



# **Jeanne Clery Act Annual Security Report**

2019-2021 Crime Statistics

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Title IX Coordinator/Human Resources  
<http://www.summitcollege.edu/required-disclosures>

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## 2022 ANNUAL SECURITY REPORT

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To maintain compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”), the Higher Education Act (“HEA”) requirements, and related statutes and regulations, and in an effort to continuously promote and improve safety and security measures on campus, Summit College (“Summit” or “the College”) collects and publishes information regarding its security policies, available services and crime statistics. Once collected, the information is presented annually in this Annual Safety and Security Report (“ASR”) to prospective and current students, employees and the public. Any questions about this ASR should be directed to the Campus Manager.

## I. COMPLETION AND DISSEMINATION OF THE ASR

On or before October 1<sup>st</sup> of each year<sup>1</sup>, Summit compiles this ASR based on crime, arrest and referral information obtained from local law enforcement agencies and as reported to Summit’s designated campus security authorities (listed in chart below). The ASR is published every year by October 1<sup>st</sup> and contains three years of campus crime statistics and campus security policy statements. All crime statistics contained in this ASR are for Clery Act reportable crimes occurring on the campus and on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus, as defined by 34 C.F.R. § 668.46(a). The ASR also includes Summit’s current policies required pursuant to the current version of 34 C.F.R. § 668.46 and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), Pub. Law 113-4.

Summit administrators prepare this ASR, which includes reported campus crime, arrest and referral statistics to local law enforcement agencies and designated campus officials. Additionally, Summit reviews crime reports from local law enforcement agencies whenever published and maintains incident reports. Summit also contacts the local Police Departments for crime reports. These sources of information are utilized in the review process regarding the ASR. All documentation used in the review process is kept by the Campus Managers.

Summit distributes this ASR to all enrolled students and current employees via a notice by electronic mail that the current version of the ASR has been posted to the school’s website [www.summitcollege.edu](http://www.summitcollege.edu) and that a paper copy of the ASR will be provided upon request by contacting the Campus Manager. The crime statistics contained in this ASR, as reported annually to the U.S. Secretary of Education, can also be viewed by searching Summit’s name at <https://ope.ed.gov/campusafety/>. New students and employees are instructed to report crimes through the campus chain of command. Students are additionally directed to inform their respective instructors. This instruction is provided at all student orientations and during New Student and/or New Hire Orientation. The Admissions Department provides written notice to all prospective students prior to enrollment regarding the availability and location of the ASR. The Campus Manager, provides all prospective employees with information regarding the availability and location of the ASR and can also provide the prospective employee with a copy of the ASR. Additionally, a copy of the current ASR is made available to the public on Summit’s website, and links to the ASR is contained in the Employee Handbook and Student Catalog.

## II. GEOGRAPHICAL AREA: DESCRIPTION OF THE CAMPUS

- Main Campus, 804 E. Brier Dr. San Bernardino, CA 92408
- Technical/Trades Auxiliary Building, 965 S. Mt. Vernon, Colton, CA 92324
- Santa Ana Campus, 1639 E. Edinger Ave. Santa Ana, CA 92705
- El Cajon Campus, 411 N. Marshall Ave. El Cajon, CA 92020
- El Cajon Auxiliary Building 876 Jackman St. El Cajon, CA 92020

The Clery Act requires each institution to disclose crime statistics that occur on three types of property: campus, non-campus buildings or property, and public property areas.



“Campus” is defined as buildings or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in a manner related to the institution’s educational purpose. It also includes property in that contiguous area owned by the institution but controlled by another person, if that property is used by students and supports institutional purposes (e.g. a food or retail vendor). Branch campuses and geographically disconnected administrative divisions or schools would be considered separate campuses for the purposes of reporting.

“Public property” is property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the institution for purposes related to the institution’s educational purposes. Crimes occurring on “public property” must also be reported in the crime statistics.

A “non-campus building or property” is one that is owned or controlled by a school recognized student organization, or one that is owned or controlled by the institution and used by students or by the institution for education-related purposes and that is not within the same reasonably contiguous geographic area of the campus. Crimes occurring on “non-campus property” must be reported. However, incidents occurring on public property adjacent to “non-campus buildings or property” do not have to be included. Summit does not have such property.

### III. POLICIES FOR REPORTING AND RESPONDING TO CRIMES AND EMERGENCIES

#### REPORTING EMERGENCIES

“Emergency” includes any dangerous situation involving an immediate threat to the health or safety of students, faculty, staff or guests occurring on or near the campus, including fire. Upon observing or involvement in any type of emergency, students, faculty, staff and guests should immediately call 911.

If possible, information about the emergency should also be communicated immediately to the Campus Manager or other available employee for purposes of expediting Summit’s activation of its Emergency Response and Evaluation Procedures as set forth below.

#### REPORTING CRIMES

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1- 1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside the building should be reported to the local law enforcement agency.

Local Law Enforcement Agency	Address	Local Phone Number
San Bernardino Police	710 N D St, San Bernardino	(909) 384-5742
Santa Ana Police	60 Civic Center Plz, Santa Ana	(714) 245-8665
El Cajon Police	100 Civic Center Way, El Cajon	(619) 579-3311

In addition, crimes that should be reported to the Campus Manager or other Campus Security Authority (CSA) by students, faculty and staff include: criminal homicide, murder and non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, dating violence, domestic violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, drug and alcohol violations, and illegal weapons possession. Where there is any question about whether an incident is a crime, a report should be made to the Campus Manager or other CSA for assistance in determining the nature of the incident. Witnesses or victims of crimes may report crimes on a confidential basis for inclusion in Summit’s annual crime statistics reporting.

Upon observing or involvement in any type of crime 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 student should immediately notify the Campus Manager other CSA, or the nearest available employee. All Summit employees are trained to notify the Campus Manager or his/her on-site designee, or CSA immediately of all crimes reported to them by students.
- Faculty and staff should immediately notify the Campus Manager or his/her on-site designee, or other CSA.

**CAMPUS SECURITY AUTHORITIES BY CAMPUS:**

Campus		Phone Number	Email Address
San Bernardino/Colton	Campus Manager	(909)422-8950	<a href="mailto:SBCampus.Manager@summitcollege.edu">SBCampus.Manager@summitcollege.edu</a>
Santa Ana	Campus Manager	(657)859-2229	<a href="mailto:SACampus.Manager@summitcollege.edu">SACampus.Manager@summitcollege.edu</a>
El Cajon	Campus Manager	(909)835-4503	<a href="mailto:ECCampus.Manager@summitcollege.edu">ECCampus.Manager@summitcollege.edu</a>

Timely reporting of criminal activity enables Summit to respond in a timely manner and potentially reduce the recurrence of that crime. Timely manner is defined to mean immediately or as immediately as possible under the circumstances. Summit strongly encourages individuals to report all crimes in an accurate and timely manner to local law enforcement agencies. Upon written request, Summit will 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 Summit 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.

Summit works cooperatively with local law enforcement agencies when necessary; however, there are no written memoranda of understanding agreements between Summit and local law enforcement agencies to investigate alleged crimes. Summit does, in good faith effort, contact local law enforcement agencies to obtain data on Clery Act crimes that occurred on or near the campus. Not all agencies respond to our requests for data. In addition, Summit reviews all published crime reports for the campus and surrounding area.

Always use your eyes, ears, and telephone to keep campus officials advised of what you see and hear. Please notify the Campus Manager or other CSA when you see:

- Strangers loitering in office areas, hallways, classrooms, or lounge areas, etc.
- Unsecured doors or windows in campus buildings that are supposed to be locked.
- Anyone tampering with a motor vehicle or loitering in a parking lot.
- Persons publicly displaying a weapon.
- Persons loitering in dark or secluded areas (like in the back of the school).
- Suspicious persons carrying articles, equipment, luggage, or other packages out of campus buildings.

**RESPONSE TO REPORTS OF CRIME OR EMERGENCY**

Upon receipt of a report of a crime or emergency, the Campus Manager will:

- Immediately assess, based on his/her own judgment or after consultation with other Summit employees, whether the situation warrants contacting 911 and/or following the emergency response and evacuation procedures contained below.
- Immediately assess, based on his/her own judgment and/or after consultation with other Summit employees or the local police, whether a “timely warning” to the campus community should be issued pursuant to the Timely Warning policy below.
- With regard to a reported incident that is or may be an instance of sexual violence, immediately contact Summit’s Title IX Coordinator who has authority to evaluate and respond in accordance with Summit’s “Title IX” policy contained in this ASR.
- The Campus Manager will investigate and gather any additional information necessary to determine whether the incident must be reported in the crime statistics contained in this ASR.



## **TIMELY WARNING OF REPORTED CRIME**

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Manager constitutes an ongoing or continuing threat to students and employees, including with regard to any crime reportable pursuant to the Clery Act, a campus wide “timely warning” will be issued. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the students and employees, Summit will post a warning via one or more of the following means of communication:

- Email or text messages to faculty, staff and students.
- Posting in classrooms, labs, break rooms, restrooms, entrances, and exits.
- If warranted a Posting on the company website at: [www.summitcollege.edu](http://www.summitcollege.edu).
- A member of Summit’s management team will visit each classroom to inform all students of the situation.
- The Campus Manager will inform all applicable local law enforcement agencies. Local authorities will determine when and if necessary to notify the surrounding neighborhood community.

The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report the circumstances immediately to the Campus Manager or other CSA in person or by phone (contact information listed above).

