



United States University
7675 Mission Valley Road
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Title IX Coordinator
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A person wishing to file a Complaint should submit a written statement to the Title IX Coordinator. The Complaint should specify: 1) the name of the individual(s) against whom the Complaint is made; 2) the nature of the alleged offense; 3) the specifics of the offending incident(s) with precise details (what happened, who was present, when, where, any reasons why they believe the action was taken); 4) the names of any witnesses to the events; and 5) the date and signature of the person making the Complaint. It is recommended that as much information as possible be provided regarding the offending incident or conduct.

A. Criminal Reporting

Please remember that if someone is in immediate danger or needs immediate medical attention, the first place to report is 911. Some forms of discrimination and harassment may also be crimes and criminal reports should be made to law enforcement, even if it is uncertain whether the particular conduct is a crime. Calling local law enforcement can help you: obtain emergency and nonemergency medical care; get immediate law enforcement response for your protection; understand how to provide assistance in a situation that may escalate to more severe criminal behavior; arrange a meeting with victim advocate services; find counseling and support; initiate a criminal investigation; and answer questions about the criminal process.

B. University Reporting

The University encourages individuals who have experienced sexual harassment, gender-based harassment or sexual violence (referred to in this policy as “Complainants”) to report the incident(s) to campus authorities, even if they have reported the incident to outside law enforcement, and regardless of whether the incident took place on or off-campus. Such reporting will enable Complainants to get the support they need, and provide the University with the information it needs to take appropriate action. Individuals should be aware that there are employees at their University whom they can speak with on a strictly confidential basis before determining whether to make a report to local law authorities. All information in connection with the Complaint, including the identities of the Complainant and the Respondent, will be kept as confidential as possible and will only be shared with those who have a legitimate need for the information.



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C. Conflicts

If there is a Complaint about the Title IX Coordinator or any staff member that is part of the Title IX Coordinator, or if the Title IX Coordinator has a Complaint, that Complaint should be filed with the President of the University. If the President agrees, the President will appoint another trained individual to take the place of the Title IX Coordinator for purposes of the Complaint. If the President is the Respondent, the investigation will be handled by the University Title IX Coordinator or her/his designee.

XI. Initial Assessment of Complaints

The investigative process is initiated when the Title IX Coordinator receives a Complaint or report of a violation of this policy. The Title IX Coordinator will conduct an initial assessment. Following the initial assessment, the Title IX Coordinator may take any of the following actions:

- If the Title IX Coordinator determines that the Complaint, even if substantiated, would not rise to the level of a policy violation, the Title IX Coordinator may dismiss the Complaint.
- If the Title IX Coordinator determines that the Complaint is outside the scope of this policy, the Title IX Coordinator may refer the Complaint to another office for review.
- If the Title IX Coordinator determines that the Complaint or report would, if substantiated, constitute a violation of this policy, the Title IX Coordinator will determine appropriate interim measures and initiate an investigation.

XII. Interim/Protective Measures

Upon receipt of a Complaint or report of a violation of this policy, the University will provide reasonable and appropriate interim/protective measures designed to preserve the Complainant's educational experience, the safety of all parties and the broader University community, maintain the integrity of the investigative and/or resolution process, and deter retaliation. The University may provide interim/protective measures regardless of whether the Complainant seeks formal disciplinary action. Interim/protective measures may include:

- Access to counseling services and assistance in arranging an initial appointment;
- Rescheduling of exams and assignments;
- Change in class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in work schedule or job assignment;
- Providing medical services;
- Imposition of an on-campus "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals;



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- Barring individuals from coming on campus for a period to time; and/or
- Any other remedy that can be used to achieve the goals of this policy.

Any interim measures will not disproportionately impact the Complainant. Requests for interim measures may be made by or on behalf of the Complainant to any University official, including the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of interim measures and coordinating the University's response with the appropriate offices on campus.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by an interim measure. The University will take immediate action to enforce a previously implemented measure and disciplinary penalties can be imposed for failing to abide by a University-imposed measure.

XIII. Resolution

If a Complainant chooses to file a Complaint the Respondent shall, absent concerns about confidentiality (as discussed in Section XVIII) be notified that a Complaint has been filed and of the allegations in the Complaint. The Title IX Coordinator must interview the Respondent and receive any statements and evidence (including a list of potential witnesses) the Respondent wishes to offer. Note, both the Complainant and Respondent may have an adviser present with them during any meetings with the Title IX Coordinator.

