

25240 Hancock Ave. Murrieta, CA 92562

Addendum Caveat

University of Phoenix published this 2022 Annual Security Report – Murrieta Learning Center – Addendum on September 29, 2023, to account for a change in the crime statistics table. The Murrieta Police Department reported in 2021 one motor vehicle theft. We previously included this incident in the 2020 column, the year in which the incident occurred. However, under the Clery Act, crimes must be presented by the year in which they are reported. The statistical table has been updated to remove this incident from the 2020 on-campus column and place the incident in the 2021 on-campus column. The Data from Law Enforcement Agencies section was also updated for clarification on statistics reported in 2019, 2020, and 2021.

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General Safety and Security

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act ("Clery Act"), as amended. It provides students and employees of University of Phoenix ("University" or "UOPX") with information on the University's security arrangements; safety and security policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others. A well-informed campus community helps create a safety-conscious public.

For a complete compilation of UOPX campus safety related policies, review the <u>Campus Safety Policies</u> (https://www.phoenix.edu/content/dam/altcloud/doc/about uopx/Campus-Safety-Policies.pdf).

Note: The Murrieta Learning Center does not have on-campus student housing facilities; therefore, this report does not include information regarding missing student notification policies or fire safety reports and statistics.

This report is prepared by the University's Clery Compliance Officer in conjunction with Resolution Services and Corporate Security and in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's Campus Security Authorities, Campus Safety Coordinators, and various other elements of the University. The Clery Compliance Officer collects applicable policies between January and July each year from various areas within the University to combine into the policy statements required under the Clery Act. The crime statistics included herein are reported via telephone, email, in-person conversation, the Ethics Helpline, or by submission an internal incident report form, and gathered by UOPX Corporate Security, contracted security professionals, local law enforcement, identified Campus Security Authorities and Campus Safety Coordinators, Resolution Services (to include student conduct), the Title IX Coordinator, Human Resources, and through the office of Ethics, Compliance, and Data Privacy. Each year an e-mail notification is made to all employees and enrolled students that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting any UOPX official or Isaac Tucker, Manager Campus Operations, 25240 Hancock Ave., Murrieta, CA 92562, (951

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you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

UOPX has a centralized campus security department located at the Phoenix Main Campus that establishes policy, protection strategies, and response strategies. There is no extended jurisdiction beyond the on-campus and public property boundaries of the Murrieta Learning Center (refer to the <u>University's Clery Act geography</u>). UOPX does not have an on-site police department. UOPX security personnel do not have the authority to make law enforcement arrests.

UOPX currently does not have any formal Memoranda of Understanding (MOU) between its local campuses and any law enforcement agencies (local or state). The Murrieta Learning Center does not have a working relationship with any state law enforcement agencies; however, works to maintain a close working relationship with the Murrieta Police Department by reporting all incidents that occur on or around campus, assisting with investigations unrelated to UOPX, including evidence collection and sharing intelligence when disruptive and unlawful activities occur in the general vicinity of the Murrieta Learning Center.

The University has designated certain officials to serve as Campus Security Authorities (CSAs) and/or Campus Safety Coordinators. All Campus Safety Coordinators are CSAs and located at every teaching location. Reports of criminal activity can be made to any of these officials. They, in turn, will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics. The CSAs to whom UOPX prefers that crimes be reported are listed below.

Security Operations Center (SOC) at (602) 557-7000 or SOC@phoenix.edu

Isaac Tucker, Manager Campus Operations, (951) 691-5629, Isaac.Tucker@phoenix.edu

For a complete list of designated <u>Campus Safety Coordinators</u> visit https://www.phoenix.edu/about_us/campus-safety-contact-list.html. For a complete

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the <u>Counseling Skills Center</u> page at http://www.phoenix.edu/students/counseling-skills-centers.html. To make an appointment at the Counseling Skills Center at the Phoenix Main Campus in Phoenix, AZ please call (602) 557-2217. To make an appointment at the Counseling Skills Center at the Southern California Campus Main in Ontario, CA please call (909) 472-3798.

Crime victims seeking professional counseling through the Counseling Skills Centers will have their information kept in confidence. Even if a victim gives the professional counselor permission to release their identity, the counselor may only report the occurrence of the event itself to be included in the annual crime statistics, unless otherwise required by law.