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

- (a) An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- (b) Nothing in this Act or this part shall prevent an educational agency or institution from:
  - (1) Including in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community;
  - (2) Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials within the agency or institution who the agency or institution has determined have legitimate educational interests in the behavior of the student; or
  - (3) Disclosing appropriate information maintained under paragraph (b)(1) of this section to teachers and school officials in other schools who have been determined to have legitimate educational interests in the behavior of the student.
- (c) In deciding under paragraph (a) of this section, an educational agency or institution may consider the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. If, based on the information available at the time of the determination, there is a rational basis for the determination, the Department will not substitute its judgment for that of the educational agency or institution in evaluating the circumstances and making its determination.



## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. In the event the building needs to be evacuated or locked down for any reason, maps of the evacuation route have been posted in common areas.

Summit maintains an Emergency Preparedness Plan which outlines actions staff, faculty, and students must take to protect their mutual health and safety. Summit will, without delay, and considering the safety of the students, faculty and staff, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the Campus Manager or other responsible authority, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.

In the event of an emergency, Summit will notify the campus community as soon as we have confirmed that a significant emergency or dangerous situation exists. Summit has developed a process to confirm that if there is a significant emergency, determine who to notify, determine the content of the notification, and initiate the notification system. In the event of significant emergency, the Summit will issue a warning via one or more of the following means of communication: Summit's website, social media, text or email message, other spoken or written verbal announcement, or other appropriate means to immediately inform individuals on campus of the need to evacuate and the procedures to follow. The only reason Summit would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency; or otherwise mitigate the emergency.

Depending on the situation, additional alerts will be disseminated as information becomes available. If deemed necessary, the Campus Manager will notify the local police, fire, public health agency, or other appropriate first responder to assist with the emergency. Summit's administrative staff will contact those listed as emergency contacts by the student via phone/email if the situation warrants. Other staff and faculty members may be designated as back-ups and to assist with assigned tasks. Local authorities will determine when and if it is necessary to notify the surrounding community.

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, or public emergency response teams or law enforcement agencies during actual emergencies and drills for their personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

Summit tests its emergency response and evacuation procedures at least once annually on an announced basis. When tests are conducted, Summit publicizes its emergency response and evaluation procedures to students, faculty, and staff, including making available a copy of this policy. Summit maintains documentation of each test exercise including date and time performed. The plan, including any updates, is reviewed with new students and employees during orientation, in classes at the start of each term, and at least one faculty meetings during the year.

Evacuation routes are posted in each common areas and other areas the Campus Manager deems necessary. Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property.

Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to unforeseen emergencies. Students are required to wear their student ID badges at all times when on campus or participating in school related functions. Students are issued ID badges at orientation and are required to wear ID badges at off-campus functions, such as clinical assignments for Nursing and externships sites.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Campus Manager as soon as possible.



#### IV. NON-EMERGENCY SCHOOL CLOSURES OR DELAYS

Upon decision by the Campus Manager, after consultation with other Summit officials as appropriate, to close a campus or delay opening for any reason, including for weather related reasons; Summit will notify students and staff using text message, voicemail, email, and/or social media. Notification for closure or delays will be sent separately for morning and evening schedules.

#### V. POLICY STATEMENT ADDRESSING COUNSELORS AND COUNSELING SERVICES

There are no Pastoral or Professional Counselors on campus. Crisis, mental health and victim resource hotline numbers are available from the Student Services Department. The "Title IX" policy within this ASR addresses Summit's policies with respect to support services and confidentiality for victims of sexual violence.

#### VI. ACCESS POLICY, SECURITY OF CAMPUS FACILITIES AND SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Summit does not maintain residential facilities and does not have any officially recognized student organizations with non-campus locations. The campus facilities are open 7:00am to 11:00pm Monday through Thursday and are accessible to students and employees. The campus is secured during non-business hours by locking doors and setting alarms and only accessible by issued key and alarm pass code.

Maintenance personnel enter the facilities during the evening or early morning non-business hours by issued key and alarm pass code.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Campus Manager, regularly inspects the campus and reports malfunctioning lights and other unsafe physical conditions to the appropriate contractor for immediate corrective action.

The campus is not open to the public. Visitors are subject to campus rules and regulations and must sign-in at the front desk when visiting Summit College campuses. Visitors must be accompanied at all times and need to be aware of the following:

**Video Surveillance:** Visitors need to be aware that video cameras are recording activities throughout the campus 24 hours a day and evidence of any illegal activities may be shared with the proper authorities.

**Smoking and Tobacco Products:** Summit is a non-smoking, non-tobacco product environment. Smoking, including the use of electronic cigarettes and the use of all tobacco products is strictly prohibited within the building(s).

**Alcohol and Drugs:** The use of alcohol and illegal drugs are not permitted on campus at Summit. Anyone suspected of using drugs or alcohol, or being under the undue influence of drugs or alcohol, will be asked to leave Summit's campus and the authorities may be notified.

**Firearms:** Firearms are not permitted on any Summit Campus.

**Pets:** Pets (outside of service animals or approved emotional support animals) are not allowed on campus.

All visitors must obey the following rules of conduct at all times:

- Follow all verbal instructions and signs;
- Food and drinks are not permitted in classroom/lab areas;
- Do not touch or attempt to operate any machine, device or equipment unless given permission to do so;



- All visitors must be accompanied by their designated Summit escort at all times;
- Photography are strictly prohibited unless approved in advance. If approved in advance, photos will be reviewed before being removed from the facility.
- Computer Usage: Anyone bringing a personal computer onto the Summit campus must receive permission from the Director of Information Technology prior to connecting to Summit's network. The Director of Information Technology may require a virus scan to be performed.

The College's Safety Committee meets regularly to report any safety hazards on campus. To report a safety hazard, please see the Student Service Administrator or report the hazard to any staff member. A staff member is available to escort students to their vehicles when leaving the campus after dark. To request an escort, please see the Receptionist or Student Services Administrator.

All students are requested to complete a Medical Emergency Information form upon enrollment. If there are any changes to the information requested on the form, please see the Student Service Administrator and update the form.

## **VII. WEAPONS ON CAMPUS**

According to California Penal Code §626.9 and §626.10, as well as California Code of Regulations §100015, individuals are prohibited from possessing various weapons, including firearms, explosives, instruments that expel metal projectiles, such as a bb or pellet gun, specified knives and/or any item that may be construed as such, on the premises of Summit College or in any building under its control. Exceptions include law enforcement personnel, honorably retired peace officers or a member of the military forces of this state or the United States who is engaged in the performance of their duties.

Summit's policy also prohibits individuals from possession, use, manufacturing, distributing, sales, etc. of any firearms, weapons or explosives. Anyone found in violation of Summit's policies shall be subject to disciplinary policies and procedures applicable to students, academic and staff personnel, and/or criminal prosecution by the appropriate jurisdiction.

## **VIII. CAMPUS LAW ENFORCEMENT AND RELATED POLICIES**

Summit does not employ campus police and employees have no authority to arrest or detain any individual. Summit will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Students, faculty, and staff are encouraged to accurately and promptly report all crimes and public safety related incidents to Summit, as set forth in the "Reporting Crimes" section of this ASR and to notify local police. Staff and students are advised to report any suspicious activities to the respective Campus Manager.

If you are a victim of or witness to a crime and do not want to pursue action through Summit's procedures or the criminal justice system, Summit encourages you to consider reporting the incident to the Campus Manager or his/her designee or other CSA for the limited purpose of permitting Summit to include the incident in its crime statistic reporting without revealing your identity. With such information, Summit can keep an accurate record of the number of similar incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Summit will make best efforts, to the extent permitted by law, to maintain the privacy of that information and to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA). Police reports are public records under state law, Summit cannot hold reports of crime obtained from police records in confidence. Policies with respect to victims of sexual violence are contained in the "Title IX" section of this ASR.



## IX. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Safety and security awareness programs are in place for students and employees. The common theme of awareness and crime prevention programs are to encourage students and employees to be aware of their responsibility for their own security and the security of others. During new student and new employee (faculty and staff) orientations, individuals are informed of Summit's current security and crime prevention policies and practices as well as the protection of personal safety and prevention of crime.

Related information is received via the Student Enrollment Agreement, Student Catalog and the New Hire Onboarding information/Employee Handbook. Such orientations may include a Power Point presentation and/or review of Summit's policies. The presentations include training required by Title IX of the Higher Education Act regarding preventing and responding to sexual harassment/violence and other topics discussed below in the "Title IX" section.

Summit encourages all students, faculty, staff and visitors to observe and practice common safety precautions:

### Walking around campus

- Familiarize yourself with the layout of the campus.
- Plan the safest route to your destination; choose well-lighted, busy pathways and streets.
- At night, stick to well-lighted areas whenever possible and avoid alleyways or "short cuts" through isolated areas.
- Travel in groups when walking at night.
- If you are being followed, change direction and go to the nearest business or safe place and call the Police. Note the description of the person following you.
- Walk near the curb and avoid shrubbery or other places of potential concealment.
- Stay alert to your surroundings and the people around you.
- Carry your purse close to your body and keep a firm grip on it.
- Carry your wallet in an inside coat pocket or your front pant pocket.
- Keep your keys separate from your purse or backpack.
- Don't overload yourself with bags or packages
- Avoid wearing shoes that restrict your movements.
- Always carry and display your campus identification card.
- Be aware, stay alert and report suspicious activity to Campus Security Authority.