There are two avenues for resolution of an alleged policy violation: 1) informal resolution and 2) formal resolution. The Complainant has the option to proceed informally, when permissible. **In cases involving allegations of sexual assault or sexual exploitation, informal resolution is not appropriate, even if both the Complainant and Respondent indicate a preference for informal resolution.** The Title IX Coordinator is available to explain the informal and formal resolution procedures.

A. Informal Process and Resolution

If the Complainant, the Respondent, and the Title IX Coordinator all agree that an informal resolution should be pursued, the Title IX Coordinator (or her/his designee) shall attempt to facilitate a resolution of the conflict that is agreeable to all parties. Under the informal process the Title IX Coordinator shall be required only to conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the University and the community. The official to whom the request is directed must determine whether informal resolution is appropriate in light of the severity of the alleged harassment and the potential risk of a hostile environment for others in the community. Typically, an informal investigation will be completed within twenty (20) days of receipt of the Complaint. If it becomes necessary to extend the process, both parties will be notified of a revised expected resolution timeframe.



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A Complainant or Respondent always has the option to request a formal investigation. The Title IX Coordinator also always has the discretion to initiate a formal investigation. If at any point during the informal process, the Complainant, the Respondent, or the Title IX Coordinator wishes to cease the informal process and to proceed through formal grievance procedures, the formal process outlined below will be invoked.

The informal resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent and the overall intent of the University to stop, remedy and prevent violations of this policy. (Informal actions might include, but are not limited to: providing training to a work unit; having an informal discussion with an individual whose conduct, if not stopped, could rise to the level of discrimination, or create a hostile environment; or having a confidential conversation with a supervisor or instructor). **The informal resolution process will not, however, be used in cases of sexual exploitation or sexual violence.**

B. Formal Investigation and Resolution

Individuals are encouraged to report any alleged violation of this policy directly to the Title IX Coordinator. In order to do so, individuals may use the Complaint procedures as specified in Section VII or schedule an appointment with the Title IX Coordinator.

1. Investigation, Disciplinary, and Appeal Procedures

i. Investigation and Adjudication

When the Title IX Coordinator receives a Complaint or report alleging that a student violated this policy, the Title IX Coordinator will appoint a three-person investigative panel of administrators and/or outside investigators. The investigative panel will conduct an inquiry and determine, by a preponderance of the evidence, whether this policy was violated. All panelists will have training in investigating and evaluating conduct prohibited under the policy. The panelists will also be impartial and unbiased.

The Title IX Coordinator will provide to the panel the Complaint, any statements of the Complainant and the Respondent, and any evidence or witness lists provided by the parties. The panel will interview the parties to the Complaint separately. Each party may select an adviser of their choice who may accompany them to any meeting or related proceeding, but the adviser may not participate in the interview process. All three members of the panel will participate in interviews with the Complainant and the Respondent. The panel will interview witnesses as necessary and may, at its discretion, delegate witness interviews to one or two of the panelists. Witnesses may not bring advisers. In all meetings, at least one member of the panel will serve as note taker. At the conclusion of each interview, the panelists will review the notes with the interviewee.



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The panel will prepare a case file of all interview summaries, witness statements, and other documents. The file, redacted of personally identifiable information as necessary, will be shared with the Complainant and the Respondent. The panel will describe in writing for the parties the charges that will be adjudicated.

After reviewing the file, each party will have an opportunity: (1) to meet again with the panel, (2) to respond in writing to the panel, and (3) to request the collection of other information by the panel, including the interviewing of additional witnesses. If any additional information is gathered, it will be shared with both parties and each will have the opportunity for further response. The panel will designate reasonably prompt time frames to ensure a timely completion of the process but also an adequate opportunity for both sides to respond thoroughly to the information gathered in the investigation.

Following the investigation, the panel will meet to determine, by a majority decision, whether the Respondent, based on the preponderance of evidence standard, violated University policy. The panel will prepare a report, which will include findings of fact, findings of responsibility, and the panel's rationale. All members of the panel must endorse the report as a record of their deliberations and rationale.

ii. Penalties

If a student is found responsible for violating University policy, the entire case file will be forwarded to the Provost and Chief Academic Officer, who will determine the penalty. Penalties will be determined based on the seriousness of the misconduct and the student's previous disciplinary history (if any). Remedial measures will be determined based on the need to afford the parties an educational environment free from discrimination under Title IX. The findings regarding fact and responsibility, as well as the decision regarding the penalty in cases where violations of University policy have occurred, will be conveyed to the parties at the same time in writing. The notification will include the parties' appeal rights.