UOPX does not have pastoral counselors, and it does not have policies or procedures that encourage its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

The Murrieta Learning Center, like all UOPX locations, does not have any on-campus student housing facilities (e.g., residence halls) and is usually accessible to the public during normal business hours; however, classrooms and office buildings are generally locked when not in use. Only faculty and staff members have access to private areas and secured administrative and institutional facilities. This restricted access is obtained using an electronic access control badging system or security locks. Students must sign in at the Student Resource Center (SRC), and non-employees must be escorted by an employee throughout their visit to any restricted access area. Certain areas (i.e., Faculty Resource Center and IT Support rooms) have secured access for all non-authorized personnel.

Students, faculty, and staff are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

Do not prop doors open or allow strangers into campus buildings that have been secured.

Do not lend keys or access cards to anyone, and do not leave them unattended.

Do not give access codes to anyone who does not belong to the campus community.

Keys to the offices, resource centers, laboratories, and classrooms at the Murrieta Learning Center will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring their area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

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The security and access features for the Murrieta Learning Center include:

Access control to/within facilities

Security cameras



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In addition to coordinating these safety events, the Campus Safety Coordinator makes a good-faith effort to inform new and existing personnel of security reporting procedures. Staff members who have regular interaction with the campus community are informed that students may approach them with crime-related incidents that need to be reported quickly to a CSA and/or Campus Safety Coordinator.

New employees are also required to complete the "Campus Safety: Awareness, Prevention, and Action" online course within 30 days of employment. In this online course, employees learn about the role of CSAs and the necessity to report crimes.

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Upon written request, the University 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 the University against a student who is the alleged perpetrator of instruction of in

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community, only those students, faculty, and staff associated with such an area will be notified (the SOC will continue assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action). Further, depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. As appropriate, the notification may give guidance as to whether its recipients should shelter in place or evacuate their location.

UOPX Corporate Security will direct the issuance of emergency notifications, which will be accomplished using one or more of the methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

Emergency notifications are issued when the SOC confirms with the UOPX Corporate Security department, local campus director, the designated Campus Safety Coordinator, local authorities, or verified media sources that there is a significant emergency or a dangerous situation involving an immediate threat to the health or safety of members of the campus community. The process used to confirm the existence of a significant emergency or dangerous situation involves multiple layers of information gathering and multiple people and departments. While confirmation does not necessarily mean all pertinent details are known or available, confirmation does include when internal individuals (i.e., local campus director and/or Campus Safety Coordinator), internal departments (i.e., UOPX Corporate Security and SOC), and external sources (i.e., local authorities and/or verified media sources) have verified a legitimate emergency or dangerous situation exists. The processes for confirming such Suppose and Society an

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campus community such as dangerous or otherwise high-risk situations at the Murrieta Learning Center. Students, faculty, staff, and visitors are encouraged to report such situations in the following ways:

Contact the SOC directly at (602) 557-7000 or (866) 992-3301 or by initiating emergency/panic alarms available throughout the Murrieta Learning Center

Students should contact a CSA and/or Campus Safety Coordinator

- o A list of <u>Campus Safety Coordinators</u> is available online at: <u>http://www.phoenix.edu/about_us/campus_safety/campus_safety_contact_list.html</u>
- o Murrieta Learning Center contact is:

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Employee benefits and student assistance programs offer resources to assist with alcohol and drug addiction related issues

UOPX conducts a biennial review of its program to:

- o Determine its effectiveness and implement changes to the program if they are needed
- o Ensure that its disciplinary sanctions are consistent and enforced

Every local campus offers sexual assault awareness and prevention training annually to students, faculty, and staff. This program discusses how alcohol and other drugs can be a contributing factor in sexual assault. Please contact the Campus Safety Coordinator for information on where and when this education event will occur.

Student Resources: UOPX offers substance abuse and various counseling services to all currently enrolled students via the Life Resource Center, directly accessible from the student MyPhoenix website. The Life Resource Center offers services that are confidential, available 24/7/365, accessible by calling (844) 492-0546, and free to students.

Employee Resources: UOPX provides an Employee Assistance Program (EAP) as an employee benefit. All employees have access to EAP whether or not they obtain other benefits through the University. Information about the EAP program is available at al153 0eW

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The Substance Abuse and Mental Health Services Administration's (SAMHSA) Behavioral Health Treatment Services Locator https://findtreatment.samhsa.gov/

Even if you do not want to speak with a counselor or referral service, you may also access the following free informational and educational videos to further educate yourself on alcohol and other drug abuse:

https://www.getsmartaboutdrugs.gov/

https://www.justthinktwice.gov/

https://www.aa.org/pages/en_US/videos-and-audios

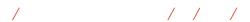
https://drugfree.org/

https://www.operationprevention.com/

https://dare.org/

The health consequences of drugs and alcohol depend on the frequency, duration, and the intensity of use and can include both physical and psychological effects. Overdose is a risk for all drugs. It can result in coma, convulsions, psychosis, or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illegal drugs are uncertain. Continued use of substances can lead to tolerance (requiring more and more of a drug to get the same effect), dependence (physical or psychological need), or withdrawal (painful, difficult, and dangerous symptoms when stopping the use of drugs). Long-term use of drugs can lead to malnutrition, organ damage, and psychological problems. The risk of AIDS and other diseases increases if drugs are injected. The consumption of alcohol or drugs when pregnant may cause abnormalities in babies.