### In the campus buildings

- Don't allow others to enter if you are not positive they are a current employee or student.
- Do not let unknown individuals "tailgate;" ask who they are visiting and offer to call the front desk.
- Do not prop any security or exterior doors open to allow unescorted visitors into the building.
- Report lost or stolen keys immediately to the front desk.
- Report any malfunctioning security system, locks, doors or windows to CSA or front desk.
- Do not leave your keys lying around in your room when you are not in the room.
- Report any suspicious persons or activities to CSA or front desk.
- Secure your valuables and engrave expensive items with identifying information.
- Do not leave your identification, keys, wallets, or other valuables in open view, unattended or not secured.

### Motor vehicle safety

- Park in well lighted areas, where your vehicle is visible
- Keep all valuables out of sight. Remove or place CD players/cases, etc. in the trunk.
- Keep your vehicle locked and close windows at all times when parked.
- Unlock your vehicle only when you are in reach of your door.



### Safety Tips

- Stay alert of your surroundings, wherever you are.
- If you feel uncomfortable in a place, leave right away.
- Keep eyes and ears open, hands free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas whenever possible.
- Try not to walk alone. Take a friend or walk in group.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuable items including jewelry, mobile phones and wallets out of sight.
- Carry a pepper or mace spray as a precautionary measure.
- Avoid returning to campus after dark if you do not have to, or walk in groups to and from buildings.

### Suggestions to Reduce Risk of Sexual Violence

- There is strength in numbers or group dates. Go to parties or clubs with a friend and be responsible for each other. Don't split up. Have a preplanned signal to let your friend know that you want to leave or need help.
- Control your alcohol; don't let it control you. Drink responsibly or not at all, especially on first dates.
- Know your limits. It's never too late to say "no." Don't be embarrassed or ashamed to say "no" or ask someone to stop. It is your body.
- Verbalize your expectations. Be up front. Talk about sexual boundaries. A potentially embarrassing conversation could save you from a traumatic situation.
- Trust your gut instinct. Guard your personal space. If someone makes you uncomfortable, remove yourself from the situation.

In addition to the activities completed as discussed in the Emergency Response and Evacuation Procedures section above, educators or administrators are required to review and discuss emergency evacuation procedures, lockdown procedures and safety policy at the start of every new module as well as on a routine basis. Emergency Exit maps are posted at the entrances of all campus rooms.

Annually the Campus Managers and Education Manager present crime prevention and security awareness programs on a variety of topics specific to each campus. Crime Prevention information is available through crime prevention posters, security alert flyers and social media outlets.

Literature on Crime Prevention, example Sexual Assault, Stalking, Everyday Safety and others, is available in the Student Services department.

### ON-LINE RESOURCES

The California Partnership to End Domestic Violence	<a href="http://www.cpedv.org">http://www.cpedv.org</a>
Department of Justice	<a href="http://www.justice.gov/ovw/domestic-violence">http://www.justice.gov/ovw/domestic-violence</a>
Department of Education, Office of Civil Rights	<a href="http://www2.ed.gov/about/offices/list/ocr/index.html">http://www2.ed.gov/about/offices/list/ocr/index.html</a>
Information Regarding Registered Sex Offenders	<a href="http://www.meganslaw.ca.gov">http://www.meganslaw.ca.gov</a>
National Domestic Violence Hotline	<a href="http://www.thehotline.org/get-help/">http://www.thehotline.org/get-help/</a>
Bureau of Justice Assistance	<a href="https://www.bja.gov/">https://www.bja.gov/</a>
National Crime Prevention Council (Resources)	<a href="http://www.ncpc.org/">http://www.ncpc.org/</a>



Violent Crime and Personal Safety

<http://www.ncpc.org/>

Workplace Safety

<http://www.ncpc.org/>

Student safety is the responsibility of every staff member. All staff members are required to report any unsafe act, condition or event on an Incident Report Form and provide a copy of the form to the Human Resources. Any unsafe procedure that is witnessed being performed by a student should be immediately halted by the staff member and reported to the appropriate medical department Director for disposition. Instructors are required to personally practice and teach students Universal Precautions in all clinical procedures and wear all applicable protective clothing, eyewear and gloves when performing or demonstrating clinical procedures.

Instructors are responsible for demonstrating the application and use of all equipment including appropriate safety measures, features and protective appliances to students prior to allowing a student to operate any Medical, Vocational Nursing or Dental laboratory equipment. Upon completion of the demonstration, the Instructor is required to personally monitor the student's use of the equipment until such time as it is apparent the student understands the safe and correct operation of the unit and can perform the functions of the unit without danger to him/herself or others.

The Department Director or instructional staff must verify the operation and inspect all safety features of any equipment or laboratory at the beginning and end of each course of instruction in which the equipment was used to insure functionality.

In addition, all safety devices such as emergency eyewash stations, fire extinguishers, emergency exits and associated devices will be inspected and tested as appropriate by the Campus Manager on a regular basis to insure proper operation.

## **X. ORDERS OF PROTECTION**

Summit abides by Orders of Protection (Restraining Orders). Orders of Protection are issued by a Domestic Relations or a Municipal Court to protect a person or entity, and the general public, in a situation involving alleged assault, domestic violence, harassment, stalking or sexual assault. In California, forms can be obtained online at [www.courts.ca.gov](http://www.courts.ca.gov). A person must complete the DV-100 Domestic Violence Description form and the DV-101 form. Both completed forms must be submitted to the court clerk. Summit's objective is to provide a safe and secure environment for students, faculty, staff and visitors.

### **PROCEDURES:**

- Students, staff and faculty must notify the Campus Manager or other CSA if they have an Order of Protection.
- The front desk person must be provided a copy of the Order of Protection with a picture of the suspect.
- The Campus Manager, faculty, staff and students that are involved with the Order of Protection will be informed of expected actions and security measures.
- If anyone sees the suspect, call 911 immediately.

In the event of imminent danger or immediate emergency, information is released through the emergency notification system.

## **XI. Drug and Alcohol Awareness Prevention Program (DAAPP)**

Summit is committed to maintaining a drug-free school and workplace. All campus property is drug and alcohol free. Summit is committed to full compliance with the Drug Free Workplace Act and the Drug-Free Schools and Communities Act regulations as contained in 34 C.F.R. Part 86.

All students and employees are prohibited from the unlawful cultivation, manufacture, distribution, sale, purchase, possession, transportation, or use of illegal drugs and alcohol on Summit's property or as part of any officially sponsored



off-campus activities (including externship and clinical sites). Being under the influence of alcohol, illegal drugs or any other substance that could adversely affect the health, safety or welfare of students and staff on Summit's property or at any of its officially sponsored activities is also prohibited. This includes all forms of marijuana, regardless of the state legality of the

substance. Summit management should immediately be notified of any alcohol or drug-related activity in violation of this Policy.

Nothing in this policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as such activity does not violate any law or result in an employee/student being impaired by use of such drugs in violation of this policy.

### **TRAINING AND PUBLICATION**

Each year, Summit is required to provide its Drug Free Schools Act policy and Drug and Alcohol Abuse Prevention Program. New students, faculty and staff are provided this information during orientation. Annually, students and employees are provided this information by means of Summit's publication of this ASR and material posted on campus.

At least once a year, Summit provides an alcohol awareness program for faculty and staff members. As part of the program, Summit addresses topics such as; possession and use of alcoholic beverages and illegal drugs, and penalties that may be imposed for the illegal possession or use. Information is disseminated about Drug and Alcohol Awareness where focus is centered on educating students on the negative effects of drugs and alcohol. We also have an extensive list of referral agencies that can assist any student in these areas.

To provide information about the potential effects of dependence on drugs and alcohol, Summit strives to:

- Educate students and employees about alcohol and drug abuse in an effort to encourage responsible decisions about their use;
- Provide referrals to students and employees who have experienced negative consequences with alcohol and drugs so as to reduce the harm and manage the risks associated with their use;
- Support students and employees who are in recovery from substance abuse and addiction;
- Promote constructive lifestyles and norms that discourage alcohol and drug abuse; and
- Develop social and physical environments that facilitate alcohol and drug abuse-free lifestyles.

### **PROHIBITED ACTIVITY**

As a matter of policy, Summit prohibits the following:

- Reporting to campus under the influence of alcohol or illegal drugs or substances, including illegally obtained prescription drugs.
- Reporting to campus under the influence of legal prescription or non-prescription drugs, if doing so could impair judgment or motor functions or place persons or property in jeopardy.
- The illegal use, sale, manufacture, possession, distribution, transfer, purchase, or storage of alcoholic beverages or drugs on campus premises, or in automobiles or any other vehicle parked on campus premises.

Any violation of these policies will result in appropriate disciplinary action up to and including expulsion/termination, even for a first offense. Violations of the law may also be referred to the appropriate law enforcement authorities.

### **BIENNIAL REVIEW**

In accordance with federal regulations, Summit conducts reviews at least biennially to determine the effectiveness of this policy to ensure consistent enforcement of applicable drug and alcohol related statutes, ordinances, and institutional policies against students and employees found to be in violation. Biennial Review reports and supporting documents will be maintained by Summit and made available upon request. Students or employees with any questions concerning this policy should contact the Campus Manger.



Summit is committed to monitoring and assessing the effectiveness of the policy and program to determine any necessary changes. Summit ensures the uniform application of sanctions to employees and students. To perform this review, Summit uses both formal and informal assessments.