If a student is found responsible for violating University policy, the Office of the Provost and Chief Academic Officer will record the penalty and retain records in accordance with protocols for all other disciplinary cases. In all cases, the case file will also be archived by the Title IX Coordinator.

iii. Rights of Appeal

Both parties, the Complainant and the Respondent, have equal rights to an impartial appeal. All appeals and appeal responses should be filed with the Title IX Coordinator. All appeals will be referred to appellate body composed of three of the following persons: President/CEO, the Provost,/Chief Academic Officer, and the Dean of the college in which the student is enrolled. All members of the appellate body will have training regarding Title IX and prohibited conduct defined under this policy. The members of the appellate body will be impartial and unbiased. If any member of the appellate body cannot maintain impartiality, or is involved in the Complaint, that person shall be recused from the matter and the remaining members shall appoint an appropriately trained replacement.



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A Complainant or Respondent may file a written appeal on the grounds that: (1) there is substantial relevant information that was not presented, and reasonably could not have been presented during the investigation; (2) the imposed penalty does not fall within the range of penalties imposed for similar misconduct, or (3) there was procedural unfairness during the disciplinary process.

The purpose of an appeal is not to initiate a review of substantive issues of fact or a new determination of whether a violation of University rules has occurred. The appellate body may decide to uphold the original decision of the panel and/or the deans; to alter the imposed penalty; or to return the case to the panel for additional proceedings or other action.

The deadline for filing an appeal is one week from the date the parties are notified of the decision. If either party files an appeal, the University will notify the other party in writing, provide that party with the appeal, and permit that party three (3) days to file a response. The University will also provide to the appealing party a copy of any response. The University will notify both parties will be notified simultaneously, and in writing, of the outcome of the appeal. Although the timing for final determinations on appeals may vary, it is expected that a decision on a typical appeal should take thirty (30) days from the date the Title IX Coordinator receives the response to the appeal (or the time for filing such response has lapsed).

iv. Student Enrollment

Pending action by the panel on the charges or pending an appeal, the Respondent may be permitted to attend classes, and make use of some or all University facilities, except for circumstances relating to the physical or emotional safety or well-being of a member (or members) of the University community, or the ability of the University to carry out its essential functions. Certain restrictions may be imposed by the deans on the Respondent in order to provide the Complainant with an educational environment free from discrimination under Title IX.

The Respondent should understand that if the decision of the panel proves adverse, and if an appeal proves unsuccessful, the penalty will normally be considered effective as of the date of the original decision.

For students, in cases adjudicated prior to the last day of classes, if the final decision is a separation from the University (i.e., suspension, suspension with conditions, or expulsion), the Respondent will normally not earn credit for the semester in which the infraction occurred. If the Respondent has successfully completed course requirements while awaiting the final disposition of the matter, obtaining credit for the semester will be at the discretion of the Provost/Chief Academic Officer. Pending an investigation and adjudication or the Respondent's decision about whether to appeal a separation from the University or the withholding of the degree, and/or while an appeal is in process, an administrative hold will be placed on the Respondent's University transcript. Should the Respondent decide not to appeal a separation or



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the withholding of the degree, or should an appeal not result in an alteration of the Provost /Chief Academic Officer's decision to dismiss the Respondent or withhold the degree, the registrar will record the fact of the penalty on the Respondent's transcript.

2. Disciplinary Procedures Where One Party is a Member of the University Community and the Other Party is a Non-Member of the University Community

When a third party, (i.e., a non-member of our University community) is involved as a Complainant or a Respondent, the University will use disciplinary procedures that are generally consistent with the disciplinary procedures stated in sections X(A) through X(B), appropriately modified based on the particular circumstances involved and taking into account privacy requirements and the like. In no case will a member of our community (i.e., current student, faculty member or staff member) be afforded lesser rights or lesser opportunities to participate in the disciplinary proceeding than the non-member of the University community.

3. Other Investigation and Resolution Procedures

If a Complaint or report of conduct prohibited by this policy is made against multiple individuals, an office, or the University in general, the Title IX Coordinator will review the matter and take appropriate action, in accordance with this policy. The Title IX Coordinator may conduct an investigation, using investigative and disciplinary procedures that are generally consistent with those stated in this policy, appropriately modified based on the particular circumstances involved.

