to, and will, keep the identity of victims of sexual violence private in any public report of Clery Act crimes, including this Report. Policies with respect to victims of sex offenses are contained in the Title IX Complaint/Grievance Policy in the school catalog.

### **Timely Warning Policy**

In the event that a report of a crime that occurs, either on or off campus, that, in the judgment of the CSA constitutes an ongoing or continuing threat to the safety of the Campus Community, a campus wide "timely warning" will be issued. The warning will be issued through the Institution's e-mail system to the Campus Community and, if deemed appropriate, through additional intercom or verbal announcements, flyers or other means.

Anyone with information about a crime warranting a timely warning should report the circumstances to a CSA by phone or email (contact information noted in previous pages of this Report) or in person at the campus office.

### **Emergency Notification & Evacuation Procedures**

The Institution has Emergency Notification and Evacuation procedures for alerting the Campus Community about significant emergencies or dangerous situations. These emergency

notification procedures will be used whenever there is an immediate threat to the health or safety of members of the Campus Community.

The Institution is responsible for developing contingency plans and continuity of operations plans for the staff and areas of responsibility in the event of an emergency. The Institution conducts quarterly emergency response exercises, such as field exercises and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. CSAs and other employees have received training in responding to critical incidents. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the local police, ambulance or fire departments and they typically respond and work together to manage the incident. Depending on the nature of the incident, other local or federal agencies could also be involved in responding to the incident.

All members of the Campus Community are notified on an annual basis that they are required to notify the CSAs 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 CSAs have 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. The CSAs have the responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the Campus Community such that an emergency notification and or Timely Warning or other notification must be issued.

If the CSA(s) **confirms** that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Campus Community, the CSA and other UEI College employees, as appropriate, will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Campus Community or to the **appropriate segment** of the community, if the threat is limited to a particular building or segment of the population. The CSA will, **without delay** and taking into account the safety of the community, **determine the content** of the notification and **initiate the notification system**, unless issuing a notification will, in the judgment of the first responders compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The CSA(s) will confirm the emergency or dangerous situation by witnessing the situation, communicating with another UEI College official who has witnessed the situation or somehow verify that an emergency exists. The appropriate segment of the community is defined as the entire Campus Community. The CSA will determine the content of the notification by obtaining enough information about the emergency situation so that the person receiving the notification will have enough timely information to understand the situation and what action to take and will initiate the notification system by an appropriate means determined by the severity of the significant emergency or dangerous situation.

The Institution will disseminate the emergency to the larger community by notifying the local Emergency services of the dangerous situation on the campus and the Institution will rely upon the emergency officials to use their professional judgment in regards to notifying the neighboring community outside of the institution.

In the event of a serious incident that poses an immediate threat to members of the Campus Community, the institution has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate

threat to the Campus Community. These methods of communication may include activation of the fire alarm system, email to the Campus Community and a public announcement system (or megaphone).

Any bomb threat, fire alarm, or notification by emergency services automatically constitutes a threat sufficient to activate the institution's evacuation procedures. In addition, any other threat that could result in bodily harm and could affect any portion of the employees or students may constitute a threat sufficient to activate the evacuation procedures. Upon notification of the need to evacuate, all students, faculty, and staff, should exit their rooms and the building, quickly but orderly, and follow the Emergency Exit guidelines to the predetermined outside areas to wait for further information. The CSAs or their designees will inform the Campus Community when it is okay to reenter the building.

During instances of the need to lock-down the school (i.e., Tornado or Active Shooter), employees and students should take cover immediately and wait to be told everything is clear. If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in until it is safe to go outside.

The institution's evacuation procedure and testing methods are designed to ensure the safety of everyone on campus. Tests will be conducted quarterly and evaluated for effectiveness; these could include: drills, exercises and follow-through activities. An evacuation drill is coordinated by the CSAs for all buildings housing classrooms. During these drills, students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. During these drills, CSAs will staff the scene and will communicate information to students regarding the developing situation or any evacuation status changes.

The institution's procedures to test the emergency response and evacuation procedures on a quarterly basis, include:

- 1) Drills that may be announced or unannounced;
- 2) Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year (*Example: Post in a public area the schools evacuation or lockdown procedures*); and
- 3) Documenting, for each drill, a description of the exercise, the date, time, and whether it was announced or unannounced.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At the institution, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also may provide the institution an opportunity to test for the proper operation of fire alarm system components. Evacuation drills are monitored by the CSA. Students receive information about evacuation and shelter-in-place procedures during educational sessions that they participate in throughout the year.