- Formally, Summit determines the effectiveness of this program and ensures the standards of conduct are fair and consistently enforced. The formal program review is conducted every two years by the Committee (Biennial Review).
- Collection of Data: Summit documentation, including applicable information from the police department (related to drug and alcohol use/abuse) will be reviewed.
- Evaluation of Data: The Committee will perform an informal assessment of the data. Methods used in the review include administrative overview, and informal student surveys.
- Items to evaluate:
  - Number of reports/complaints/counseling
  - Programs of study students are enrolled
  - Methods used to guide, counsel and assist students
  - Increase/decrease in incidents
  - Institutional resources (number, kind, effectiveness)
  - Outreach efforts to students and staff
  - Employee assistance referrals

### **REPORTING OF VIOLATIONS TO LOCAL AND/OR STATE LAW ENFORCEMENT**

Summit may report to local and/or state law enforcement, as may be required by federal and state drug laws, anyone who is found in possession of, using, or selling illegal drugs on campus as well as anyone who is found to have broken the state laws regarding underage drinking.

### **DISCIPLINARY SANCTIONS**

Illegal possession or use of drugs or alcohol can have penalties, including loss of Title IV eligibility, community service, suspension or loss of driver's license, jail time and fines. Federal, state and local violations will be properly adjudicated by the appropriate government agency. Students who violate Summit's prohibitions against drug and alcohol are subject to disciplinary action up to and including termination of their enrollment.

Additionally, employees who are under the influence of drugs and alcohol in the workplace are subject to disciplinary action up to and including termination of their employment. Each employee has access to Summit employee rules and regulations governing employee conduct in the Summit Employee Handbook. These rules and regulations are in effect when on campus in any capacity and participating in any Summit sponsored activity. For further guidance, employees are instructed to see the Summit Employee Handbook.

The misuse of a prescribed controlled substance cannot impair a student/employee's ability to safely participate in an education program/in the workplace.

### **TREATMENT PROGRAMS/RESOURCES**

Students and employees are encouraged to seek substance abuse treatment. While no treatment, rehabilitation or re-entry program is available on campus, Summit provides a list of referrals through the Offices of Human Resources and Student Services. Separate from any legal requirements, our school is concerned with the health and well-being of members of our campus community. Students may contact the Student Services office and Employees may contact their manager and/or Campus Manager who will consult with Human Resources, as needed, for Legal Sanctions, Prevention and Available Resources handouts, in confidence you may receive referrals or information regarding available and appropriate substance abuse counseling, treatment, or rehabilitation programs. Summit College offers an Employee Assistance Program (EAP) to Benefit Eligible employees. Finally, we ask for your help in keeping our campus free of substance abuse. Please notify management if you become aware of any alcohol or drug-related activity in violation of this Policy.



Additionally, the following is a list of outside services and support groups available to students and employees:

- Substance Abuse and Mental Health Services (SAMHSA) (800)662-HELP(4357)
- National Council on Alcoholism and Drug Dependence (NCADD) (800) NCA-CALL (622-2255)
- The National Institute on Drug Abuse (NIDA) HELP-line (800) 662-HELP (4357) 1-800-662-HELP
- Al Anon for Families of Alcoholics 1-800- 344-2666

Various public and private organizations that provide professional counseling regarding drug addiction and rehabilitation are listed below:

**Orange County**

- Drug & Alcohol Rehab - Stop Addiction <https://www.stopaddiction.us>
- Drug Recovery <https://www.drugrecovery.com/> (888)-460-6556
- Child Abuse Hotline <https://www.childhelp.org> (800) 4-A-Child (422-4453)

**Los Angeles County**

- Alcoholics Anonymous <https://www.aa.org>
- National Suicide Hotline (24 hours) (800) 273-8255 or 988
- National Council on Alcoholism and Drug Dependency Hotline (888) 565-2282

**Riverside County/San Bernardino County**

- California Rehab Centers [www.sunshinebehavioralhealth.com](http://www.sunshinebehavioralhealth.com) 877/617-6207
- Gibson’s home 909/888-6956
- MFI Recovery Center 866/218-4697

**San Diego County**

- American Addiction Center Recovery.org 888/502-2922
- Hope by the Sea 866/930-4673

**HEALTH RISKS**

There are definite health risks associated with the abuse of alcohol and drugs. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health-related problems, other concerns relating to substance abuse include the following:

- People who abuse alcohol and other drugs often have erratic life styles which interfere with sleep, nutrition, and exercise.
- Alcohol and substance use and abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries, and reduced job performance.
- Repeated abuse of alcohol can lead to dependence.

Below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration (DEA) website. A more detailed listing can be found in the DEA Factsheets at <https://www.dea.gov/factsheets>.

*Alcohol*

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions. Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Alcohol use is often related to acquaintance rape and



failure to protect oneself from sexually transmitted diseases (STDs). Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year- old age group.

#### *Narcotics*

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

#### *Other Depressants*

Other depressants (including GHB or liquid ecstasy, valium, Xanax, Ambien, and barbiturates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

#### *Stimulants*

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, long periods of sleep, irritability, depression, and disorientation.

#### *Hallucinogens*

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens.

Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

#### *Cannabis*

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

#### *Anabolic Steroids*

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.



### *Inhalants*

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death.

## **XII POLICY ON POSSESSION, USE AND SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS**

### **DRUG AND ALCOHOL LAWS**

Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. State laws contain a variety of provisions governing the possession, use, and consumption of alcoholic beverages. In every State it is unlawful to sell, furnish or provide alcohol to a person under the age of 21. Also, the possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public generally is illegal. Driving while intoxicated is also illegal, regardless of age. State laws also prohibit the unlawful possession, distribution, and use of controlled substances and drugs, as defined in each jurisdiction.

In addition to local and state laws, federal laws also prohibit the unlawful possession, distribution, and use of controlled substances and drugs. Among other things, federal laws make it a crime to possess drugs (including in your backpack, car, purse, or house), to hold someone else's drugs, or to be in a house where people are using drugs.

Members of our campus community should be aware of the serious legal penalties applied for conviction in cases of drug or alcohol abuse. Such convictions can lead to imprisonment, fines, and assigned community service. Also, courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. An offense is classified as a misdemeanor or a felony, depending upon the type and the amount of the substance(s) involved. Specific legal sanctions under local, state, and federal laws may include:

- Suspension, revocation, or denial of a driver's license
- Property seizure
- Mandated community service
- Monetary fines
- Prison sentence

The following provisions of the Federal, state, and municipal law serve as the foundation for Summit's policy. (Note: This list is not a complete summary of relevant laws and ordinances regarding alcohol and drugs. It is a brief summary of applicable criminal sanctions.)

#### State and Municipal Laws and Ordinances

- The purchase, possession, or consumption of alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.
- The selling, either directly or indirectly, of alcoholic beverages (including beer and wine) except under the authority of a California Alcoholic Beverage Control Board license is prohibited. This includes selling glasses, mixes, ice, tickets for admission, etc.
- The serving of alcohol to an intoxicated person is prohibited.
- The serving of alcohol to someone to the point of intoxication is prohibited.
- It is unlawful for any person to drink while driving, to have an open container of alcohol in a moving vehicle, or to drive under the influence of alcohol (note: intoxication is presumed at blood levels of .08% or higher, and may be found with blood alcohol levels from .05% to .08 %). It is also illegal to operate a bicycle, water vessel, water ski, or aquaplane while intoxicated.



- The manufacture, use or provision of a false state identification card, driver's license, or certification of birth or baptism is prohibited.
- The act(s) of being drunk and disorderly in public view, including on public sidewalks and walkways, is prohibited.
- The consumption of alcoholic beverages in a public place (unless licensed for consumption of alcohol on the premises) is prohibited.
- All Summit students and employees are subject to local state and federal laws regarding the unlawful possession, distribution or use of alcohol and illegal drugs.

#### State and Federal Criminal Sanctions

- A violation of California law for the unlawful sale of alcohol may include imprisonment in the county jail for six months, plus fines and penalties.
- A violation of California law for the use of alcohol by obviously intoxicated individuals will vary with the particular circumstances but may include imprisonment in the county jail and substantial fines and penalties. Additionally, minors who are arrested for violations concerning the use of alcohol run the risk of having their driving privileges suspended or revoked until they are 18.
- A violation of California law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count.
- A violation of federal law for the possession, use and/or sale of narcotics, marijuana and/or other illicit drugs may include imprisonment in the federal penitentiary for one to fifteen years plus substantial financial penalties.
- A violation of the law involving an individual being under the influence of a combination of alcohol and other drugs (itself potentially deadly), may result in an increase in criminal sanctions and penalties.
- The Federal Controlled Substances Act places all substances that are regulated under existing federal law into one of five schedules:

#### Schedule I Controlled Substances

Substances in this schedule have a high potential for abuse. Some examples of substances listed in schedule I are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3, 4-methylenedioxymethamphetamine ("ecstasy").

#### Schedule II Controlled Substances

Substances in this schedule have a high potential for abuse that may lead to severe psychological or physical dependence. Examples of single entity schedule II narcotics include morphine and opium. Other schedule II narcotic substances and their common name brand products include: hydromorphone (Dilaudid®), methadone (Dolophine®), meperidine (Demerol®), oxycodone (OxyContin®), and fentanyl (Sublimaze® or Duragesic®). Examples of schedule II stimulants include: amphetamine (Dexedrine®), Adderall®, methamphetamine (Desoxyn®), and methylphenidate (Ritalin®). Other schedule II substances include: cocaine, amobarbital, glutethimide, and pentobarbital.

#### Schedule III Controlled Substances

Substances in this schedule have a potential for abuse less than substances in schedules I or II and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples of schedule III narcotics include combination products containing less than 15 milligrams of hydrocodone per dosage unit (Vicodin®) and products containing not more than 90 milligrams of codeine per dosage unit (Tylenol with Codeine®). Also included are buprenorphine products (Suboxone®) and (Subutex®) used to treat opioid addiction. Examples of schedule III non-narcotics include benzphetamine (Didrex®), phendimetrazine, ketamine, and anabolic steroids such as oxandrolone (Oxandrin®).