XIV. Range of Penalties under This Policy and Disciplinary Procedures

Members of the University community may be subject to disciplinary penalties for violating this policy.

A. Additional Accommodations

If a Respondent is found responsible for violating this policy, the Complainant may request accommodations not already in place, such as a one-way no contact order. The University will promptly implement the accommodation as appropriate. In no circumstance will the burden of the accommodation be placed on the Complainant. The accommodation shall be effective even if the Respondent files an appeal or if such an appeal is pending.

B. Penalties Applicable to Students

1. For violations of this policy by students, in general the penalties, in ascending order of severity, are:

i. Warning: A formal admonition that does not become part of an individual's permanent record, but that may be taken into account in judging the seriousness of any future violation.



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ii. Disciplinary Probation: A more serious admonition assigned for a definite amount of time. It implies that any future violation, of whatever kind, during that time, may be grounds for suspension, suspension with conditions, or in especially serious cases, expulsion from the University. Disciplinary probation will be taken into account in judging the seriousness of any subsequent infraction even if the probationary period has expired.

Disciplinary probation appears on an individual's permanent record at the University (but not on the transcript) and may be disclosed by the Office of the Provost and Chief Academic Officer in response to requests for which the student has given permission or as otherwise legally required.

iii. Withholding of Degree: In cases involving students in their final semester, the University may withhold a student's degree for a specified period of time. This penalty is imposed instead of suspension at the end of the final year of study when all other degree requirements have been met. A withheld degree is recorded on a student's transcript. Relevant information remains on the student's permanent record at the University and may be disclosed by the Office of the Provost and Chief Academic Officer in response to requests for which the student has given permission or as otherwise legally required.

iv. Suspension: Removal from membership in the University for a specified period of time. A suspension is recorded on a student's transcript. Relevant information remains on the student's permanent record at the University and may be disclosed by the Office of the Provost and Chief Academic Officer in response to requests for which the student has given permission or as otherwise legally required.

v. Suspension with Conditions: Removal from membership in the University for at least the period of time specified by the suspension, with the suspension to continue until certain conditions, stipulated by the appropriate body applying this penalty, have been fulfilled. These conditions may include, but are not limited to, restitution of damages, formal apology, or counseling. A suspension with conditions is recorded on a student's transcript. Relevant information remains on the student's permanent record at the University and may be disclosed by the Office of the Provost and Chief Academic Officer in response to requests for which the student has given permission or as otherwise legally required.

vi. Expulsion: Permanent removal from membership in the University, without any opportunity for readmission to the community. Expulsion is recorded on a student's transcript. Relevant information remains on the student's permanent record at the University and may be disclosed by the Office of Provost and Chief Academic Officer in response to requests for which the student has given permission or as otherwise legally required.

vii. Censure: University censure can be added to any of the penalties listed above, except warning. Censure indicates the University's desire to underscore the seriousness of the violation and the absence



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of mitigating circumstances and to convey that seriousness in response to future authorized inquiries about the given individual's conduct.

2. The following may accompany the preceding penalties, as appropriate:

i. Restriction of Access to Space, Resources, and Activities: When appropriate in cases involving behavioral misconduct between members of the community, restrictions may be placed on access to space and/or resources or on participation in activities so as to limit opportunities for contact among the parties.

ii. Educational Refresher Programs: In addition to any of the penalties listed above, a student may be required to participate in educational refresher programs appropriate to the infraction.

C. Penalties Applicable to Faculty and Staff Members

For violations of this policy by faculty or staff members, disciplinary penalties may include (in accordance with the employment policies governing the employee in question) counseling or training, written warning, financial penalty, unpaid leave of absence, suspension, demotion or termination in accordance with the employment policies governing the specific employee.

D. Action Against Visitors

In cases where the person accused of sexual harassment, gender-based harassment or sexual violence is neither a University student nor a University employee, the University's ability to take action against the accused is extremely limited. However, the University shall take all appropriate actions within its control, such as restricting the visitor's access to campus. In addition, the matter shall be referred to local law enforcement for legal action where appropriate.

XV. No Disciplinary Action

In cases where a determination is made not to bring disciplinary action, the Title IX Coordinator shall inform the Complainant and the Respondent of that decision contemporaneously, in writing, and shall offer counseling or other support services to both the Complainant and the Respondent.