### **Responding to Reports of Criminal Activity and Emergencies**

A CSA and the local city police department, when necessary, will respond to and investigate each report of criminal activity. Appropriate steps will be taken to notify the victim of the outcome of the investigation and any “Administrative Actions” taken.

**Administrative Actions:** If a reported criminal offense involves a student or employee as the alleged offender, the offender will be subject to applicable UEI College conduct policies and disciplinary procedures. Sanctions or Disciplinary Actions may include suspension or expulsion for student offenders and termination of employment for employee offenders.

The local city fire department will respond to all reports of fire or medical emergencies on-campus.

### **Access Policy, Security of Campus Facilities, And Security Considerations Used in the Maintenance of Campus Facilities**

The institution does not maintain campus residential facilities. Campus Buildings are open to staff, faculty and/or students during business hours, Monday-Friday and evenings and weekends during which classes are conducted. During non-business hours access to Campus Buildings is by key via a designated staff member for the purpose of approved staff use, maintenance or cleaning.

Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

### **Crime Awareness & Prevention Program**

The institution is committed to creating and maintaining a community in which students, faculty, and staff can work and study in an atmosphere free of criminal activities.

The institution has established a Crime Awareness & Prevention Program that communicates information regarding campus security procedures and practices and crime prevention measures with all new students that is provided upon enrollment and with new employees at the beginning of their employment. The Crime Awareness & Prevention Program is designed to provide information about campus security procedures and policies and to encourage students and employees to be responsible for their own security and the security of others.

Should time be of the essence regarding security awareness, information may be released to the Campus Community through the timely warning procedures contained in this Report. The CSAs receive updated prevention and awareness training annually. The Campus Community receive prevention and awareness training annually.

### **Protecting yourself from being a victim of a crime**

A significant part of crime prevention is individual safety consciousness and awareness of one’s personal environment. These simple measures can contribute to the safety and security of the Campus Community:

- Lock your car.

- Never leave valuable items visible in your car including personal and school related materials such as textbooks.
- Dress appropriately and in compliance with school dress code
- Take and keep your car keys with you at all times.
- At night, travel in well-lighted areas, and in pairs, if possible. Avoid shortcuts and deserted areas.
- Leave items of high monetary value at home.
- Do not leave personal property unattended in classrooms, labs, or in the student lounge.
- Do not carry more cash than necessary and never advertise what you have. If anything makes you feel unsafe or threatened, call a CSA or dial 9-1-1.

### **How we work to protect you**

The CSA will use the Timely Warning Policy advising the Campus Community when there has been a crime or series of crimes that poses a threat to the safety and welfare of the Campus Community.

The institution's goal is to provide an environment that is as safe and secure as possible. The facility is open to the public during normal business hours, Monday-Friday and evenings and weekends during which classes are conducted. After business hours access to Campus Buildings is available only by key at the designated student entrance for the purpose of approved staff use, maintenance or cleaning. Classrooms and offices not in use are locked.

UEI College is committed to ensuring that the facilities are kept in good repair, including doors and locking mechanisms. In addition, exterior lighting is an important part of UEI College's commitment to safety. Employees and staff are encouraged to report any known problems or hazards to a CSA. Prompt reporting enhances the institution's safety for all.

### **Sexual Offense Awareness & Prevention**

The institution is committed to creating and maintaining a community in which students, faculty, and staff can work and study in an atmosphere free of all forms of harassment, exploitation, or intimidation. This includes steps to prevent sexual violence, including dating violence, domestic violence, sexual assault and stalking, as required by the Violence Against Women Reauthorization Act of 2013 ("VAWA").

### **Reporting Sexual Offenses Violence**

Upon observing or involvement in any type of sexual harassment or sexual violence, including dating violence, domestic violence, sexual assault or stalking ("sex offense") on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus, members of the Campus Community should report the incident to the CSA and/or the Title IX Coordinator. An incident can be reported to the CSA and/or the Title IX Coordinator in person, by phone, by email or another appropriate means. Where there is any question about whether an incident constitutes sexual violence, a report should be made to the CSA or Title IX Coordinator for assistance in determining the nature of the incident. A CSA who receives a report of a sexual offense (dating violence, domestic violence, sexual assault and stalking), will notify the UEI College Title IX Coordinator for further action under the UEI College's Title IX policy and procedures as

contained in the school catalog. The Title IX Coordinator has primary authority for investigating sex offenses. A Title IX Coordinator who receives a sex offense report will notify the CSA for purposes of maintaining accurate Clery Act crime statistics.

If you are a victim of a reported sex offense, the Title IX Coordinator, CSA or designee will meet with you privately.