### Schedule IV Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances in schedule III. An example of a schedule IV narcotic is propoxyphene (Darvon® and Darvocet-N 100®). Other schedule IV substances include: alprazolam (Xanax®), clonazepam (Klonopin®), clorazepate (Tranxene®), diazepam (Valium®), lorazepam (Ativan®), midazolam (Versed®), temazepam (Restoril®), and triazolam (Halcion®).

### Schedule V Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances listed in schedule IV and consist primarily of preparations containing limited quantities of certain narcotics. These are generally used for antitussive, antidiarrheal, and analgesic purposes. Examples include cough preparations containing not more than 200 milligrams of codeine per 100 milliliters or per 100 grams (Robitussin AC® and Phenergan with Codeine®).

### Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

- 21 U.S.C. 844(a)
  - 1st conviction: Up to 1-year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
  - After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
  - After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both, if:
    - a) - 1st conviction and the amount of crack possessed exceeds 5 grams.
    - b) - 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
    - c) - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- 21 U.S.C. 853(a)(2) and 881(a)(7)
  - Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment.
- 21 U.S.C. 881(a)(4)
  - Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.
- 21 U.S.C. 844a
  - Civil fine of up to \$10,000.
- 21 U.S.C. 853a
  - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offences.
- 18 U.S.C. 922(g)
  - Ineligible to receive or purchase firearms.

### Federal Financial Aid Penalties for Drug Violations/Convictions

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Act states students convicted of an illicit drug violation while on federal financial aid can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs while on federal financial aid?" If you answer "yes," Summit will send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.



Any student involved in any way with drugs and their abuse, shall be terminated or required to participate satisfactorily (at the student's expense) in an abuse assistance or rehabilitation program approved for such purposes by Federal, state, local health law, or other appropriate agency.

### Penalties

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

#### Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

#### Sale of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

### How to Regain Federal Student Aid Eligibility

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon having a conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.
2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:
  - Include the student passing at least two unannounced drug tests; AND
  - Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program; or
  - Be administered by a federal, state, or local government agency or court; or
  - Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company; or
  - Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not need to complete the rest of the program).

The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, Summit is not required to confirm the reported information unless conflicting information is determined.

### Disclosure of Convictions

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Summit immediately. The student may become ineligible for further federal financial aid and must repay federal financial aid received after the conviction. Disclosures of convictions will be treated confidentially. Summit will restrict communications concerning possible violations of this policy to persons who have an important work-related reason to know.



### **XIII. VIOLENCE AGAINST WOMEN ACT (VAWA)**

Summit prohibits the crimes of dating violence, domestic violence, sexual assault and stalking. The Violence Against Women Reauthorization Act of 2013 (VAWA) requires publication of the state law definitions for “dating violence,” “domestic violence (Penal Code 243e1 PC-is the California statute that defines the crime of domestic battery, which is using force against an intimate partner. A battery consists of any willful and unlawful use of force or violence on someone else. An intimate partner includes a spouse or former spouse, a fiancé, a dating partner, or a co-parent.),” “sexual assault- Penal Code 243.4 states that *“any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.”*,” *stalking- Penal Code 646.9 PC, California law defines the crime of stalking as following, harassing, and threatening another person to the point that the person fears for his or her safety .,” and “consent.”*

### **XIV. POLICY STATEMENT ADDRESSING SEX OFFENDER REGISTRATION INFORMATION**

Summit is required to inform students and employees 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 to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

In the State of California, information concerning registered sex offenders and predators may be obtained from on line at <http://www.meganslaw.ca.gov/disclaimer.aspx>

Information is also available in the United States Department of Justice national sex offender registry at <http://www.nsopw.gov/>

### **XV. TITLE IX Policy**

Summit College (the “College”) is committed to providing a work and educational environment free of unlawful harassment, discrimination and retaliation. In accordance with Title IX of the Education Amendments of 1972, the College does not discriminate on the basis of sex in its education programs or activities, which extends to admission and employment. The College also prohibits Sexual Harassment (as defined below) committed against persons in the United States as part of its education programs or activities.

If you believe that you have experienced or witnessed other incidents of sexual misconduct or discrimination, please follow the procedures outlined in the College’s Non-Discrimination and Code of Conduct policies.

The College reserves the right to make changes to this policy as necessary, and once those changes are posted online, they are in effect. If government laws, regulations or court decisions change requirements in a way that affects this policy, the policy will be construed to comply with the most recent government regulations or holdings.

#### **TITLE IX COORDINATOR**

The Title IX Coordinator coordinates the College’s efforts to comply with its Title IX responsibilities.

**Title IX Coordinator:**

804 E. Brier Dr. San Bernardino, CA 92408 (909) 498-5306

[TitleIXCoordinator@summitcollege.edu](mailto:TitleIXCoordinator@summitcollege.edu)



**Deputy Title IX Coordinators are available at each campus:**

San Bernardino/Colton

Campus Manager

804 E. Brier Dr. San Bernardino, CA 92408 (909) 954-3289

[SBCampus.Manager@summitcollege.edu](mailto:SBCampus.Manager@summitcollege.edu)

El Cajon

Campus Manager

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The Title IX Coordinator/Deputy is responsible for implementing the College's Title IX policy. The Coordinator and its Deputies shall receive and review reports, Formal Complaints of Sexual Harassment and provides Supportive Measures. The Title IX Coordinator obtains and maintains accurate Clery Act crime statistics.

Any person can report sex discrimination, including Sexual Harassment (whether or not the person reporting is the alleged victim) in person, by mail, telephone, or e-mail, using the contact information listed above for the Title IX Coordinator/Deputy. A report can be made at any time, including during non-business hours. However, responses to reports made outside of business hours, including during weekends and holidays, may be delayed.

Key Definitions

**Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:

An employee of the College conditioning educational benefits or participation on an individual's participation in unwelcome sexual conduct (i.e. quid pro quo);

Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education Program or Activity; or Sexual Assault (as defined in the Clery Act), or Dating Violence, Domestic Violence or Stalking as defined in the Violence Against Women Act (VAWA) (collectively referred to as "Sexual Violence")\*:

- **Sexual Assault:** As defined in 20 U.S.C. 1092(f)(6)(A)(v), means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- **Dating Violence:** As defined in 34 U.S.C. 12291(a)(10), means violence committed by a person
  - who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and, the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** As defined in 34 U.S.C. 12291(a)(8), includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.



- **Stalking:** As defined in 34 U.S.C. 12291(a)(30), means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

\* Please note: In accordance with the Violence Against Women Reauthorization Act of 2013 (“VAWA”), state definitions for Sexual Assault, Dating Violence, Domestic Violence, Stalking and Consent are contained in the College’s Annual Safety and Security Report (“ASR”). VAWA crimes are reported in the ASR based on the definitions above.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute Sexual Harassment, regardless of whether a Formal Complaint has been filed. A Complainant must be the alleged victim unless a parent or legal guardian has a legal right to act on the alleged victim’s behalf.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

**Parties:** include the Complainant(s) and Respondents(s) collectively.

**Advisor:** An individual chosen by a party to accompany the party to meetings related to the resolution process, to advise the party on that process and to conduct cross-examination for the party at any hearing, if any. If a party does not have an Advisor at the hearing portion of the Grievance Process, the College will appoint an advisor.

**Formal Complaint:** A document (hardcopy or electronic) filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the College investigate. A Formal Complaint must be signed (physical or digital) by the Complainant, the Title IX Coordinator, or otherwise indicate that the Complainant is the person filing the Formal Complaint. At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in the College’s education Program or Activity with which the Formal Complaint is filed.

**Program or Activity:** On or off campus locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurred.

**Clery Act:** Meaning the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46). In accordance with the Clery Act, the College publishes required crime statistics and policy statements in its Annual Safety and Security Report (ASR) on or before October 1<sup>st</sup> of each year.

**Clery Geography:** As defined in the Clery Act, includes (A) buildings and property that are part of the College’s campus; (B) the College’s non-campus buildings and property; and (C) public property within or immediately adjacent to and accessible from the campus.

**VAWA:** Meaning the Violence Against Women Act (34 CFR Part 668).

#### Procedure for Reporting

If you believe that you have experienced or witnessed Sexual Harassment, discrimination or retaliation, the College encourages you to notify the Title IX Coordinator and/or Title IX Deputy as soon as possible after the incident.

A report may be made to either or both the police and the Title IX Coordinator/Deputy. The criminal process is separate from the College’s Grievance Process. It is the College’s policy not to notify local law enforcement when Sexual Violence occurs, unless a Complainant wishes or there is an emergency threat to health or safety. Complainants have the option to



notify law enforcement directly or be assisted in doing so. If requested, the College will assist a victim of Sexual Violence in contacting the police. A Complainant is not required to contact the police in order to pursue the College's grievance process.

The College does not issue orders of protection. Orders of protection, restraining orders, injunctions or similar lawful orders may be obtained through the court system and can be enforced by the College. Individuals who have obtained an order of protection is encouraged to provide a copy to the Title IX Coordinator as soon as possible. Although the College does not issue orders of protection, information on how to obtain a protective order is located in the ASR

### Confidentiality and Reporting Considerations

In order to make informed choices, it is important to be aware of confidentiality and reporting requirements when consulting College resources. Campus Managers have been designated as Mandatory Reporters, who are required to share knowledge, notice and/or reports of Sexual Harassment, discrimination and/or retaliation with the Title IX Coordinator. Administrative managers and supervisors (such as the Director of Student Services, Director of Financial Aid, etc.) and Education managers and supervisors (such as the Director of Nursing, Education Coordinators/Managers), have been designated by the College as Discretionary Reporters. Discretionary Reporters may only refer instances of Sexual Harassment, discrimination and/or retaliation to the Title IX Coordinator with the Complainant's consent.