There is a vast array of health risks associated with chronic drug and alcohol use, including but not limited to: depression; liver and kidney disease; psychosis and impaired thinking; heart attack; seizures; strokes; high blood pressure; violent outbursts; paranoia; anxiety; increased risk of birth defects and developmental issues during and after pregnancy. For more information about the health risks associated with alcohol and particular types of drugs, please visit https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts.



The University's Codes of Conduct clearly state that the unlawful manufacture, sale, delivery, unauthorized possession, or use (e.g., using, dealing in, or being under the influence) of any illicit drug is prohibited on property owned or otherwise controlled by the University. The University enforces a "Zero Tolerance" policy regarding underage drinking and will enforce state underage drinking laws on its campus premises (Note: the legal drinking age in the United States is 21 and over).

Additional standards of conduct for employees are addressed in the Alcohol and Drug Abuse Prevention policy in the internal

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The University will fully cooperate with federal, state, and local law enforcement agencies regarding unlawful possession of drugs and the unlawful consumption of alcohol. Any member of the campus community found consuming or selling alcohol and other drugs on UOPX property is subject to disciplinary action up to and including dismissal from the University.

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Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (21 U.S.C. § 860) imprisonmtUSmu the sast offense.

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Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, UOPX prohibits dating violence, domestic violence, sexual assault, and stalking. Sexual harassment, including dating violence, domestic violence, sexual assault, and stalking, are forms of sex discrimination, which are prohibited under Title IX and by UOPX policy. The University's policies and procedures for filing, investigating, and resolving these types of complaints, may be found in the Equal Opportunity, Harassment, and Nondiscrimination Policy at https://www.phoenix.edu/content/dam/altcloud/doc/Equal-Opportunity-Harrassment-and-Nondiscrimination-Policy.pdf.

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

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Crime Type
(California Penal
Code)

Definitions

the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship. Also, Cal. Pen. Code § 273.5 provides penalties for willful infliction of corporal injury:

- a. Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.
- b. Subdivision (a) shall apply if the victim is or was one or more of the following:
 - 1. The offender's spouse or former spouse.
 - 2. The offender's cohabitant or former cohabitant.
 - 3. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.
 - 4. The mother or father of the offender's child.
- c. Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.
- d. As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.

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

The following definitions apply to the crime of stalking:

o "harasses" means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.

Stalking (Ca. Pen. Code § 646.9)

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Crime Type
(California Penal
Code)

Definitions

intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.

Aggravated sexual assault of a child (Cal. Pen. Code § 269): Any person who commits any of the following acts [as defined by state law] upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child: (1) Rape; (2) Rape or sexual penetration, in concert; (3) Sodomy; (4) Oral copulation; (5) Sexual penetration.

Sodomy (Cal. Pen. Code § 286): Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

Oral copulation (Cal. Pen. Code § 287): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

Forcible acts of sexual penetration (Cal. Pen. Code § 289):

- a. Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.
- b. Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

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Consent (as it relates to sexual activity)

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Make others earn your trust and make your limits known ahead of time.

Consider back-up plans. Think about what you would need to do in various difficult situations such as

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Delegate – Recruit others for help with the situation. For example, ask friends for help, inform campus resources, or call the police.

In addition to reporting incidents to the appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

Look out for those around you.

Realize that it is important to intervene to help others.

Treat everyone respectfully. Do not be hostile or an antagonist.

Create a distraction to interrupt the situation.

Be confident when intervening.

Recruit help from others if necessary.

Be honest and direct.

Keep yourself safe.

If things get out of hand, don't hesitate to contact the police.

UOPX also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. The OPAC campaign strategies and initiatives promote awareness, education, risk reduction, and prevention to reduce the frequency of sex- or gender-based discrimination, harassment, and violence. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault, and stalking.

Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including bystander intervention), and discuss institutional policies on sex- or gender-based discrimination, harassment, and violence as well as federal and state definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. 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.