- He/she will act thoughtfully without prejudging or blaming you.
- You will be treated with courtesy, sensitivity, dignity and understanding.
- He/she will accommodate your request to speak to a law enforcement officer of the same gender.
- They he/she will help in arranging hospital and/or counseling services or other assistance
- We may change your academic situations after an alleged sex offense if you request it and the changes are reasonable and available. Please see the Title IX Complaint/Grievance Procedure Policy in the school catalog for additional information.
- You and the accused (if also a student or employee) will have the same opportunities to have others present during a disciplinary meeting and both of you will be informed of the final results and actions taken against the accused. Please see the Title IX Complaint/Grievance Procedure Policy in the school catalog for additional information.

**Victims of Assault/Violence:** If you are a victim of a sexual violence at UEI College, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Time is a critical factor for evidence collection and preservation. Preserving evidence may assist in proving that the alleged conduct occurred or may be helpful in obtaining a police protective order.

Information about the alleged offense should be provided to the institution's CSAs and/or the Title IX Coordinator, or any campus manager who reports to a CSA as soon as possible.

**Reporting to Police:** The Institution strongly advocates that members of the Campus Community and any victim of sexual violence report the incident to police in a timely manner and, if requested to do so by the victim, the Institution will assist the victim in contacting the police. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

## **Responding to Sexual Offenses– Institutional Procedures**

These procedures apply to all reports of sex offenses. The institution's Campus President/Executive Director (CSA) and Title IX Coordinator are responsible for receiving and evaluating reports of a sexual offense. Any student, employee, or third party may file a report of a sexual offense to the CSA or Title IX Coordinator.

Once the CSA and/or Title IX Coordinator receive a report of a sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed:

1. The CSA will immediately assess whether the information in the sex offense report warrants a timely warning and, if so, will contact the institution's Executive Director/Campus President immediately to execute that procedure. The CSA will immediately provide the reporting party with a copy of these procedures including the UEI College Title IX policy and Title IX grievance procedure as contained in the school catalog. The CSA will immediately contact the Title IX Coordinator to take further action pursuant to the Title IX policy. The CSA will determine if the sex offense is a Clery Act reportable crime and, if so, will prepare and maintain an accurate Clery Act crime report for such offense for inclusion in the institution's annual crime statistics. UEI College protects the identity of and any personally identifiable information about the victim of the sex offense in any public crime statistics report issued by the institution by requiring the CSA to maintain Clery crime statistics records, whether electronic or hard copy, that exclude or redact the name and personally identifiable information for all victims of sexual assault, dating violence, domestic violence and stalking and by prohibiting the CSA and any other employee from including such information in connection with statistics in this Report or as reported to the U.S. Department of Education.
2. Title IX Coordinator, who has primary authority for investigating sex offenses pursuant to the UEI College Title IX policy and Title IX grievance procedure contained in the school catalog, will immediately inform the victim of the institution's Title IX Complaint/Grievance Procedure Policy, including his/her right to "interim measures" during the pendency of an investigation including obtaining an order of protection, a no contact order, restraining order or similar lawful order from the police or UEI College; the institution's obligation to protect the identity of the victim in any Clery Act report or in other publicly available recordkeeping and to keep any interim measures provided to the victim to the extent maintaining such confidentiality would not impair the ability of the institution to provide the accommodation or protective measure. The Title IX Coordinator will inform the CSA of the sex offense report without the inclusion of any personally identifiable information for determination of any timely warning and for inclusion in the UEI College crime statistics.
3. The institution will provide written notification to members of the Campus Community about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.
4. The institution will provide written notification to victims within the Campus Community about available options and assistance, including how to request these changes and who to contact at the institution for the following: academic, living, transportation and working situations including protective measures. These accommodations/protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

5. The institution will provide an explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
6. The institution, when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, will provide the student or employee a written explanation of the student's or employee's right and options.

### **Disciplinary Procedures for Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

The procedures for institutional disciplinary actions in cases of alleged sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed and will be applied as appropriate to the institution's Campus Community.

The Institute is committed to providing a prompt, fair and impartial process from the initial investigation to the final result. The CSA and all other officials involved in the process receive, at a minimum, annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and how to conduct an investigation and formal or informal meetings that protects the safety of victims and promotes accountability. At all times during the process, the accuser and accused will be provided the same opportunities to have others present during the proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or during the process. However, the Institute 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.

A proceeding is a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations and meetings. The type of proceeding will be based on the facts of alleged sexual offense reported.

The institution does not provide for a formal hearing process but both parties may be assisted by a support person of choice, including an attorney.

In all cases, the CSA will maintain regular, simultaneous communications in writing with both the accuser and accused and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for the CSA to fully evaluate the alleged offense.

The accuser and accused will be provided timely notice of meetings at which the accuser or accused, or both, may be present, and will be provided with timely and equal access to the accuser, accused and appropriate officials to any information that will be used during the disciplinary process.

The CSA will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of accused and remedies to accuser within 60 days of the date that the report is first received by the CSA. The Institute may allow for an extension of that time frame for good cause with written notice to the accuser and accused of the delay and the reason for the delay.

Any student, employee, or third party may file a report of a sexual offense to the CSA whose contact information is located within this report. There is no complaint form that needs to be completed. A complaint can be filed in person, by phone or email.

If the accused is subject to sanctions, the institution shall use the **preponderance of evidence standard** (meaning that the party presenting the evidence must, by the evidence presented, establish that what he or she is required to prove is more likely to be true than not true) in deciding to initiate formal conduct procedures or not and will use such standard during the disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking.

### **Disciplinary Options**

The sanctions that may be imposed by the institution following a determination that dating violence, domestic violence, sexual assault or stalking occurred include warning, probation, loss of privileges, restitution, discretionary sanctions, suspension, dismissal of a student or termination of employment.

Sanctions that maybe imposed by the institution, following the results of an institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking include:

- Warning
- Probation
- Loss of privileges
- Restitution
- Discretionary sanctions
- Suspension
- Dismissal
- No contact order

Upon receipt of a Complaint, UEI College will provide reasonable and appropriate interim measures, if needed, to protect the parties involved. UEI College will make reasonable efforts to communicate with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or UEI College, and regardless of whether an alleged crime is reported to local law enforcement.

A Complainant or Respondent may request a no contact order or other protection, or UEI College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader Campus Community, and/or the integrity of the process. UEI College will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. UEI College will take immediate and responsive action to enforce a previously implemented restriction if such restriction is violated.

Interim measures will be implemented at the discretion of UEI College. Potential remedies that may be applied include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Rescheduling of exams and assignments (in conjunction with appropriate faculty and staff as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty and staff);
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty, etc. (with the agreement of the appropriate faculty and staff);
- Change in work schedule or job assignment;
- Limit an individual’s access to certain UEI College facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Interim suspension or imposed leave; and
- Any other remedy that can be tailored to the involved individuals to reasonably achieve the goals of this Policy.

The accuser and accused shall receive simultaneous written notification throughout all aspects institutional investigation and disciplinary proceedings arising from an allegation of dating violence, domestic violence, sexual assault or stalking.

The institution will inform both parties of its final determination. The institution does not provide for an appeal of final determinations.

### **Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault and Stalking**

UEI College provides both primary and ongoing prevention and awareness programs for students and employees. Primary awareness programs are focused on incoming and current student and employee community with information about sex offenses, violence prevention and all relevant UEI College policies and procedures during the student’s enrollment process and new employee onboarding. The Title IX Coordinator is responsible for training the campus CSA. These training sessions include:

- A statement that the institution prohibits crimes of dating violence, domestic violence, sexual assault and stalking;
- The definitions of those crimes under federal and state law;
- Strategies to stop dating violence, domestic violence, sexual assault and stalking before they occur such as through positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality including moderating alcohol consumption,
- The definition of consent, in reference to sexual activity, if available under state law;
- A description of safe and positive options for bystander intervention and other strategies to re-direct potential perpetrators;
- Information on risk reduction;
- Information contained in the institution’s policies and procedures related to preventing, reporting and responding to sexual offenses, including disciplinary procedures and victim rights;

The institution's ongoing prevention and awareness campaigns are made available on an ongoing basis through links available on the institution's website, social media, campus events or special presenters and involve the Campus Community as a whole with the intent of increasing knowledge and sharing information and resources to prevent violence, promote safety and reduce risk of perpetration of sexual assault, dating violence, domestic violence and stalking. The campaigns include information from the following resources:

Rape, Abuse, Incest National Network: <http://centers.rainn.org/>

Sexual Assault Prevention and Resources: <https://www.notalone.gov/>

National Coalition Against Domestic Violence: <http://www.ncadv.org>

Bystander intervention and other prevention strategies: <http://stepupprogram.org/topics/sexual-assault/>

Bystander intervention program: <http://www.theredflagcampaign.org/welcome> and [www.CleryCenter.org](http://www.CleryCenter.org)

Drug and Alcohol Prevention: <http://www.samhsa.gov/find-help/national-helpline>

### **Bystander Intervention**

Bystanders are the largest group of people involved in criminal incidents – they greatly outnumber both the perpetrators and the victims. Bystanders have a range of involvement in incidents. Some know that a specific crime is happening or will happen; some see a crime or potential crime in progress. Regardless of how close to the crime they are, bystanders have the power to stop crimes from occurring and to get help for people who have been victimized. If you find yourself in this situation, follow the below Tips and Options for intervening in a situation potentially involving a crime.

Tips & Options:

- Approach everyone as a friend
- Try to split up the parties involved
- Do not be antagonistic
- Redirect the focus of one person somewhere else
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

### **Risk Reduction**

With no intent to blame the victim and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)):



- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don't know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately by calling 911**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

- **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### Warning signs of Abusive Behavior

- **Past abuse** - An abuser may say, "I hit someone in the past, but she made me do it." An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.
- **Threats of violence or abuse** - Threats can involve anything that is meant to control the victim. For example, "I'll tell your parents about your drug use if you don't do what I want." Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that "everybody talks like that."
- **Breaking objects** - An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.
- **Use of force during an argument** - An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, "You're going to listen to me."
- **Jealousy** - An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victim's activities.
- **Controlling behavior** - An abuser will claim that controlling behavior is out of concern for the victim's welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim's appearance and activities.
- **Quick involvement** - An abuser will often pressure someone to make a commitment after a very short amount of time. The abuser comes on quickly, claiming "love at first sight," and will tell the victim flattering things such as "You're the only person I could ever love."
- **Unrealistic expectations** - The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, "You're the only person I need in my life."
- **Isolation** - The abuser will attempt to diminish and destroy the victim's support system. If a female victim has male friends, she is accused of being a "whore." If she has female

friends, she is accused of being a "lesbian." If she is close to her family, she is accused of being "tied to the apron strings." The abuser will accuse people who are close to the victim of "causing trouble. "**Blames others for problems** Abusers will rarely admit to the part they play in causing a problem. He/she will blame the victim for almost anything that goes wrong.

- **Blames others for their feelings** - An abuser will tell the victim, "I hurt you because you made me mad," or "You're hurting me when you don't do what I ask." Blaming the victim is a way of manipulating them and avoiding any responsibility.
- **Hypersensitivity** - An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices -- such as getting a traffic ticket or not doing well on an exam.
- **Cruelty to animals or children** - An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.
- **"Playful" use of force during sex** - The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.
- **Rigid sex roles** - Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.
- **Jekyll-and-Hyde personality** - Explosiveness and mood swings are typical of abusers, and these behaviors are related to other traits such as hypersensitivity. This is not always a sign of mental health problems but may be a way of controlling the victim by being unpredictable.

**Policy Statement Addressing Sex Offender Registration Information.**

In accordance with the Campus Sex Crimes Prevention Act of 2000, the Clery Act and the Family Educational Rights and Privacy Act of 1974, the local Police Department provides a link to the State Police Sex Offender Registry. The institution is required to inform the Campus Community about where law enforcement information provided by a State concerning registered sex offenders may be obtained. The law also requires sex offenders, already required to register in a State, to provide notice of each of higher education in that State at which the person is employed, carries a vocation, or is a student. In the state, convicted sex offenders must register with the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police. The State Police is responsible for maintaining this registry. Follow the links below to access the registry:

**Sex Offender Registry Website**

| State      | Website   | Phone Number   |
|------------|---|----------------|
| California | <a href="http://meganslaw.ca.gov/">http://meganslaw.ca.gov/</a> | (916) 227-4974 |

### **What to do?**

If you should become the victim of sexual assault or other form of domestic violence, do your best to remember the person who attacked you and committed the crime, the more details you can remember, the better. For more information on these crimes visit

[http://www.nationalcenterdvtraumamh.org/resources/national-domestic-violence- organizations/](http://www.nationalcenterdvtraumamh.org/resources/national-domestic-violence-organizations/)

Remember that you have not committed a crime, do the following immediately:

- Go to a safe place.
- Call someone you trust to be with you.
- Seek medical care.
- Call 911 to report an assault or domestic violence when you are in fear for your life.

### **What not to do?**

- Do not shower, bathe or douche after the attack.
- Do not discard or wash clothing or linen.
- Do not blame yourself.

### **Prevention Tips**

- Do not drink excessively. One drink can affect judgment.
- Say "NO" like you mean it when the situation causes concern.
- Never hitchhike.
- Use the "Buddy System". Avoid walking alone, especially after dark.
- Walk in well-lit areas.
- Tell friends and/or family where you are going, how you are getting there, how long you will be, and when you will be back.
- Lock the door at home or away.

### **Domestic Violence prevention Tips when in the home**

- Learn where to get help; memorize emergency phone numbers.
- Plan an escape route; teach it to your children.
- Pack a bag with important items; put it in a safe place in case you need to leave quickly. Include cash, car keys and important documents such as passport, birth certificate, medical records and medications.
- Get to a room with a phone to call for help; lock the abuser outside if you can.
- Think about a neighbor or friend you can run to for help.

### **Domestic Violence prevention Tips outside the home**

- Change your regular travel habits.
- Shop and bank in a different place.
- Keep a cell phone and program it to 9-1-1.
- Give a picture of the abuser to friends and co-workers.
- Don't go to lunch alone.

### **Domestic Violence Tips when in an emergency situation**

- Stay away from the kitchen (the abuser can find weapons like knives there).
- Get to a room with a door or window to escape.
- Get to a room with a phone to call for help; lock the abuser outside if you can.
- Think about a neighbor or friend you can run to for help.
- Seek medical attention if you are hurt.
- Take pictures of bruises or injuries.
- Trust your instincts. Better to be safe than sorry!

### **Drug & Alcohol Abuse Prevention**

UEI College is committed to creating and maintaining a community in which students, faculty, and staff can work and study in an atmosphere free of drugs and alcohol. Therefore, the following policy has been established:

**UEI COLLEGE CANNOT, AND WILL NOT, CONDONE DRUG OR ALCOHOL ABUSE ON THE PART OF ITS EMPLOYEES OR STUDENTS.**

The institution recognizes that alcoholism and drug abuse may have an adverse effect on job and/or classroom performance and is concerned with this impact. In addition, the institution recognizes that both problems can be successfully treated, enabling either the employee or student to return to a satisfactory performance level. The institution has a policy on Drug Free schools and Drug Free Work Place policy, which applies to all students and compensated employees. The institution will vigorously enforce its institutional policy prohibiting the possession, use and sale of alcoholic beverages and illegal drugs, and will support the full enforcement of state underage drinking laws and federal and state drug laws.

### **Alcohol and Substance Abuse Education**

Members of the Campus Community are provided on an annual basis, with a copy of the institution's Policy on Possession, Use and Sale of Alcoholic Beverages and Illegal Drugs, the institution's alcohol and substance abuse programs, health and safety concerns with drug abuse, and counseling and assistance resource information. New students, faculty and staff are provided this information during the enrollment process or new hire on-boarding.

The institution's drug and alcohol abuse program contains the standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol, the health risks associated with their use, the Institution's disciplinary sanctions, the legal sanctions and the applicable counseling, treatment and the rehabilitation/re-entry programs in accordance with the Drug-Free Schools and Communities Act (DFCSA). Violations of the Institution's drug and alcohol abuse policy may result in the loss of Title IV, Federal Student Financial Aid eligibility dependent on the judge's final ruling.

The Institution may also refer members of the Campus Community in violation of the Institution's policy to substance abuse education or rehabilitation programs as a condition of continued enrollment or employment.

### **Disclosure Statement**

The Institution 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. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

# Annual Crime Statistics Reports

## Introduction

The Institution maintains a working relationship with the local law enforcement authority, and ensure that any criminal activity reported directly to them that may endanger members of the Campus Community, is relayed to the Institution; however, there are no official agreements with these agencies. These relationships help to ensure that all crimes are properly being reported in the Annual Crime Statistics Reports.

The Clery Act requires each school to report specific types of crimes that pose a threat or danger to public safety at the school. It is the responsibility of the CSA to ensure that all employees of the school understand and are aware of these offenses to ensure proper notification to a CSA. This is also necessary to ensure the proper reporting of these offenses in the Annual Crime Report.

## Definitions of Reportable Offenses

### Primary Crimes

**Criminal Homicide:** Murder and Non-negligent Manslaughter: the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** killing of another person through gross negligence.

### Sex Offenses

**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.

**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.

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

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

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

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; typically this type of crime is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary:** The unlawful entry of a structure or facility by a person or person's to commit a felony or theft.

**Motor Vehicle Theft:** The theft, or attempted theft, of a motor vehicle with no lawful access to the vehicle.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. In order for arson to be reported in the Annual Crime Statistics it must have been investigated.

**Hate Crimes:** A criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, gender identity or ethnicity/national origin. Hate crimes are not separate, distinct crimes, but are traditional offenses motivated, in whole or in part, by the offender's bias.