The College does not have confidential reporting resources, such as pastoral or professional counselors on campus. Crisis, mental health and victim resource hotline information is available upon request from the Human Resources Department for employees, Student Services Department for students, and also located on College website. Information shared with confidential resources will not be shared with the College (including the Title IX Coordinator/Deputy) or anyone else without express, written permission of the individual seeking services unless required by law or court order. The College will keep confidential the identity of the Complainant, Respondent, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out the Title IX Grievance Process.

There is no time limitation on providing notice/complaints to the Title IX Coordinator/Deputy. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator/Deputy, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

### Supportive Measures

The Title IX Coordinator/Deputy will provide Supportive Measures as necessary. Supportive Measures are individualized services reasonably available to ensure equal educational access, protect safety or deter prohibited conduct. Supportive Measures are available, as appropriate, to either or both the Complainant and Respondent and are non-punitive, non-disciplinary and not unreasonably burdensome to the other party. Examples include counseling, extensions of time or other course-related adjustments, modifications to work or class schedules, campus escort services, restrictions on contact between the Parties, leave of absence, increased security and monitoring of certain areas on campus, and other similar accommodation.

Supportive Measures are individualized and appropriate based on the information gathered by the Title IX Coordinator/Deputy. The Supportive Measures needed by the Complainant and/or Respondent may change over time, and the Title IX Coordinator/Deputy will communicate with each party to ensure that any Supportive Measures are necessary and effective based on evolving needs.



Once the Title IX Coordinator receives a report, the Title IX Coordinator will promptly contact the Complainant confidentially to discuss the availability of Supportive Measures (available with or without filing a Formal Complaint) and explain the process for filing a Formal Complaint and provide a copy of this policy. The Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures.

The College will maintain the privacy of the Supportive Measures, provided that privacy does not impair the College's ability to provide the Supportive Measures.

#### Dismissal of a Formal Complaint

Dismissal of a Formal Complaint may occur under several circumstances. The College must dismiss a Formal Complaint if the allegations do not meet the definition of Sexual Harassment, did not occur in the College's education Program or Activity, or did not occur against a person in the United States.

The College may dismiss a Formal Complaint if the Complainant informs the Title IX Coordinator, in writing, that he, she, or they withdraw the Formal Complaint or allegations therein; the Respondent is no longer enrolled or employed by the College; or if specific circumstances prevent the College from gathering sufficient evidence to reach a determination.

If a Formal Complaint is dismissed, the Parties will be provided written notice of the dismissal outlining the reason(s) for dismissal. A dismissal does not preclude action by the College under its Code of Conduct policies.

#### Grievance Process

The College utilizes a prompt, equitable and impartial Grievance Process to evaluate Formal Complaints. Title IX personnel (Title IX Coordinator/Deputy, Investigators, Decision-Makers, individuals who facilitate Informal Resolution process) will be free from conflicts of interest or bias for or against Complainants or Respondents. Title IX personnel will objectively evaluate all relevant evidence and avoid credibility determinations based on a person's status as a Complainant, Respondent or witness.

Both Parties will receive equal opportunity to provide information, witness statements, evidence, and other information that may be necessary to fully evaluate the alleged offense. Both Parties will be afforded equitable rights and access during the Grievance Process. The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process.

Generally, the Grievance Process consists of a Formal Complaint, investigation, Live Hearing, determination, Disciplinary Actions, Remedies and appeal (if applicable). The Grievance Process, barring extenuating circumstance, will conclude within 90 days from the date a Formal Complaint is filed.

#### Advisor

A party may be accompanied by an Advisor of their choice during the Grievance Process. The Parties may choose Advisors from inside or outside the College community. If the Complainant or Respondent does not have an Advisor present at the Live Hearing, the College will select and provide an Advisor, without fee or charge, to conduct cross-examination of witnesses on behalf of that party. A party may reject a College appointed Advisor and choose their own advisor, but they may not proceed without an advisor. The Complainant and Respondent may not conduct cross-examination.

Choosing an Advisor who is a witness in the Grievance Process creates potential for bias and conflict of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the Decision-Maker.



The Parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the Grievance Process. Advisors are expected to advise without disrupting proceedings. For example, advisors should not address College officials in a meeting or interview unless invited to. An Advisor may not make a presentation during any meeting or proceeding and may not speak on behalf of the party to the investigation or other Decision-Maker except during a Live Hearing, during cross-examination. If an Advisor is disruptive or otherwise fails to respect the limits of the Advisor role, the meeting or interview may be ended.

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third Parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

#### *Investigation of Formal Complaints*

The College will investigate Sexual Harassment (including Sexual Violence) allegations in a Formal Complaint filed by a Complainant or signed by the Title IX Coordinator/Deputy. The Title IX Coordinator/Deputy will respect the Complainant's wishes as to whether the College investigates an allegation of Sexual Harassment, unless the Title IX Coordinator/Deputy determines that not investigating would be deliberately indifferent or harmful to the College community. The College may consolidate Formal Complaints where the allegations arise out of the same facts.

Upon receipt of a Formal Complaint, written notice will be sent to the Parties. The Notice of Investigation will include: details of the allegations (including identities of the Parties involved, specific section of the policy alleged to have been violated, the conduct that would be considered Sexual Harassment, the date of the incident(s) and the location of the incident(s)); a statement that the Respondent is presumed to be not responsible for the alleged conduct until a

determination is made according to the College's Grievance Process; a statement that the Parties may have an Advisor of their choice; and a reminder of the expectation of truthfulness including consequences for submitting false information. The Parties will also be provided with separate written notice of any investigative interview, meeting or hearing. Interview/meeting notices will include the date, time, location, participants and purpose of the investigative interview or meeting.

Formal Complaints involving employees will also be referred to Human Resources and simultaneously evaluated under employee conduct policies and procedures.

During the investigation, the Title IX Coordinator/Deputy or his/her designee ("Investigator") will conduct interviews and gather evidence. No unauthorized audio or video recording of any kind is permitted during investigation interviews/meetings. The Parties will be provided an equal opportunity to present fact and expert witnesses or other evidence. The Parties (and their Advisors) will be provided with evidence directly related to the allegations, in electronic format or hardcopy, with at least 10 days for the Parties to inspect, review, and respond to the evidence. The Investigator will consider the responses received from the Parties before issuing the investigative report.

Once the investigation has concluded, the Investigator will draft an investigative report (hardcopy or electronic) that fairly summarizes relevant evidence. The investigative report will be sent to the Parties (and their Advisors) at least 10 days prior to a Live Hearing. The Parties may provide a written response to the investigative report.

#### *Informal Resolution*

If the Complainant and Respondent voluntarily consent in writing, Formal Complaints can be resolved through Informal Resolution, such as mediation. The Title IX Coordinator will facilitate an appropriate Informal Resolution process depending



on the nature of the allegations, the Parties involved, and the overall circumstances. Informal Resolution will be conducted by a facilitator, who may or may not be the Title IX Coordinator. It is not necessary to pursue Informal Resolution first in order to pursue the College's Grievance Process. At any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and resume the Grievance Process. Informal Resolution is unavailable to resolve allegations that an employee sexually harassed a student.

#### *Live Hearing*

If a Formal Complaint is not or cannot be resolved through Informal Resolution, the College will conduct a Live Hearing. Live Hearings are facilitated by a designated Decision-Maker, separate from the Title IX Coordinator or Investigator. The Decision Maker will be selected by the Title IX Coordinator.

Live Hearings will be conducted directly, orally, and in real time by the party's Advisor and not by a party personally. The Decision-Maker will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including that challenging credibility. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain to the party's Advisor asking cross-examination questions any decision to exclude a question as not relevant.

Rape shield protections are applied to Complainants, deeming irrelevant questions and evidence about a Complainant's prior sexual behavior unless offered to prove that someone other than the Respondent committed the alleged Sexual Harassment or offered to prove consent.

If a party or witness does not submit to cross-examination at the Live Hearing, the Decision-Maker will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decision-Maker will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the Live Hearing or refusal to answer cross-examination or other questions.

At the request of either party, the College will provide for the entire Live Hearing (including cross-examination) to occur with the Parties located in separate rooms with technology enabling the Parties to see and hear each other. Live Hearings may be conducted with all Parties physically present in the same geographic location or, at the College's discretion, any or all Parties, witnesses, and other participants may appear at the Live Hearing virtually. An audio or audiovisual recording, or transcript, of any Live Hearing will be created and maintained for seven (7) years.

During the Grievance Process, the College will not use, rely on or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. The College will not access or use a party's medical, psychological, and similar treatment records unless the party provides voluntary, written consent.

#### *Standard of Evidence*

For all Formal Complaints of Sexual Harassment (including where employees are Respondents), the College utilizes the "preponderance of the evidence" standard.

#### *Disciplinary Actions and Remedies*

Disciplinary Actions against the Respondent will not be imposed before completion of the College's Grievance Process. Following a determination of responsibility, appropriate corrective action will be taken, and the College will take steps to prevent recurrence. Disciplinary Actions taken will be determined on a case-by-case basis. Factors considered when determining Disciplinary Action may include but are not limited to: Nature, severity of, and circumstances surrounding the violation(s); Respondent's disciplinary history; Previous allegations or allegations involving similar conduct; Need for



disciplinary action to bring an end/prevent future reoccurrence of the violation; Need for disciplinary action to remedy the effects on the Complainant and the College community; Impact on the parties; Any other information deemed relevant by the Decision-Maker.