XVI. Mediation

While mediation is not permitted in cases where sexual violence is alleged, it may be appropriate where sexual harassment or gender-based harassment allegations have been made by a student or employee but there is no allegation of sexual violence. Mediation is a process whereby the parties can participate in a search for fair and workable solutions. Mediation requires the consent of both the Complainant and the



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Respondent, but does not require the Complainant and Respondent to meet face-to-face. Either party, however, has the right to end the mediation at any time and proceed with the investigation process. A Respondent who is covered by a collective bargaining agreement may consult with and have a union representative present at any mediation session.

XVII. Timing

The University shall make every reasonable effort to ensure that the investigation and resolution of a Complaint are carried out as timely and efficiently as possible. The Title IX Coordinator or designee may extend this timeframe for good cause, including but not limited to, law enforcement involvement, number of witnesses to be interviewed, and University breaks. University will take all reasonable efforts to apprise the parties of the progress of the investigation. While some Complaints may require extensive investigation, whenever possible, the investigation of Complaints should be completed within sixty (60) calendar days of the receipt of the Complaint. If there is a delay in completing the investigation, the Title IX Coordinator shall notify the Complainant and the Respondent in writing.

Although cooperation with law enforcement may require the University to temporarily suspend the fact-finding aspect of a Title IX investigation, the University will promptly resume its Title IX investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide interim measures for the Complainant.

The University Procedures set out reasonably prompt timeframes for proceedings thereunder, including a description of factors that may extend the timeframes, such as the complexity of the investigation, and/or the severity and extent of the alleged conduct. All steps under these procedures shall take place with reasonable promptness, taking into account the complexity of any case and the severity and extent of alleged conduct. Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings, and any related appeal, apply equally to both Complainant and Respondent.

XVIII. False and Malicious Allegations

Members of the University community who make false and malicious Complaints of sexual harassment, gender-based harassment, sexual exploitation or sexual violence, as opposed to Complaints which, even if erroneous, are made in good faith, may be subject to disciplinary action.



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XIX. External Complaints

If you filed a Complaint with the Title IX Coordinator and believe the University's response was inadequate, or you otherwise believe you have been discriminated against by the University on the basis of race, color, national origin, sex, including sexual harassment, disability age, or retaliation, you may file a Complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education based in Seattle or the Educational Opportunities Section (Title IX Coordinator of the Civil Rights Division of the U.S. Justice Department of Justice, and a Complaint based on religion with Title IX Coordinator of the U.S. Justice Department.

The University may coordinate with outside law enforcement authorities in order to avoid interfering with their activities and, where possible, to obtain information regarding their investigation. Neither a law enforcement determination whether to prosecute a Respondent, nor the outcome of any criminal prosecution, is dispositive of whether the Respondent has committed a violation of this policy.

Filing External Complaints Complainants have the right at any time to file Complaints with the Office for Civil Rights ("OCR") of the U.S. Department of Education, alleging violations of Title IX, and to file Complaints with other appropriate agencies alleging violations of other federal, state or local laws.

XX. University obligations under this Policy

In addition to addressing possible violations of this policy, the University has the following obligations: 1) Dissemination of Policies, Procedures and Notices. The Title IX Coordinator, in coordination with the other appropriate offices, is responsible for the wide dissemination of the following on her/his campus: (i) this Policy; (ii) the University's Notice of Non-Discrimination; (iii) the Title IX Coordinator's name, phone number, office location, and email address; and (iv) contact information for the campus Public Safety Office. Such dissemination shall include posting the documents and information on the University website and including it in any student or faculty handbooks.

A. Confidential Employees

Although there is no one directly employed by the University to whom University employees can speak on a confidential basis regarding sexual harassment, gender-based harassment or sexual violence, confidential community counseling resources are available throughout Chula Vista and California.

B. "Responsible" Employees

"Responsible" employees have a duty to report incidents of sexual harassment, gender based harassment or sexual violence, including all relevant details, to the Title IX Coordinator. Such employees are not permitted under any circumstances to maintain a Complainant's confidentiality. To the extent possible, information reported to responsible employees will be shared only with the Title IX Coordinator, the



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“responsible” employee’s supervisor, and other people responsible for handling the University’s response to the report. Before a Complainant reveals any information to a responsible employee, the employee shall advise the Complainant of the employee’s reporting obligations—and if the Complainant wants to maintain confidentiality, direct the Complainant to confidential resources.

The University has designated the following individuals as “responsible” employees: (i) Title IX Coordinator and her/his staff

(ii) President and CEO, (iii) Provost and Chief Academic Officer, (iv) Associate Provost Online Learning, (v) Assistant Provost for Institutional Research, (vi) Dean, (vii) Core Faculty member or (viii) Director. Once a responsible employee (that is not the Title IX Coordinator or her/his staff) receives such information, that employee will inform the Title IX Coordinator of the report.

XXI. Confidentiality, Requests Not to Conduct Investigations, or Not to Report to Outside Law Enforcement

If Complainant requests that an investigation not be conducted, the Title IX Coordinator will consider the reasons for the request, including concerns about the age and continued safety of the person reportedly harmed and members of the campus community. The Title IX Coordinator must also balance considerations about the continued health and safety of members of the community against a reporter’s or Complainant’s desire not to have the report investigated. In cases when a reporter or Complainant does not want to have a report investigated, but the Title IX Coordinator has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, the Title IX Coordinator will initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. The Title IX Coordinator will make the ultimate decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described above.

Parties in these processes, including the Complainant, Respondent, and witnesses, have privacy rights and reasonable expectations of confidentiality in the investigation of matters subject to this procedure.

In addition, the integrity of the process depends on ensuring reasonable expectations of confidentiality. The Title IX Coordinator will keep confidential the Complaint, report, witness statements, and any other information provided by the Complainant, Respondent, or witnesses and will disclose this information only to the Complainant, Respondent, or witnesses, as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to other University officials as necessary for coordinating interim measures or for health, welfare, and safety reasons, and to



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government agencies who review the University's compliance with federal law. Information about Complaints and reports, absent personally identifiable information, may be reported to University officials, and external entities for statistical and analysis purposes pursuant to federal and state law and University policy.

After a report of an alleged incident of sexual harassment, gender-based harassment, sexual exploitation, or sexual violence has been made to the Title IX Coordinator, a Complainant may request that the matter be investigated without her/his identity or any details regarding the incident being divulged further. Alternatively, a Complainant may request that no investigation into a particular incident be conducted or that an incident not be reported to outside law enforcement.

In all such cases, the Title IX Coordinator will weigh the Complainant's requests against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and visitors, including the Complainant. A decision to maintain confidentiality does not mean that confidentiality can be absolutely guaranteed in all circumstances, but only that all efforts will be undertaken to keep information confidential consistent with law.

If the Title IX Coordinator determines that she/he will maintain confidentiality as requested by the Complainant, the University will take all reasonable steps to investigate the incident consistent with the request for confidentiality. However, a University's ability to meaningfully investigate the incident and pursue disciplinary action may be limited by such a request. In any event, the University is required to abide by any laws mandating disclosure, such as the Jeanne Clery Act. However, notification under the Jeanne Clery Act is done without divulging the Complainant's identity. If the Title IX Coordinator determines that the University must report the incident to outside law enforcement, the University will cooperate with any criminal investigation, which may include providing the outside law enforcement agency with any evidence in its possession relating to the incident.

An individual who speaks to a University employee about sexual harassment, gender-based harassment, sexual exploitation or sexual violence should be aware that employees fall into three categories: (1) "confidential" employees, who have an obligation to maintain a Complainant's confidentiality regarding the incident(s); (2) "responsible" employees, who are required to report the incident(s) to the Title IX Coordinator; and (3) all other employees, who are strongly encouraged but not required to report the incident(s).

XXII. Faculty-Student Relations

No University faculty member shall have romantic or sexual relations with a student who is enrolled in a course taught by that faculty member, or who is otherwise subject to the faculty member's academic supervision. A student is considered enrolled in a faculty member's course until such time as a final grade



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for the course has been submitted to the Registrar; other forms of academic supervision conclude upon the submission of a final grade to the Registrar (where applicable) or upon the student's completion of all supervised work. The University Provost and Chief Academic Officer may grant an exception to this policy in extraordinary cases.

XXIII. Retaliation

This policy prohibits retaliation, including threats, intimidation, coercion, or discrimination (including harassment), against any person who reports sexual harassment, gender-based harassment, sexual exploitation or sexual violence. This policy further prohibits retaliation against any person who assists someone making a report of sexual harassment, gender-based harassment or sexual violence, or participates in any manner in an investigation or resolution of a sexual harassment, gender-based harassment or sexual violence Complaint. Any allegations of retaliation for making a report under this policy should be reported to the Title IX Coordinator and her/his staff, or the President if the Title IX Coordinator is alleged to have engaged in the retaliation.

XXIV. Sex Offender Registration

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne *Clery Act* and the Family Educational Rights and Privacy Act of 1974, the following link is provided to the Sex Offender Registry.

<http://www.meganslaw.ca.gov/>

The law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Unlawful use of the information for purposes of intimidating or harassing another is prohibited.



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XXV. Statement Regarding Annual Security & Safety Report

This Annual Security Report is required by federal law and contains policy statements and crime statistics for the school. The policy statements address the school's policies, procedures and programs concerning safety and security. This report is available online at www.usuniversity.edu.

You may also request a paper copy from the Human Resources Office. This report is distributed to all currently enrolled students (including those attending less than full time) and all employees by October 1st each year. This report is also provided to any prospective student or prospective employee upon request.

USU's annual campus security report contains the disclosure of crime occurrences for the three most recent calendar years and discloses the number of crime occurrences in the following categories:

- a. Criminal homicide, including murder and non-negligent manslaughter and negligent manslaughter;
- b. Sex offenses, including forcible sex offenses, and non-forcible sex offenses including incest and statutory rape;
- c. Robbery;
- d. Aggravated assault;
- e. Burglary;
- f. Motor vehicle theft;
- g. Arson;
- h. Hate crimes, including simple assault, larceny-theft, intimidation, destruction/damage vandalism of property;
- i. Separately by category of prejudice, each crime listed above and any crime involving bodily injury reported to the local police agencies or to a campus security authority that shows evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity or disability;
- j. Arrests for violations of liquor and drug law violations, and illegal weapons possession; and
- k. Persons not arrested but referred for campus disciplinary action for liquor, drug, and weapons law violations.

The reported statistics are at the 830 Bay Blvd., Chula Vista, CA 91911 location. The campus moved its location in July, 2016 to 7675 Mission Valley Road, San Diego, CA 92108.



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CRIMINAL OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2015	0	0
	2014	0	0
	2013	0	0
NEGLIGENT MANSLAUGHTER	2015	0	0
	2014	0	0
	2013	0	0
SEX OFFENSES, FORCIBLE	2015	0	0
	2014	0	0
	2013	0	0
SEX OFFENSES, NON-FORCIBLE	2015	0	0
	2014	0	0
	2013	0	0
SEXUAL ASSAULT - RAPE	2015	0	0
	2014	0	0
	2013	0	0
SEXUAL ASSAULT - FONDLING	2015	0	0
	2014	0	0
	2013	0	0
SEXUAL ASSAULT – INCEST	2015	0	0
	2014	0	0
	2013	0	0
SEXUAL ASSAULT – STATUTORY RAPE	2015	0	0
	2014	0	0
	2013	0	0
ROBBERY	2015	0	0
	2014	0	0
	2013	0	0
AGGRAVATED ASSAULT	2015	0	0
	2014	0	0
	2013	0	0
BURGLARY	2015	1	0



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	2014	0	0
	2013	0	0
MOTOR VEHICLE THEFT	2015	0	0
	2014	0	0
	2013	0	1
ARSON	2015	0	0
	2014	0	0
	2013	0	0

HATE CRIMES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY	CATEGORY OF BIAS (see key)**:
MURDER/NON-NEGLIGENT MANSLAUGHTER	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
RAPE	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
FONDLING	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
INCEST	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
STATUTORY RAPE	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
ROBBERY	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
AGGRAVATED ASSAULT	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
BURGLARY	2015	0	0	n/a
	2014	0	0	n/a



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HATE CRIMES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY	CATEGORY OF BIAS (see key)**:
	2013	0	0	n/a
MOTOR VEHICLE THEFT	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
ARSON	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
SIMPLE ASSAULT	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
LARCENY-THEFT	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
INTIMIDATION	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY	2015	0	0	n/a
	2014	0	0	n/a
	2013	0	0	n/a

****Categories of bias for Hate Crimes include actual or perceived (A) race, (B) gender, (C) gender identity, (D) religion, (E) sexual orientation, (F) ethnicity, (G) national origin or (H) disability.**



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VAWA OFFENSES	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2015	0	0
	2014	0	0
	2013	0	0
DATING VIOLENCE	2015	0	0
	2014	0	0
	2013	0	0
STALKING	2015	0	0
	2014	0	0
	2013	0	0

ARRESTS	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
DRUG ABUSE VIOLATIONS	2015	0	0
	2014	0	0
	2013	0	0
DRUG ABUSE VIOLATIONS	2015	0	0
	2014	0	0
	2013	0	0
LIQUOR LAW VIOLATIONS	2015	0	0
	2014	0	0
	2013	0	0

DISCIPLINARY ACTIONS	YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
DRUG ABUSE VIOLATIONS	2015	0	0
	2014	0	0
	2013	0	0
DRUG ABUSE VIOLATIONS	2015	0	0
	2014	0	0
	2013	0	0
LIQUOR LAW VIOLATIONS	2015	0	0
	2014	0	0



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	2013	0	0
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Appendix

TELEPHONE BOMB THREAT CHECKLIST

INSTRUCTIONS: BE CALM, BE COURTEOUS. LISTEN. DO NOT INTERRUPT THE CALLER.

YOUR NAME: _____ TIME: _____ DATE: _____
 CALLER'S IDENTITY SEX: Male _____ Female _____ Adult _____ Juvenile _____ APPROXIMATE AGE: _____
 ORIGIN OF CALL: Local _____ Long Distance _____ Telephone Booth _____

VOICE CHARACTERISTICS		SPEECH		LANGUAGE	
<input type="checkbox"/> Loud	<input type="checkbox"/> Soft	<input type="checkbox"/> Fast	<input type="checkbox"/> Slow	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good
<input type="checkbox"/> High Pitch	<input type="checkbox"/> Deep	<input type="checkbox"/> Distinct	<input type="checkbox"/> Distorted	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor
<input type="checkbox"/> Raspy	<input type="checkbox"/> Pleasant	<input type="checkbox"/> Stutter	<input type="checkbox"/> Nasal	<input type="checkbox"/> Foul	
<input type="checkbox"/> Intoxicated		<input type="checkbox"/> Slurred			<input type="checkbox"/> Other _____
	<input type="checkbox"/> Other _____		<input type="checkbox"/> Other _____		
ACCENT		MANNER		BACKGROUND NOISES	
<input type="checkbox"/> Local	<input type="checkbox"/> Not Local	<input type="checkbox"/> Calm	<input type="checkbox"/> Angry	<input type="checkbox"/> Factory	<input type="checkbox"/> Trains
<input type="checkbox"/> Foreign	<input type="checkbox"/> Region	<input type="checkbox"/> Rational	<input type="checkbox"/> Irrational	<input type="checkbox"/> Machines	<input type="checkbox"/> Animals
<input type="checkbox"/> Race		<input type="checkbox"/> Coherent	<input type="checkbox"/> Incoherent	<input type="checkbox"/> Music	<input type="checkbox"/> Quiet
		<input type="checkbox"/> Deliberate	<input type="checkbox"/> Emotional	<input type="checkbox"/> Office	<input type="checkbox"/> Voices
		<input type="checkbox"/> Righteous	<input type="checkbox"/> Laughing	<input type="checkbox"/> Machines	<input type="checkbox"/> Airplanes
				<input type="checkbox"/> Street	<input type="checkbox"/> Party
				<input type="checkbox"/> Traffic	<input type="checkbox"/> Atmosphere

BOMB FACTS

PRETEND DIFFICULTY HEARING - KEEP CALLER TALKING - IF CALLER SEEMS AGREEABLE TO FURTHER CONVERSATION, ASK QUESTIONS LIKE:

When will it go off? Certain Hour _____ Time Remaining _____

Where is it located? Building _____ Area _____

What kind of bomb? _____

What kind of package? _____

How do you know so much about the bomb? _____

What is your name and address? _____



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If building is occupied, inform caller that detonation could cause injury or death.

Activate malicious call trace: Hang up phone and do not answer another line. Choose same line and dial *57 (if your phone system has this capability). Listen for the confirmation announcement and hang up.

Call Security at _____ and relay information about call.

Did the caller appear familiar with plant or building (by his/her description of the bomb location)? Write out the message in its entirety and any other comments on a separate sheet of paper and attach to this checklist.

Notify your supervisor immediately.