### **Other Offenses – Arrests/Referrals for Disciplinary Action**

**Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Drug Law Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (e.g., morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (e.g., Demerol, methadone); and dangerous non- narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging' operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the previous mentioned items.

### **Hate Crimes**

Each of the Primary Crimes listed above that are determined to be Hate Crimes and any incident of the following determined to be a hate crime:

**Larceny-theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Attempted larcenies are included.

**Simple assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.



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

**Destruction/damage/vandalism of property:** To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control over it.

### **VAWA Crimes and Definitions for Annual Crime Reporting**

**Domestic violence** means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred,, or by any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking** means "engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. For purposes of this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Sexual assault** means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

### **VAWA Crimes and Definitions (Local Jurisdiction - California)**

**Dating violence:** Not specifically defined under California law.

**Domestic violence:** Cal. Penal Code § 13700: "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1)

sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

**Sexual assault:** Cal. Penal Code § 243.4: (c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

(1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.

(2) "Sexual battery" does not include the crimes defined in Section 261 or 289.

(3) "Seriously disabled" means a person with severe physical or sensory disabilities.

(4) "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.

(5) "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.

(6) "Minor" means a person under 18 years of age.

(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars (\$10,000).

**Stalking:** California Penal Code § 646.9: (a) 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 is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

**Consent:** California Education Code § 67386: Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

## Crime Statistics for 2013 – 2015

UEI College Bakersfield has no non-campus property.

| UEI College - Bakersfield             | ON-CAMPUS OFFENSES |      |      | PUBLIC PROPERTY OFFENSES |      |      |
|---------------------------------------|--------------------|------|------|--------------------------|------|------|
|                                       | 2013               | 2014 | 2015 | 2013                     | 2014 | 2015 |
| <b>Criminal Offense</b>               |                    |      |      |                          |      |      |
| Murder and non-negligent manslaughter | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Manslaughter by Negligence            | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Sex offenses - Forcible               | 0                  | N/A  | N/A  | 0                        | N/A  | N/A  |
| Rape                                  | N/A                | 0    | 0    | N/A                      | 0    | 0    |
| Fondling                              | N/A                | 0    | 0    | N/A                      | 0    | 0    |
| Incest                                | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Statutory rape                        | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Robbery                               | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Aggravated Assault                    | 0                  | 1    | 0    | 0                        | 0    | 0    |
| Burglary                              | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Motor Vehicle Thefts                  | 1                  | 2    | 7    | 0                        | 0    | 0    |
| Arson                                 | 0                  | 0    | 0    | 0                        | 0    | 0    |

### Hate Crimes – On Campus

| <b>Criminal Offences On Campus</b>       | <b>2015 Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual Orientation</b> | <b>Gender</b> | <b>Gender Identity</b> | <b>Disability</b> | <b>Ethnicity</b> | <b>National Origin</b> |
|--|-------------------|-------------|-----------------|---------------------------|---------------|------------------------|-------------------|------------------|------------------------|
| Murder and non-negligent manslaughter    | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Rape                                     | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Fondling                                 | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Incest                                   | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Statutory rape                           | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Robbery                                  | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Aggravated Assaults                      | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Burglary                                 | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Motor Vehicle Thefts                     | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Arson                                    | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Simple Assault                           | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Larceny-theft                            | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Intimidation                             | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |
| Destruction/damage/vandalism of property | 0                 | 0           | 0               | 0                         | 0             | 0                      | 0                 | 0                | 0                      |

## Hate Crimes – On Campus

| <b>Criminal Offences<br/>On Campus</b>       | <b><u>2014</u><br/>Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual<br/>Orientation</b> | <b>Gender</b> | <b>Gender<br/>Identity</b> | <b>Disability</b> | <b>Ethnicity</b> | <b>National<br/>Origin</b> |
|--|------------------------------|-------------|-----------------|-------------------------------|---------------|----------------------------|-------------------|------------------|----------------------------|
| Murder and non-negligent manslaughter        | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Rape   | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Fondling                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Incest                                       | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Statutory rape                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Robbery                                      | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Aggravated Assaults                          | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Burglary                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Motor Vehicle Thefts                         | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Arson  | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Simple Assault                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Larceny-theft                                | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Intimidation                                 | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Destruction/damage/<br>vandalism of property | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |

## Hate Crimes – On Campus

| <b>Criminal Offences<br/>On Campus</b>       | <b><u>2013</u> Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual<br/>Orientation</b> | <b>Gender</b> | <b>Disability</b> | <b>Ethnicity/<br/>National<br/>Origin</b> |
|--|--------------------------|-------------|-----------------|-------------------------------|---------------|-------------------|---|
| Murder and non-negligent manslaughter        | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Sex Offenses - Forcible                      | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Incest                                       | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Statutory rape                               | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Robbery                                      | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Aggravated Assaults                          | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Burglary                                     | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Motor Vehicle Thefts                         | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Arson  | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Simple Assault                               | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Larceny-theft                                | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Intimidation                                 | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Destruction/damage/<br>vandalism of property | 0                        | 0           | 0               | 0                             | 0             | 0                 | 0   |

### Hate Crimes – Public Property

| <b>Criminal Offences<br/>Public Property</b> | <b><u>2015</u><br/>Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual<br/>Orientation</b> | <b>Gender</b> | <b>Gender<br/>Identity</b> | <b>Disability</b> | <b>Ethnicity</b> | <b>National<br/>Origin</b> |
|--|------------------------------|-------------|-----------------|-------------------------------|---------------|----------------------------|-------------------|------------------|----------------------------|
| Murder and non-negligent manslaughter        | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Rape   | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Fondling                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Incest                                       | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Statutory rape                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Robbery                                      | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Aggravated Assaults                          | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Burglary                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Motor Vehicle Thefts                         | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Arson  | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Simple Assault                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Larceny-theft                                | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Intimidation                                 | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Destruction/damage/<br>vandalism of property | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |



### Hate Crimes – Public Property

| <b>Criminal Offences<br/>Public Property</b> | <b><u>2014</u><br/>Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual<br/>Orientation</b> | <b>Gender</b> | <b>Gender<br/>Identity</b> | <b>Disability</b> | <b>Ethnicity</b> | <b>National<br/>Origin</b> |
|--|------------------------------|-------------|-----------------|-------------------------------|---------------|----------------------------|-------------------|------------------|----------------------------|
| Murder and non-negligent manslaughter        | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Rape   | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Fondling                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Incest                                       | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Statutory rape                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Robbery                                      | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Aggravated Assaults                          | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Burglary                                     | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Motor Vehicle Thefts                         | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Arson  | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Simple Assault                               | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Larceny-theft                                | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Intimidation                                 | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |
| Destruction/damage/<br>vandalism of property | 0                            | 0           | 0               | 0                             | 0             | 0                          | 0                 | 0                | 0                          |

### Hate Crimes – Public Property

| <b>Criminal Offences<br/>Public Property</b> | <b><u>2013</u><br/>Total</b> | <b>Race</b> | <b>Religion</b> | <b>Sexual<br/>Orientation</b> | <b>Gender</b> | <b>Disability</b> | <b>Ethnicity/<br/>National<br/>Origin</b> |
|--|------------------------------|-------------|-----------------|-------------------------------|---------------|-------------------|---|
| Murder and non-negligent manslaughter        | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Sex Offenses - Forcible                      | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Incest                                       | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Statutory rape                               | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Robbery                                      | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Aggravated Assaults                          | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Burglary                                     | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Motor Vehicle Thefts                         | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Arson  | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Simple Assault                               | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Larceny-theft                                | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Intimidation                                 | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |
| Destruction/damage/<br>vandalism of property | 0                            | 0           | 0               | 0                             | 0             | 0                 | 0   |

|  | ON-CAMPUS OFFENSES |      |      | PUBLIC PROPERTY OFFENSES |      |      |
|--|--------------------|------|------|--------------------------|------|------|
|  | 2013               | 2014 | 2015 | 2013                     | 2014 | 2015 |
| <b>Arrests</b>                           |                    |      |      |                          |      |      |
| Weapons: carrying, possessing, etc       | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Drug abuse violations                    | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Liquor law violations                    | 0                  | 0    | 0    | 0                        | 0    | 0    |
| <b>Disciplinary Actions</b>              |                    |      |      |                          |      |      |
| Weapons: carrying, possessing, etc       | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Drug abuse violations                    | 0                  | 0    | 0    | 0                        | 0    | 0    |
| Liquor law violations                    | 0                  | 0    | 0    | 0                        | 0    | 0    |
| <b>Violence Against Women Act (VAWA)</b> |                    |      |      |                          |      |      |
| Domestic Violence                        | 0                  | 1    | 0    | 0                        | 0    | 0    |
| Dating Violence                          | 0                  | 1    | 0    | 0                        | 0    | 0    |
| Stalking                                 | 0                  | 0    | 0    | 0                        | 0    | 0    |

| <b>Unfounded Crimes</b> | 2013 | 2014 | 2015 |
|-------------------------|------|------|------|
| Total                   | NA   | 0    | 0    |