Any employee determined by the College to be responsible for an act of Sexual Harassment will be subject to appropriate Disciplinary Action, up to and including termination. Employees are also subject to processes and discipline determined by the Human Resources Department. The HR process is separate and apart from the Title IX process and not constrained by the outcome of the Title IX process. Disciplinary Action for student-related claims may include, but are not limited to, additional training, a restriction on contact, warning, suspension, or termination.

Failure to abide by imposed Disciplinary Actions (whether by refusal, neglect or any other reason), may result in additional Disciplinary Action, including suspension or termination.

Remedies are provided to a Complainant whenever a Respondent is found responsible. Remedies are implemented by the Title IX Coordinator and may be disciplinary and punitive. Student Remedies are designed to maintain the Complainant's equal access to education. Remedies will be determined on a case-by-case basis and may include supportive measures.

Individuals who make a materially false statement in bad faith in the course of a Title IX Grievance Process will be subject to the College's Code of Conduct policies.

#### *Written Determination*

The Decision-Maker will issue a Written Determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, a description of the procedure from Formal Complaint through the Live Hearing, Disciplinary Actions imposed on the Respondent and whether Remedies will be provided to the Complainant. The determination will be sent simultaneously to the Parties along with information on how to file an appeal.

#### *Appeal*

Both Parties have the right to appeal a determination regarding responsibility, the College's dismissal of a Formal Complaint or any allegations therein if: (1) procedural irregularity affected the outcome of the matter; (2) there is newly discovered evidence that could affect the outcome of the matter; and/or (3) Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.

An appeal must be submitted in writing to the Title IX Coordinator/Deputy within 15 days of the delivery of the Written Determination.

### **RETALIATION PROHIBITED**

Both Title IX and the Clery Act provide protections for individuals who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. Retaliation (including intimidation, threats, coercion or discrimination) against an individual for raising an allegation of Sexual Harassment, for cooperating in the Grievance Process is prohibited. If you believe you have been retaliated against, you should notify the Title IX Coordinator/Deputy or Campus Manager.

### **TRAINING**

The College ensures that its Title IX personnel have adequate Title IX training, including annual training on issues related to Sexual Assault, Dating Violence, Domestic Violence and Stalking. The Title IX Coordinator and Investigators are trained on the definition of Sexual Harassment, the scope of the College's education Program or Activity, how to investigate, the College's Grievance Process (including hearings, appeals, and Informal Resolution processes, as applicable) and how to



serve impartially by avoiding prejudice of the facts at issue, conflicts of interest, and bias. Decision-Makers are trained on the definition of Sexual Harassment, the Live Hearing process, and technology to be used in Live Hearings, and issues of relevance (including how to apply the rape shield protections provided for Complainants). Informal Resolution facilitators are trained on the Informal Resolution process.

Materials used to train Title IX personnel are posted on the College's website at [www.summitcollege.edu](http://www.summitcollege.edu) on the disclosure tab.

### **BIAS/CONFLICT OF INTEREST**

To raise any concern involving bias or conflict of interest by the Title IX Coordinator/Deputy, contact the Chief Operating Officer at [ACCREDCOMMS@summitcollege.edu](mailto:ACCREDCOMMS@summitcollege.edu). Concerns of bias or potential conflict of interest by any other Title IX personnel should be raised with the Title IX Coordinator.

### **CLERY ACT REPORTING**

College administrators will issue timely warnings for incidents reported that pose a substantial threat of bodily harm or danger to other members of the campus community. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

Personally, identifiable information for victims of Sexual Assault, Dating Violence, Domestic Violence and Stalking will not be included in any publicly available recordkeeping, including Clery Act Reporting and disclosures such as the ASR.

### **EMERGENCY REMOVAL**

The College can remove a Respondent entirely or partially from the Education Program or Activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical or safety of any student or other individual justifies removal. The risk analysis is performed by the Title IX Coordinator/Deputy in conjunction with the Chief Operating Officer.

In cases in which an emergency removal is imposed, the Respondent will be given notice of the action and the option to request to meet with the Title IX Coordinator/Deputy prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived.

The Title IX Coordinator/Deputy has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

The College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator/Deputy, these actions could include, but are not limited to: temporarily re-assigning an employee, restricting a student's or employee's access to the campus, allowing a student to withdraw or take grades of incomplete without financial penalty, and authorizing an administrative leave.

### **ADDITIONAL INFORMATION**

Students and employees may contact the Title IX Coordinator/Deputy with any questions related to this policy. In addition, the U.S. Department of Education Office for Civil Rights ("OCR") investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate



the voluntary resolution of disputes with the Parties. For more information, visit the OCR website at <http://www.hhs.gov/ocr/>. To the extent that an employee or contract worker is not satisfied with the College's handling of a complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

### **SEXUAL VIOLENCE – IMMEDIATE CARE AND PRESERVATION OF EVIDENCE**

If you experience Sexual Violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place. If there is any immediate danger, contact the Campus Manager if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you. The College does not have a confidential counselor but local resources are available that can provide confidential assistance within the Annual Security Report located on <https://summitcollege.edu/student-services/student-disclosures/>
3. For your safety and well-being, immediate medical attention is encouraged. Further, being examined (through a forensic examination) as soon as possible, ideally within 120 hours, is important in the case of rape or Sexual Assault. Completing a forensic examination does not require someone to file a police report. To find a location near you that performs free forensic examinations, call the National Sexual Assault Hotline at (800) 656-HOPE (4673). Resources are also available through the Rape Abuse & Incest National Network (RAINN); [www.RAINN.org](http://www.RAINN.org).
  - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
  - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent items that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean bedsheet to avoid contamination.
  - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
  - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a College policy violation.
  - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.

### **PREVENTION AND EDUCATION**

In accordance with the Clery Act and VAWA, the College offers a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention in an effort to reduce the frequency of sex or gender-based discrimination, harassment, and violence amongst members of the campus community.

The College offers programming to identify and prevent Sexual Assault, Dating Violence, Domestic Violence (including stranger and known offender assaults), and Stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are often conducted during new student and new employee orientation.

Programs and other campaigns offered throughout the year to students and employees include information regarding awareness and primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss the College's policies. Programs also offer information on risk reduction that strives to empower individuals who experience these incidents, how to recognize warning signs, and how to avoid potential attacks, and do so without biased approaches.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating



distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the College community when others might choose to be bystanders.

## RECORDKEEPING AND PRIVACY

The College's records of investigations and resolutions are maintained in privacy in accordance with the College's record retention policy for seven years. Information is shared internally between administrators who need to know in order to complete their job duties. When information must be shared to permit the investigation to move forward, the Parties will be informed. Privacy of the records specific to the investigation is maintained in accordance with state law and the federal FERPA statute. Any public release of information needed to comply with the timely warning provisions of the Clery Act will not include the names of Complainant or information that could easily lead to a Complainant's identification. Irrespective of state law or public records access provisions, information about Complainants is maintained privately in accordance with Title IX and FERPA.

## Resources

If you have experienced Sexual Violence you are encouraged to seek immediate assistance from police and healthcare providers for your physical safety, emotional support and medical care.

- Alternatives to Domestic Violence (ADV), Crisis Line—Riverside city & out of the county (951)683-0829, remainder of Riverside county (800) 339-SAFE (7233); domestic violence help; protective order assistance; counseling; outreach; shelter; <http://www.alternativestodv.org/> Riverside Area Rape Crisis Center (RARCC), 24-Hour Hotline (951) 686-RAPE (7273) & (866) 686-RAPE (7273) (toll-free); 1845 Chicago Avenue, Suite A, Riverside, CA 92507; <https://rarcc.org>
- Rape Abuse & Incest National Network (RAINN), (800) 656-HOPE (4673); [www.rainn.org](http://www.rainn.org)
- House of Ruth 24-Hour Crisis Hotline, (877) 988-5559; individual/group counseling; phone support; legal advocate; shelter for women and children; domestic violence counseling; food; English/Spanish; <http://houseofruthinc.org>
- Option House 24-Hour Hotline, (909) 383-1602; temporary domestic violence women's shelters; support/outreach; free support groups, crisis education and self-defense; assistance with protective order paperwork; English/Spanish; <http://www.optionhouseinc.com>
- Doves Outreach of Big Bear Valley, (909) 866-1546; 24-Hour Hotline (800) 851-7601; provides women and families domestic violence shelter; individual counseling; support groups (parenting, anger management, women's writing, etc.); legal assistance; protective order help; programs and services for male victims; <http://www.doves4help.org>
- A Better Way Domestic Violence Shelter and Outreach, Victor Valley, 24-Hour Hotline (760) 955-8723; Education (760) 955-8010; 26-bed shelter (90-day maximum stay), TRO (temporary restraining order); outreach programs, opportunity and education support groups; Spanish; <http://www.abetterwaydomesticviolence.org>
- Shelter from the Storm, Inc., Coachella Valley, 24-Hour Crisis Lines (800) 775- 6055, (760) 328-SAFE (7233); emergency shelter; transitional housing; counseling center; legal clinic; teen dating; <http://www.shelterfromthestorm.com/>
- California Partnership to End Domestic Violence, (916) 444-7163; 1215 K. Street, Suite 1850, Sacramento, CA 95814; <http://www.cpedv.org>
- Upon request, Summit College will provide community resources to students and employees of counseling, health, mental health, victim advocacy, legal assistance and other services available for victims through the Offices of Students Services and Human Resources.
- Upon request, Summit College will provide resources and information to victims about options for available assistance in how to request changes to academic and working situations or protective and accommodation measures. The measures of information and accommodation will be provided to the victim regardless of whether the victim chooses to report the crime to local law enforcement.