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to, presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

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people's eyes to the warning signs of relationship abuse. Participants will understand the difference between healthy and unhealthy relationship behaviors and learn ways to safely intervene to help a friend. This is an annual event and is also available upon request.

Poster and Email Campaign: Posters are periodically placed in public areas of the local campus to alert students and staff for personal safety and theft concerns. Also, emails and newsletter alerts provide awareness of various important topics such as sexual assault, personal safety, theft, incidents, and alcohol and other drugs information.

University community members may contact their designated <u>Campus Safety Coordinator</u> at http://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html to learn about additional educational programs and dates/times they will be offered at their local campus related to these topics.

Security Escort Service: Security personnel, where available, will provide an onsite safety escort service within the confines of the local campus to/from the parking facility if requested.

Persona Non Grata – A trespass notice may be issued for individuals who have violated University policy or who have demonstrated that they present a threat to anyone in the University community. Violators can be arrested for trespass.

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institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.

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Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

University Resources

Student Resources – The University offers various counseling services to all currently enrolled students via the Life Resource Center, directly accessible from the online student MyPhoenix website. The Life Resource Center offers free services that are confidential, available 24/7/365, accessible by calling (844) 492-0546.

Employee Resources – The University provides an Employee Assistance Program (EAP) as an employee benefit. All employees have access to EAP whether or not they obtain other benefits through the university. Information about the <u>EAP program</u> is available at all times at https://uopx.uprisehealth.com/. This service provides referral services and treatment sessions as needed. UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 18 and older. Ginger is an emotional support app that provides emotional support at the right time, including confidential coaching via text-based chats, self-guided activities, and video-based therapy and psychiatry—all from the privacy of a smartphone. Ginger coaches are available 24/7 and work as a team to ensure personalized care when it's needed.

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1823 or <u>TIXC@phoenix.edu</u>. To <u>file a report online</u>, an electronic form is available at <u>https://www.phoenix.edu/about_us/title-ix.html</u>.

Once a formal complaint of alleged domestic violence, dating violence, sexual assault, or stalking is made, the Title IX Coordinator will promptly provide written notice (i.e., a Notice of Allegations), as soon as practicable, to the parties, including a description of the process to be utilized, the identities of the involved parties (if known), the precise misconduct being alleged, the date and location of the alleged incident(s) (if known), the specific policies implicated, a description of the applicable procedures, a statement that the University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination, a statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the

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cause, with written notice to the accuser and the accused of the delay and the reason for the delay.

Conducted in a manner that:

- o Is consistent with the institution's policies and transparent to the accuser and the accused.
- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.

Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

- 2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as the definition of sexual harassment; the scope of the University's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest. Relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. As mandated by Title IX, all training completed by Title IX Coordinators, Investigators, Decision-makers, Advisors, and the Appeal Panel is posted at https://www.phoenix.edu/about_us/title-ix.html.
- 3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- 4. Have the outcome determined using the preponderance of the evidence standard.
- 5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.
- 6. Prohibits retaliation.

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Crime Statistics

Please refer to the <u>Definitions</u> section for Clery-reportable crime definitions and for Clery Act geography definitions. The statistical summary of crimes for this University over the past three calendar years follows:

Crime		On-Campus		Noncampus		Public Property			
		2020	2019	2021	2020	2019	2021	2020	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0							

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Definitions

C

Criminal Homicide—Murder and Nonnegligent Manslaughter – The willful (nonnegligent) killing of one human being by another.

Criminal Homicide—Manslaughter by Negligence - The killing of another person through gross negligence.

Sexual Assault—Sex Offenses¹ – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

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

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

Note: The University defines Consent as the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact and can be withdrawn at any time. A person forced to engage in sexual contact by force, threat of force, or coercion has not consented to contact.

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

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Burglary - The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle.

Arson – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

In addition to the criminal offenses listed above, any of the additional following offenses that are motivated by bias:

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

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¹ Sexual Assault is also a Violence Against Women Act of 2013 (VAWA) Offense but is included in the Criminal Offenses category for Clery Act reporting purposes.



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

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

Destruction/Damage/Vandalism of Property – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

The Clery Act recognizes eight categories of bias:

Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

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.

Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

Gendeam Ager, eferrance dorregative opinion or attitude toward a person or group of persons based on their actual or perceived gender.

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or reasonably contiguous that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

В

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.

Note: The University does not have any officially recognized student organizations with off campus locations.

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

Α

Legend: On-Campus, Public Property



Note: This location does not have a patrol jurisdiction.

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