- Upon request, Summit College will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.
- Upon request Summit College will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement

## IMPORTANCE OF PRESERVING EVIDENCE

Should you experience Sexual Violence, it is important to preserve physical evidence that may include fluid samples, evidence of violence, sheets, towels, clothing, etc. You may choose to avoid washing, bathing, urinating etc until after being examined at the hospital, if possible. Because evidence of sexual assault can deteriorate quickly, you may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an assault. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. The above noted suggestions may assist in preserving evidence and proving the alleged criminal offence occurred.

## XVI CRIME STATISTICS BY CAMPUS

### GEOGRAPHIC LOCATION DEFINITIONS

**ON-CAMPUS (Student Housing Facilities)** – *For purposes of the Clery Act any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.*

**PUBLIC PROPERTY** – *All public property (property owned by a public entity, such as a city or state government), including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus. (Sidewalk, street, sidewalk: your public property does not include anything beyond the second sidewalk. (if there isn't a second sidewalk, it doesn't include anything beyond the street.)*

**NON-CAMPUS** – *Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.*

\*\*For crime definitions see the DEFINITION section (below)

Summit discloses statistics for reported Clery Act crimes that occur (1) on campus, and (2) on public property within or immediately adjacent to the campus. The definitions for these geographic categories are Clery Act-specific and are the same for every campus regardless of its physical size or configuration. The Institute does not control or own any non- campus property.

SAN BERNARDINO/COLTON – Main & Trades Building

*Table 1 – On-Campus & Public Property Statistics & Table 4 – On-Campus & Public Property Statistics*

SANTA ANA - Branch

*Table 2 – On-Campus & Public Property Statistics*

EL CAJON - Branch

*Table 3 – On-Campus & Public Property Statistics*



**CRIME STATISTICS – SAN BERNARDINO MAIN CAMPUS – TABLE 1**

CLERY ACT CRIME REPORT STATISTICS – San Bernardino Main Campus/Colton Trades Campus

Summit disclose statistics for reported *Clery Act* crimes that occur (1) on campus, and (2) on public property within or immediately adjacent to the campus. The definitions for these geographic categories are *Clery Act*- specific and are the same for every campus regardless of its physical size or configuration. The Institute does not control or own any non-campus property.

OFFENSE	PROPERTY	2019	2020	2021
Murder / Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation and destruction/damage/vandalism of property	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons, carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	2	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property	0	0	0
	Public Property	0	0	0



**CRIME STATISTICS – SANTA ANA CAMPUS – TABLE 2**

CLERY ACT CRIME REPORT STATISTICS – Santa Ana Campus

Summit disclose statistics for reported *Clery Act* crimes that occur (1) on campus, and (2) on public property within or immediately adjacent to the campus. The definitions for these geographic categories are *Clery Act*- specific and are the same for every campus regardless of its physical size or configuration. The Institute does not control or own any non-campus property.

OFFENSE	PROPERTY	2019	2020	2021
Murder / Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation and destruction/damage/vandalism of property	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons, carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property	0	0	0
	Public Property	0	0	0



**CRIME STATISTICS – EL CAJON – TABLE 3**

CLERY ACT CRIME REPORT STATISTICS – El Cajon Campus

Summit disclose statistics for reported *Clery Act* crimes that occur (1) on campus, and (2) on public property within or immediately adjacent to the campus. The definitions for these geographic categories are *Clery Act*- specific and are the same for every campus regardless of its physical size or configuration. The Institute does not control or own any non-campus property.

OFFENSE	PROPERTY	2019	2020	2021
Murder / Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	1	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	1	1
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation and destruction/damage/vandalism of property	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons, carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	2	0
	Public Property	0	0	0
Disciplinary Referrals Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	1	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property	0	0	0
	Public Property	0	0	0



**CRIME STATISTICS – COLTON TRADES – TABLE 4**

CLERY ACT CRIME REPORT STATISTICS – Colton Trades Campus

Summit disclose statistics for reported *Clery Act* crimes that occur (1) on campus, and (2) on public property within or immediately adjacent to the campus. The definitions for these geographic categories are *Clery Act*- specific and are the same for every campus regardless of its physical size or configuration. The Institute does not control or own any non-campus property.

OFFENSE	PROPERTY	2019	2020	2021
Murder / Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	1	0	0
Burglary	On-Campus Property	1	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation and destruction/damage/vandalism of property	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons, carrying, Possessing, etc	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	4	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property	0	0	0
	Public Property	0	0	0



## DEFINITIONS

- **Criminal Homicide.** These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.
  - **Murder and Non-negligent Manslaughter** is defined as *the willful (non-negligent) killing of one human being by another*
  - **Justifiable homicide** (which is defined as and limited to *the killing of a felon by a peace officer in the line of duty, or the killing of a felon during the commission of a felony, by a private citizen*).
  - **Manslaughter by Negligence** is defined as *the killing of another person through gross negligence*.
- **Sexual Assault (Sex Offenses).** *Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.*
  - **Rape** is *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. This offense includes the rape of both males and females.*
  - **Fondling** is *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** is *sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
  - **Statutory Rape** is *sexual intercourse with a person who is under the statutory age of consent.*
- **Robbery** is *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** is *an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.*
- **Burglary** is *the unlawful entry of a structure to commit a felony or a theft.*
- **Motor Vehicle Theft** is *the theft or attempted theft of a motor vehicle.*
- **Arson** is *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.*
- **Hate Crime** is *a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.*
  - **Race.** *A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.*
  - **Religion.** *A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.*
  - **Sexual Orientation.** *A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.*
  - **Gender.** *A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.*
  - **Gender Identity.** *A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.*
  - **Ethnicity.** *A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry*
  - **National Origin.** *A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.*
  - **Disability.** *A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.*
- **Larceny-Theft** is *the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.*
- **Intimidation** is *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.*
- **Simple Assault** is *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.*



- **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **Dating Violence** is defined as 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 length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed—
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the 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
  - **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.
- **Arrest** for Clery Act purposes is defined as persons processed by arrest, citation or summons.
- **Referred for disciplinary action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **Weapons: Carrying, Possessing, Etc.,** is defined as 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.
- **Drug Abuse Violations** are defined as 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.
- **Liquor Law Violations** are defined as 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.
- **JEANNE CLERY ACT:**

The Jeanne Clery Act, a consumer protection law passed in 1990, requires all colleges and Universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus. This information is made publicly accessible through the university's annual security report.
- **SAVE act:**

SAVE requires that incidents of domestic violence, dating violence, sexual assault, and stalking be disclosed in annual campus crime statistic reports. SAVE clarifies minimum standards for institutional disciplinary procedures covering domestic violence, dating violence, sexual assault, and stalking. Save instructs colleges and universities to provide programming for students and employees addressing the issues of domestic violence, dating violence, sexual assault and stalking.
- **Violence Against Women Act (VAWA)**

The Violence Against Women Act (VAWA) amendments to the Clery Act expand the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking. VAWA seeks to define clear policy and procedures to protect victims and afford accommodations in the event of violence in the workplace or on campus
- **Sex Discrimination** means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/ Campus Save Act; California Education Code § 66250 et seq.; and/or California Government Code §11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Both men and women can be victims of Sex



Discrimination.

- **Sexual Harassment** - a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual violence, sexual advances, requests for sexual favors, and indecent exposure.
- **Sexual Violence** is a form of Sexual Harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex), perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or disability.<sup>2</sup> Sexual Violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (Including voluntary intoxication). Men as well as women can be victims of these forms of Sexual Violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.
- **Sexual Battery** is a form of Sexual Violence and is any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex.<sup>4</sup>
- **Acquaintance Rape** is a form of Sexual Violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)
- **Consent** means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.
  - Consent must be **voluntary**, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
  - Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must **always** be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim's request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
  - Consent cannot be given by a person who is **incapacitated**. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is **incapacitated** if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an **intoxicated** person (as a result of using alcohol or other drugs) is **incapacitated** depends on the extent to which the alcohol or other drugs impact the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.
  - Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused's position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
  - Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.



## CRIME AWARENESS/STATISTICS ACKNOWLEDGEMENT

FOP#1103b

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The safety and wellbeing of our students, faculty, and staff is important. Although the campus is a safe place, crimes do occur. The statistics are published in compliance with the Crime Awareness and Campus Security Act of 1990 which requires that colleges collect, prepare and publish information related to crime and campus security and distribute it to all current and potential students and employees, and to any applicant for enrollment or employment, upon request.

Summits disclosure of statistics reported crimes is based on:

- Where the crimes occurred,
- To whom the crimes were reported,
- The types of crimes that were reported and
- The year in which the crimes were reported

\_\_\_\_\_ I understand that Summit discloses statistics for reported *Clery Act* crimes that occur (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that Summit owns or controls. The definitions for these geographic categories are *Clery Act*-specific and are the same for every campus regardless of its physical size or configuration.

\_\_\_\_\_ I acknowledge that I have been provided the option of reviewing the “Campus Safety and Security Reporting” on Summit’s web page, <http://summitcollege.edu/required-disclosures> or a hard copy of the most recent Safety & Security Report.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature