



Mission Valley Regional Center

2008 Safety and Crime Report

Provided by

PLNU Department of Public Safety

PLNU Mission Valley Regional Center is located in the heart of the Mission Valley Interstate 8 corridor. At this location, PLNU offers graduate level courses. There are no residence halls for students at this facility.

Facility

4007 Camino del Rio South
San Diego, CA 92108
619-563-2818
Fax 619-563-2898

Point Loma Nazarene University owns the four-story building that houses PLNU Mission Valley Regional Center. The building is divided into the areas that PLNU uses for faculty offices, classrooms and operations and the areas that PLNU leases to tenants. The leased spaces are on the first and second floors; PLNU occupies the third and fourth floors.

The building is alarmed. Access afterhours is controlled to prevent unauthorized entry. Stairwells are locked and elevators are controlled by access-control systems.

The building's interior, perimeter and parking structure and parking lots are monitored by an IT based camera surveillance system. A Department of Public Safety Officer is assigned from the main PLNU campus to work five days a week at the Mission Valley Campus. This officer has a desk on the first floor and can be reached at (619) 200-9381. The DPS officer is available to provide escorts for students, faculty and staff to their vehicles.

Mission Statement

To create an environment of safety where students, faculty, and staff are free to study, teach and work without undue personal safety concerns; and to protect University assets through service and technology.

Parking

Parking is provided on the property for students, faculty and staff. Visitors also park in these lots while conducting business at the PLNU facility or while at tenants' facilities. Regardless of the time of day or night, be alert and aware of your surroundings and exercise common sense safety precautions.

2 Blue light emergency phone systems have been installed in the lower parking structure for your safety in the event of an emergency.

Crime

Crime in the area of the campus does exist. We are not immune. Please review the campus crime table and the "note" at the bottom of the table for current crime information in the area. To view the crime statistics in their entirety, please access the following Web site <http://www.ope.ed.gov/security/Search.asp>.

Emergencies

Emergencies requiring police, fire or medical aid are to be reported to the San Diego Police Department at 911 and non-emergencies at (858) 531-2000. Two Blue light emergency phone systems are located in the lower parking structure.

Incident Reporting

The university strongly encourages victims and witnesses to report all crimes and incidents to the department of Public Safety, whether or not SDPD was notified. This allows us to meet the Clery Act reporting standards, as well as assist in planning crime prevention. Timely reporting is essential. The main campus number for the department of Public Safety is: (619) 849-2525 or ext. 2546.

If you have questions on a specific topic to help with your safety, please call Public Safety at (619) 849-2201.

Sexual Harassment

Point Loma Nazarene University is committed to providing its employees and students with an environment that is free of sexual harassment. Sexual harassment is strictly prohibited by the university and is against federal and state law.

Point Loma Nazarene University strongly encourages its employees and students to report any incidents of sexual harassment immediately so that complaints can be quickly and fairly resolved.

Students should immediately report any incident of sexual harassment to their facility/site director. Faculty and staff members should immediately report sexual harassment incidents to their supervisor, department head, dean, or the director of Human Resources.

Vehicle Registration

If you visit the Point Loma campus, all students, faculty and staff are required to register their vehicles at the department of Public Safety and display a valid PLNU parking permit on their windshield. A Mission Valley permit is issued by Public Safety at the Point Loma campus. While visiting the Point Loma campus, this permit is valid for parking in the “commuter” spaces.

Alcohol, Drugs and Tobacco

Tobacco, illicit drugs and alcoholic beverages may not be used or in the possession of any person on campus. For specific policy information, please refer to the student handbook. The handbook contains extensive information as well as school policies and regulations.

Weapons

Weapons are not allowed on the campus. Hand guns, shot guns, air guns, pellet guns, paint guns, rifles, hunting knives, martial arts weapons, dart/blowguns, and fireworks are examples of prohibited weapons. Possession of these weapons may result in arrest.

General Code of Conduct

Introduction

Point Loma Nazarene University (hereafter also referred to as “PLNU” or “the University”) is committed to the highest standards of ethical conduct and fair dealing.

The University's General Code of Conduct (the "Code") requires its directors/trustees, officers, and employees (hereafter collectively referred to as "responsible persons") to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of the University, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

The following sections address various legal and ethical issues and should be read in conjunction with PLNU's other policies. A violation of the standards contained in this Code, or in such other relevant policies, may result in corrective action, including but not limited to, possible removal or dismissal.

Compliance With Laws

In conducting our affairs, PLNU and every responsible person must obey and comply with applicable laws, rules and regulations. It is your job to be aware of these laws and to comply with the legal requirements affecting you and your position.

If you have any questions regarding compliance with applicable laws, please call the office of the Vice President for Finance immediately. The University also has an outside General Counsel on retainer, who is available to advise and assist you upon referral from the Vice President for Finance or the President. However, you must remember that compliance with applicable laws and regulations is your responsibility.

Accounting For and Recording Transactions

PLNU's books, records, accounts and financial statements must be maintained in appropriate detail so as to accurately depict the University's transactions and to conform to applicable legal, accounting, and auditing standards. Unrecorded or "off the books" assets must never be maintained under any circumstances. The accurate and timely reporting of PLNU's financial statements requires all financial information to be recorded in the normal course of business, precisely and promptly. PLNU's systems for recording and reporting information should be functioning properly and subject to periodic and thorough evaluations.

This obligation applies to all reports or records, financial or otherwise, prepared for either internal or external purposes. While you may not always be familiar with specific accounting or other applicable procedures, you are responsible to make sure that every business record prepared by you, or under your direction, is accurate, complete and reliable. If you are uncertain or in doubt, you should contact the Vice President for Finance & Administrative Services.

Casual notes, internal memoranda, email, faxes, other written communications and business records often become subject to public scrutiny. You should avoid

exaggeration, derogatory remarks, guesswork or inappropriate characterizations that can be misunderstood or misconstrued. Documents and records should always be retained or destroyed according to any internal document retention guidelines adopted by the University. You may contact the Vice President for Finance & Administrative Services if you have any questions about those guidelines.

Responsible persons must not coerce, manipulate, mislead or improperly influence PLNU's auditors in the performance of an audit or review of the University's financial statements.

PLNU's Assets

PLNU's assets must be safeguarded and used only for legitimate purposes. This obligation applies to all tangible property of the University (for example, its physical facilities, office equipment, furniture and supplies) and all intangible property of the University (for example, computer software, trademarks and records). PLNU's confidential and proprietary information must also be safeguarded, as discussed in the section "Confidential Information."

Theft and Dishonesty Policy

Employees are expected to safeguard and avoid misuse of the funds, records, tangible assets, intellectual property, and other property of PLNU. Employees are also expected to conduct the business affairs of the University in a manner that complies with applicable state, federal and local laws.

Employees are prohibited from engaging in any activity that may involve theft, misappropriation, or other misuse of PLNU property, or violation of law, including but not limited to the following:

- theft or unauthorized use of PLNU funds, equipment, supplies, and other tangible property, and data, software, and other intellectual property;
- misuse of PLNU cash, credit cards, checks, and other financial instruments to purchase personal items or divert University funds to personal use or to unauthorized third parties;
- falsification of PLNU time or payroll records, expense reimbursement reports, and other University forms, reports, and records;
- misappropriation of PLNU data, trade secrets, copyrighted material and other intellectual property for personal use or unauthorized use by third parties;
- conducting PLNU business affairs in violation of local, state and federal laws;

- intentional misstatements in PLNU financial statements, tax or information returns, or other financial reports and records, including the intentional misstatement of the results of operations.

Employees are encouraged to report immediately any known or suspected violation of the theft and dishonesty portions of this code. In some circumstances, PLNU may report the matter to law enforcement authorities.

Confidential Information

“Confidential information” refers to information that is not available to the public (or that someone would normally expect to be non-public). For example, confidential information includes:

- information marked as “Confidential,” or with a similar marking;
- information relating to hiring decisions, and to current, former and prospective employees;
- information relating to current, former and prospective directors and other volunteers that has not been made public;
- financial reports and data that have not been made public.

Responsible persons must use reasonable care to protect the confidentiality of all confidential information of PLNU, and must not disclose confidential information of PLNU to unauthorized persons, even subsequent to termination of their affiliation with the University. This means employees should:

- be prudent and aware of where, when and how PLNU’s matters are discussed;
- not leave confidential information unattended or in public view;
- not access confidential information, unless specifically authorized to do so and the information is required in order to conduct PLNU affairs;
- not disclose confidential information to other personnel of PLNU except on a legitimate “need to know” basis;
- not remove confidential information from PLNU’s premises or make copies of any material containing confidential information, except as required to conduct the University’s legitimate affairs;
- never use or disclose any PLNU confidential information for personal gain or profit, or to the advantage of him/herself or any other person;
- contact the office of the President before disclosing PLNU’s confidential information to a third party.

Responsible persons should also contact the President's Office prior to requesting, accepting, using or disclosing confidential information from a third party. Acquiring confidential information, without adequate legal safeguards, can be improper and could expose PLNU to legal liability. In some circumstances, it may be necessary to enter into a written agreement with a third-party before obtaining confidential information. If such information is acquired, that employee must protect its confidentiality to the same degree as PLNU's confidential information, and they must take care to observe the terms of any agreement under which the information has been acquired.

Gifts, Bribes and Kickbacks

Other than modest gifts (valued under \$50.00) given or received in the normal course of business (including travel or entertainment), employees may not give gifts to, or receive gifts from, persons doing business with or seeking grants or other financial commitments from PLNU. Educational materials (books) received from publishers in order to evaluate their value for use in the University's curriculum are specifically exempted from this policy. Gifts other than those modest gifts identified above may be given or accepted only with prior approval of a member of the Administrative Cabinet, and in the case of gifts given to or received by members of the Administrative Cabinet, by the Chair of the PLNU Board of Trustees. In no event should employees put PLNU or him/herself in a position that would be embarrassing if the gift was made public.

Receipt or payment of bribes or kickbacks is not permitted under any circumstances.

Fair Dealing

Employees should always respect the rights of, and deal fairly with, PLNU and its employees, volunteers, and vendors. You should never inappropriately take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, innuendo or any other unfair-dealing practice.

Reporting Violations

It is the responsibility of all responsible persons to report violations or suspected violations of this Code or applicable laws. If an employee becomes aware of a suspected violation, whether before or after it has occurred, they must promptly report it to their supervisor or senior management in accordance with such other relevant policies of PLNU as may be applicable. Alternately, anyone may report violations or suspected violations anonymously by using Silent Whistle (a third party company) by logging onto <http://pointloma.silentwhistle.com> and following the webpage prompts, or by calling the Silent Whistle Hotline at 1-877-874-8416.

No director, officer, or employee who in good faith reports a violation or suspected violation of the Code shall suffer harassment, retaliation, or adverse employment consequences.

Conflict of Interest

Statement of Policy

PLNU, including its trustees, officers and employees (including students who are employed by the University), has a clear obligation and commitment to conduct all affairs of the University in accordance with the highest standards of integrity and ethics, and in compliance with applicable federal and state laws and with the standards set forth below related to conflict of interest and commitment to the best interests of PLNU. All trustees, officers, and employees of PLNU must avoid conflicts of interest or any appearance of conflicts between their own personal interests and the interests of the University. Any situation or activity involving a potential conflict of interest must be disclosed in advance in accordance with the policy and procedures set forth below.

Policy for Employees of PLNU

No Compensation Except as Employee:

No Employee or any affiliate of such Employee, as defined in paragraph (a) below, may serve as a paid consultant or enter into a paid employment or contractual relationship with PLNU, or otherwise provide services to PLNU for payment, except in his or her capacity as an Employee of the University.

- a) An affiliate is defined to include (i) an organization of which an Employee is an officer, director, trustee, partner, Employee or agent and from which an Employee would materially benefit directly or indirectly if such organization were to provide goods or services to PLNU; (ii) an organization in which the Employee is either an actual or beneficial owner of more than five (5%) percent of the voting stock or controlling interest of such an organization; (iii) an organization with which the Employee has any other direct or indirect dealings from which he or she knowingly or materially benefits, e.g., through receipt directly or indirectly of cash or other property for services rendered; (iv) any spouse, parent, child, sibling or in-law of a Employee or an in-law of any such spouse, parent, child or sibling; or (v) any parent, child or sibling of an Employee's spouse or an in-law of any such parent, child or sibling.
- b) An Employee must disclose in advance (see Section 6 below) any proposed business relationship between PLNU and the Employee or an affiliate of such Employee, such as those described in paragraph (a) above, and obtain written approval before the Employee or the Employee's affiliate is

permitted to do business with PLNU in any capacity. In any instance in which such written approval is obtained, the Employee shall not participate on behalf of PLNU in any transaction involving the University.

Conflict of Interest in Employment and Business Practices:

University Employees must not allow a personal or outside interest to interfere with their duties and responsibilities to PLNU. Even the appearance of a conflict of interest should be avoided. Any situation or activity which could give rise to an actual or apparent conflict of interest should be disclosed in advance in accordance with Section 6 below.

While it is not possible to provide an all-inclusive list of examples of situations giving rise to a conflict of interest or the appearance of a conflict of interest, the following is a list of situations which, unless disclosed and approved in advance, present conflicts of interest in violation of University policy:

- Doing business with PLNU through an affiliate, as defined in Section 1(a) above;
- Conducting business on behalf of PLNU with an affiliate, as defined in Section 1(a) above;
- Having a private business relationship with any person or entity doing business with PLNU;
- Assisting anyone seeking to do business with PLNU by providing confidential University information to such person or entity ;
- Accepting cash gifts of any amount from any person or entity doing business with PLNU;
- Accepting non-cash gifts or discounts with a value in excess of \$50, including materials, services or entertainment, from persons or entities doing business with PLNU, particularly in situations in which a reasonable person would infer that the intention of such gift was to influence their decisions and actions on behalf of PLNU. (An occasional lunch or dinner is not prohibited by this paragraph, nor is the receipt of an occasional holiday (or other) gift or attendance at a charitable event as a guest);
- Engaging in the unauthorized use or dissemination of confidential, privileged or proprietary information obtained as a result of employment at PLNU, and/or using or disseminating such information for personal benefit or for the benefit of some other person or entity, absent PLNU's consent to such use or dissemination;

- Soliciting personal gifts or special favors from any person or entity doing business, or seeking to do business, with PLNU;
- Supervising or evaluating the work of a relative or of any person defined as an affiliate pursuant to Section 1(a) above;
- Participating in any decision that involves either a direct benefit or detriment to a person defined as an affiliate in Section 1(a) above;
- Conditioning any actual or potential business relationship with PLNU on a charitable gift or contribution to PLNU;
- Involvement in any other situation or activity in which an actual or the potential for a conflict of interest exists.

The purpose of the above examples is to ensure that the Employee discloses and discusses in advance any questionable situation that may arise. The failure to disclose any questionable situation suggests that a conflict of interest exists. Accordingly, the Employee should bring to his or her Supervisor's attention any situation that may potentially create a conflict of interest or the appearance of one.

Commitment to University:

Every Employee owes a duty of loyalty and trust to PLNU and shall be alert to the possibility that outside obligations, financial interests or other employment can affect the Employee's commitment to the University. Any involvement by a University Employee in personal business ventures shall be conducted solely outside PLNU's work environment and not during times when he or she is required or expected to perform the duties and responsibilities of his or her University employment. An Employee may not use University resources, including but not limited to office equipment, supplies or support staff in furtherance of any personal business venture.

PLNU is generally supportive of the professional, charitable and philanthropic outside interests of its Employees. Thus, an Employee's outside interests falling into these categories may be supported by PLNU in appropriate circumstances. In all instances, however, the Employee is required to obtain permission before pursuing such professional, charitable or philanthropic activities within the University work environment.

Disclosure Responsibilities:

It is the responsibility of every Employee to discuss with his or her supervisor any situation or activity that might result in a conflict of interest or a violation of this policy before participating in that situation or activity. An Employee must refrain from

participating in any questionable activity unless and until the Employee is expressly permitted to do so by his or her Supervisor.

Any Supervisor to whom a disclosure is made shall determine whether the questionable situation or activity presents a potential conflict of interest. Unless the Supervisor is able to determine that no such potential conflict of interest exists, the Supervisor shall require the Employee to disclose the activity in writing, and the disclosure and entire situation shall be reviewed with the appropriate dean or director before determining whether the Employee should be permitted to participate in the particular situation. The dean or director, in turn, shall not permit any Employee to participate in any questionable activity unless and until the appropriate PLNU Administrative Cabinet member has reviewed, discussed and disclosed the activity to the Cabinet. The Cabinet may determine that the proposed activity or situation may continue provided that the Cabinet determines that sufficient safeguards exist to protect fully PLNU's interests. Such a determination shall be set forth in writing.

An Employee who disagrees with a determination made pursuant to this Policy may seek review by the President, whose decision shall be final.

Non-Compliance With This Policy:

Any failure to comply with this policy, including the failure to disclose possible conflicts of interest or the refusal to cease activities that are determined to be in conflict with PLNU's best interests, may be grounds for disciplinary action and may lead to termination.

Any questions concerning this Policy with respect to employees may be addressed to the Vice President for Finance.

Policy for Officers and Trustees of PLNU

Officers and trustees of PLNU are charged to act on behalf of the University and in support of its mission. In their capacity as officers and trustees, they are expected to hold the interests of the University paramount. An apparent conflict of interest arises when an officer or trustee is in a position to influence the University's decisions in ways that could lead to personal financial gain or other advantage for the officer/trustee or his/her immediate family of associates.

Officers and trustees are expected to disclose potential conflicts of interest in accordance with Article VII of the Bylaws of PLNU. They should identify in writing any such conflicts to the Secretary of the Board of Trustees or the University's General Counsel prior to engaging in any activity that poses the potential conflict. If the conflict is found to exist, the officer/trustee involved must recuse himself/herself from

participation in decisions on behalf of the University that affect his/her personal interests.

Officers and trustees shall be required to file on an annual basis an Annual Conflict of Interest Statement.

Reporting a Crime

The PLNU Department of DPS investigates campus related incidents and the San Diego Police Department when required. The University strongly encourages victims and witnesses to report all crimes and incidents to DPS at once, regardless of their nature. A community service or DPS officer will assess the situation and take appropriate action.

Crimes occurring on the PLNU campus can be reported in person or by calling DPS at (619) 849-2546 (24 hours). Crimes occurring off campus should be immediately reported to the San Diego Police Department at (858) 531-2000. Contact the Silent Whistle Hotline at 1-877-874-8416 to report crimes anonymously.

In addition to reporting of incidents to DPS, the following are campus authorities to which reports can be made:

- Director of Public Safety
- Dean of Students
- Associate Dean of Students - Academics
- Athletic Director
- Coaches

Information reported by the identified offices will also be used for the purpose of making timely warnings of criminal offenses.

Timely Warning Policy

PLNU is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C 1092(f). Timely warning notifications will be issued to the campus community in response to reported crimes committed or actively occurring on campus property or surrounding public property that, in the judgment of DPS and the University constitutes a direct or ongoing threat to students, staff and faculty.

Anyone with information believed to warrant a timely warning should promptly report the circumstances to DPS by phone at (619) 849-2525 or in person at the DPS office. DPS will consult, as appropriate and necessary, with other University officials regarding whether a timely warning should be issued. The decision to issue a timely warning shall

be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime, the continuing danger or risk to the campus community, and the possible risk of compromising law enforcement efforts. Timely warnings are considered for the following classifications of reported crimes: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson. Timely warnings may also be issued for other reported crimes as deemed appropriate under the circumstances. The decision will be made in compliance with the Clery Act and in an effort to prevent similar crimes from occurring.

When a determination is made that a timely warning should be issued, DPS will take appropriate steps to ensure timely notification of the campus community. Options for notification include, but are not necessarily limited to, the University's mass notification system (phone, text and email), outdoor notification system, campus-wide emails, physical posting on doors and bulletin boards, www.pointloma.edu, The Alert, or DPS website. The warnings will include some or all of the following information: the date, time and location of the reported crime; a summary of the incident; a description of the suspect and/or vehicle, if available; and any other special instructions or incident specific safety tips.

Annual Disclosure of Crime Statistics

DPS prepares an annual report of crime statistics that comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at <http://www.pointloma.edu/PublicSafety>. Campus crime, arrest and referral statistics include those reported to DPS, designated campus officials (including but not limited to directors, deans, department heads, designated Residential Life staff, athletic coaches), and local law enforcement agencies.

Each year, an e-mail notification is made to all enrolled students and employees that provide the web site to access this report. Copies of the report may be obtained at DPS Headquarters.

Safety of and Access to campus facilities

Point Loma Nazarene University owns the four-story building that houses PLNU Mission Valley Regional Center. The building is divided into the areas that PLNU uses for faculty offices, classrooms and operations and the areas that PLNU leases to tenants. The leased spaces are on the first and second floors; PLNU occupies the third and fourth floors.

The building is alarmed. After hours access is controlled to prevent unauthorized entry. Stairwells are locked and elevators are controlled by access-control systems.

The building's interior, perimeter and parking structure and parking lots are monitored by a CCTV surveillance system.

Parking:

Parking is provided on the property for students, faculty and staff. Visitors also park in these lots while conducting business at the PLNU facility or while at tenants' facilities.

Policy Statement Addressing Counselors

As a result of the negotiated rulemaking process which followed the signing into law the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "pastoral counselors" and campus "professional counselors," when acting as such, are not considered to be a campus security authority as defined above and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged, when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors are described as:

- Pastoral Counselor – An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and who is functioning within the scope of that recognition as a pastoral counselor
- Professional Counselor – An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification

Campus Safety Learning Programs

DPS does not conduct safety learning programs at the Mission Valley Campus.

Local Police Crime Monitoring

DPS attempts to obtain local crime statistics for the Mission Valley Campus.

DPS does not maintain a system for monitoring student activity off-campus. PLNU has a policy prohibiting the establishment of fraternities and sororities.

Alcohol and Drug Policy

Students

Listed below are summaries of sample state statutes and penalties. Note: this list is not all inclusive of drug and alcohol related crimes and does not include the full text of the statutes.

California Business and Professions Codes:

- 25658 B&P - Sale and Consumption of Alcohol by Minor (Misdemeanor)
The purchase or consumption of alcoholic beverages by a person under 21 years of age is a misdemeanor and shall be punished by a fine of not less than \$250 or 24-32 hours of community service or a combination of fine and community service.

California Vehicle Codes:

- 23152. 23165 CVC - Prohibition of Driving Under the Influence of Alcohol or Drugs It is unlawful for any person who is under the influence of any alcoholic beverage (0.08 percent or more) and/or drug to drive a vehicle. First conviction: imprisonment in the county jail for not less than 96 hours nor more than six months, and by a fine of not less than \$390 nor more than \$1,000. In addition, you may lose your driver's license for up to six months or your driving record may be monitored for a period of time. If you are convicted twice within seven years, you may be imprisoned up to one year, fined up to \$1,000, and may lose your driver's license for 18 months.
- 23140 CVC - Persons Under 21 Persons under 21 found to have alcohol in their system (0.05 percent or more, by weight) are considered to be legally impaired to drive a vehicle. For example, one drink would put you over 0.05 percent.

University Policy:

One of the major impediments to student success in higher education is alcohol. Students who drink alcohol have been found to have lower grades, lower rates of retention to the institution, and are less likely to graduate than students who do not drink. These current studies emphasize the wisdom of our founders in holding the abstinence position for the PLNU community. The resulting policy places our students in an advantageous position.

- The University requires that students abstain from the use or possession of illegal drugs

- The University requires that students abstain from the use or possession of alcoholic beverages
- The University requires that students abstain from the use or possession of smoking products and tobacco products

A student who uses or who is in possession of alcohol, smoking tobacco products, or illegal drugs or drug paraphernalia has breached his/her contract signed as a part of the joint student/university decision to be admitted to the University.

A student's refusal to test for alcohol or illegal drugs will be interpreted as an admission of guilt.

The substance policy applies during any session of the academic year that a student is enrolled or employed by the University.

Prevention:

What you should know:

- It is a violation to be in the presence of anyone using a controlled substance (this includes alcohol if it is being consumed illegally).
- If you host a party where any controlled substance is present (including alcohol when being consumed illegally), you will receive a double fine in addition to standard sanctions.
- The use, possession, distribution, or sale of any potentially harmful or, illegal drug (including Marijuana) or drug-related paraphernalia (e.g., bong) is strictly prohibited. Anyone involved in the sale or distribution of drugs on or off campus will be dismissed from PLNU immediately.
- Harm to persons or damage to university property arising from the actions of intoxicated individuals on the premises of the university will be the full and sole responsibility of such individuals.
- Any student's behavior on campus that is disruptive or destructive as the result of intoxication will be documented and subject to disciplinary action.
- Any student who encourages another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will is subject to dismissal from the university.
- Students should familiarize themselves with all university alcohol and drug policies to avoid any possible violations or problems. Students are encouraged to avail themselves of drug and alcohol prevention resources. The university's Wellness Center, located on the first floor of Nicholson

Commons (619) 849-2574, provides prevention, referral, and supportive resources to PLNU students. Additional prevention resources may be found at <http://www.adp.ca.gov/default.asp>.

Disciplinary Response:

A first substance use violation will result in a growth plan to be determined by the respective Resident Director, subject to the approval of the Dean, and may include community service, a fine, written response, mentoring, notification of parents, and other growth responses.

A second substance use violation will result in a judicial hearing.

The student may choose between either:

- The Dean of Students, who reserves the right to invite advisors to the conduct meeting
- The Student Conduct Committee

The Dean of Students and the Judicial Council will create a growth plan that may include community service, a fine, written response, mentoring, notification of parents, and other growth responses.

A third substance use violation will result in the expulsion of a student from Point Loma Nazarene University.

While Point Loma Nazarene University reserves the right to expel a student for any substance abuse violation, the following circumstances are likely to result in immediate dismissal:

- Any profane, aggressive or abusive behavior by the student during a confrontation regarding potential substance use and/or possession.
- Students who provide alcohol or drugs to other students.
- Other extenuating circumstances including, but not limited to, selling or trafficking of alcohol or illegal drugs.

Students choosing not to be tested for these substances will receive consequences for the offense in question.

The university reserves the right to refer drug or illegal behavior to appropriate civil authorities.

Faculty and Staff

PLNU seeks to provide a safe, healthy and productive work environment for all its employees. In accordance with this goal, the University strives to maintain a workplace that is free from the illegal use, possession or distribution of: (1) controlled substances,

as defined in Schedules I through V of the Controlled Substances Act 21, U.S. Code 812, as amended; and, (2) illegal drugs, defined as any drug which is not legally obtainable or any prescribed drug being used other than for its prescribed purpose. Unlawful manufacture, distribution, possession, dispensation, sale, offer to sell, purchase, and/or use of drugs and/or alcohol on the PLNU campus or on its offsite locations, or as any part of its activities, is prohibited.

As a condition of employment, all employees of the University are required to adhere to this policy. They are also required to report any conviction under a criminal drug statute for a violation occurring in the workplace, no later than five days after the conviction, to the Office of Human Resources. Employees found to have violated the tenets of this policy are subject to disciplinary action up to and including the suspension or termination of employment.

All employees are expected to report to work with no controlled substances, illegal drugs or their metabolites, or alcohol in their system. When the University has reasonable suspicion that an employee is, or may be, affected or impaired on the job by alcohol, controlled substances or illegal drugs or when the University has reasonable suspicion that alcohol, controlled substances or illegal drugs are, or may be, present in the employee's bodily system in violation of these rules, an employee may be required to submit to an alcohol/drug screen test immediately upon demand by the University. Refusal to submit to such a test, or failure of such a test, will lead to disciplinary action up to and including termination of employment. Some employees may be subject to additional testing under Department of Transportation regulations.

Sexual Assault Policy

Standards of Conduct

All students, faculty and staff at PLNU are responsible for being familiar with and abiding by the standards of conduct set forth in these standards and protocols.

Sexual assault and sexual exploitation in all forms violates the sanctity of the human body and spirit and will not be tolerated within the Point Loma community. In addition, sexual assault and sexual exploitation are serious violations of University policy, and also violate the law. The standards and protocols identified for incidents of sexual assault also shall apply to and govern incidents of sexual exploitation.

Through these standards and protocols, PLNU seeks to provide a consistent, caring and timely response when a sexual assault occurs or is alleged to have occurred within the University community. These standards and protocols aim to:

- Facilitate the recovery of a sexual assault victim by providing prompt and compassionate support services.

- Create a campus environment that expedites and encourages the reporting of sexual assaults to the appropriate authorities. A report of a sexual assault will be dealt with promptly and will be investigated as appropriate. Confidentiality will be maintained to the extent possible.
- Facilitate the apprehension of the accused when sexual assaults are committed or alleged to have been committed.
- Administer cases against students or employees through either the campus judicial system or other relevant University processes.
- Establish and cultivate community involvement in sexual assault awareness and prevention.

The University is committed to providing information regarding on- and off-campus services and resources. Resources listed in this policy can assist a person to access the full range of services available.

The University also prohibits and does not tolerate sexual harassment or discrimination. For more information, please see the University's Policy Prohibiting Discrimination and Harassment.

Key Definitions

“Consent” is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely and actively by all parties. It is incumbent upon each participant to either obtain or give consent prior to any sexual activity. If at any time during the sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify verbally the other's willingness to continue. Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one's responsibility to obtain consent.

A person cannot give consent if he or she (1) is a minor (under age 18); (2) has a mental disorder or developmental or physical disability that renders him or her incapable of giving consent; (3) is unconscious; or (4) is incapacitated from alcohol or other drugs, and this condition was known or reasonably should have been known to the accused.

“Sexual assault” is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Physical contact of a sexual nature includes, but is not limited to, touching or attempted touching of another person's breasts, buttocks, inner thighs, groin, or

genitalia, either directly or indirectly, or sexual penetration (however slight) of another person's oral, anal or genital opening. Sexual assault includes, but is not limited to, rape, sodomy, oral copulation, sexual battery, sexual penetration with an object, forcible fondling (e.g., unwanted touching or kissing for purposes of sexual gratification), or threat of sexual assault. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely.

"Sexual exploitation" is sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her own advantage or benefit or for the benefit or advantage of anyone other than the exploited party; and that behavior does not otherwise constitute sexual assault. Examples of sexual exploitation include, but are not limited to, videotaping or photographing of any type (web-cam, camera, Internet exposure, etc.) without knowledge and consent of all persons; prostituting another person; knowingly transmitting HIV or a sexually transmitted disease to an unknowing person or to a person who has not consented to the risk; or inducing incapacitation with the intent to commit sexual assault, without regard to whether sexual activity actually takes place.

Even though the definitions provided in these protocols are similar to those contained in applicable criminal laws, the definitions are specific to PLNU. Federal and California law are instructive in this interpretation of the definitions contained in these protocols; however, an act that might not violate or be prosecuted under applicable criminal laws may still violate these standards and protocols, and University policy.

Confidentiality of Information

When sexual assault or misconduct is reported, the University will take reasonable steps to preserve an individual's privacy and protect the confidentiality of information. The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. An individual who is at least 18 years of age can speak confidentially (with no concerns about disclosure of the information being shared) with counselors at the Wellness Center, and with pastoral staff and faculty who work at or for the University. The law will govern the extent to which the University and its employees may or must disclose information concerning a complaint of a sexual assault. For information, please contact the Wellness Center at (619) 849-2574.

Options Following a Sexual Assault

A person who has experienced a sexual assault is urged to make a report to the police, DPS and/or the Dean of Students. Whether or not an individual makes an official report, he or she is urged to seek appropriate help, which may include medical evaluation, obtaining information, support, and counseling, either on or off campus. Any of the

resources listed in these standards and protocols can assist a person to access the full range of services available.

1. What to do immediately:
 - a. Go to a safe place
 - b. Contact someone who can help (parent, guardian, friend, Resident Director, Wellness Center staff (619) 849-2574, 8:00 a.m. – 4:00 p.m. Monday through Friday, DPS (619) 849-2525 (24 hours), Police 9-1-1.
 - c. Do what you can to preserve evidence.
 - i. If you preserve evidence, you will have it available if you decide later to report.
 - ii. Resist the urge to change clothes or shower, if you can.
 - iii. If you change clothes, place each garment in a separate paper bag.
2. Medical Treatment: A person who has experienced a sexual assault is urged to seek appropriate medical evaluation as promptly as possible.
 - a. For life-threatening conditions, call 9-1-1 or go to the nearest hospital emergency department (if you need assistance getting there call DPS at (619) 849-2525.
 - b. For treatment of less serious injuries, students can use the Wellness Center at (619) 849-2574.
 - c. For evaluation and prevention of sexually transmitted diseases, as well as consultation for other concerns, students can use the Wellness Center at (619) 849-2574.
3. Medical - Legal Evidence Collection: A person who has experienced a sexual assault (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police, a police report and interaction with the County's Sexual Assault Response Team (SART) at a medical facility off-campus. Prompt collection of physical evidence through an exam is essential should a person later decide to pursue criminal prosecution and/or a civil action.
4. Obtaining Information, Support and Counseling: Whether or not one makes a report, a person who has experienced, who has knowledge of, or has

been affected by another person's sexual assault, is strongly encouraged to obtain information, support and counseling.

Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling or reporting to authorities. Information, support and advice are available for anyone who wishes to discuss issues related to sexual assault, whether or not a sexual assault has actually occurred, and whether or not the person seeking information has been assaulted, has been accused of a sexual assault, or is a third party. The degree to which confidentiality can be protected depends upon the professional role of the person being consulted and should be addressed with that person before specific facts are disclosed.

Resource List:

On Campus

- Department of Public Safety (619) 849-2525
- Wellness Center Counseling/Health Services (619) 849-2574

Off Campus

- San Diego Police Department (619) 531-2000
- Rape and Battered Women's Helpline (858) 272-1767
- Rape and Abuse and Incest National Network (RAINN) (www.rainn.org) (800) 656-HOPE
- Rape and Battered Women's Legal Clinic and Counseling Services (619) 233-8984

5. Deciding whether to report. A member of the Point Loma community who has been sexually assaulted is strongly encouraged to make a report to the police as soon as possible, whether or not he or she intends at that time to seek criminal and/or civil redress.

To pursue internal disciplinary measures, an individual who has been sexually assaulted is encouraged to contact the office of the Dean of Students, (619) 849-2482 and/or DPS at (619) 849-2525. Whether or not you choose to make a report, you are strongly urged to seek the appropriate help to ensure your safety, to begin your healing process and to obtain any necessary academic, residential or work-related accommodations.

To assist you in deciding whether to report, you may want to contact the Wellness Center at (619) 849-2574. The Wellness Center professional staff is not required by law to report incidents of assault, except for students under 18 years of age. The Wellness Center professional staff also can assist you in obtaining medical attention and/or counseling, contacting police, and obtaining other support services, such as help with academic problems caused by the incident. In addition, you may contact a specially trained Sexual Harassment Officer at (619) 849-2313 who can provide information, review reporting options and facilitate access to resources and accommodations.

How to Report:

- To report to law enforcement call 9-1-1 or the DPS at (619) 849-2525.
- If the assailant is a PLNU community member and you want to receive information about the University's response procedure, contact the office of the Dean of Students at (619) 849-2482.

6. Making an Anonymous Report.

To the Police -- You may decide to report the crime anonymously. The police will record the date and time of the assault, details of the incident, and any description of the assailant you can give. If you know the assailant's name, it will be recorded. This report may influence the District Attorney's decision whether to prosecute another case if the same assailant has been named in one or more separate complaints. In addition, the police will maintain this information in the event a pattern of crimes by the assailant is detected.

Anyone may report violations or suspected violations anonymously by using Silent Whistle (a third party company) by logging onto <http://pointloma.silentwhistle.com> and following the webpage prompts, or by calling the Silent Whistle Hotline at 1-877-874-8416.

The decision to report or not has emotional, economic, psychological and social consequences. You must make the decision that best enables you to resume a healthy and productive life. We encourage you to report any sexual assault.

Enforcement

These standards and protocols are authorized and approved by the President of PLNU. They are enforced under the authority of the Vice President for Student

Affairs or his or her designee. Where the sexual assault involves a University employee, other relevant administrators also will be involved in and/or oversee the enforcement of these Standards and Protocols.

Violation of these Standards and Protocols will result in appropriate disciplinary action, up to and including dismissal from the University. Violation of these standards and protocols also may subject the offender to criminal prosecution or third party civil litigation. For students, committing a sexual assault is a violation of the Student Handbook, even where the violation occurs off-campus.

In enforcing these Standards and Protocols, the University recognizes the following rights of the victim and the accused:

Statement of Victim's Rights:

- The right to be treated with respect by University officials;
- The right of both accuser and accused to have the same opportunity to have others present, in support or advisory roles, during a campus disciplinary hearing;
- The right to be supported and assisted in the decision to report by PLNU officials;
- The right to a campus “stay away” or “no contact “ order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student;
- The right to a campus “no trespass” order against a non-PLNU community member who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student;
- The right to be informed of the outcome and sanction of any disciplinary hearing involving sexual assault;
- The right to be informed of one's options to notify proper law enforcement authorities, including DPS and local police, and the option to be assisted by campus authorities in notifying such agencies, if the student so chooses;
- The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community;

- The right to notification of and options for, and available assistance in, changing academic, on campus work, and residential living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available;
- The right not to have irrelevant prior sexual history admitted in a campus hearing;
- The right to make a victim-impact statement to the hearing authority to be read at the end of the hearing process;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by DPS;
- The right to have sexual assault reports investigated and appropriately resolved/addressed by the University.

Statement of the Accused's Rights:

- The right to timely notice of charges, including the nature of the charge and possible sanctions;
- The right to a hearing on the charges, including timely notice of the hearing date and adequate time for preparation;
- The right to have a University community member (as provided for in the Student Handbook) accompany and support in the campus hearing process;
- The right to hear and respond to any evidence presented, and to report any relevant information as provided for in the Student Handbook;
- The right to timely notification of the outcome and sanction of the hearing;
- The right to an appeal as detailed in the Student Handbook;
- The right of access to campus resources for medical, counseling, safety and advisory services

Legal Options -- A person who engages in a sexual assault may be the subject of criminal prosecution and/or civil litigation. A police report must be made before a criminal prosecution can be considered by the local District Attorney's office. A person who wishes specific information about legal options should consult a private attorney and/or the office of the District Attorney.

Institutional Responses

Public Notification of Incidents — as required by state and federal law, PLNU must collect and report annually statistical information concerning sexual assaults occurring in its jurisdiction. To promote public safety, DPS also alerts the campus community to incidents and trends of immediate community safety concern.

Education, Prevention and Support

PLNU provides resources for education about prevention of sexual assault. Students, faculty and staff are urged to take advantage of on-campus prevention and education resources (both University-supported and student-led) and are encouraged to participate actively in prevention and risk reduction efforts.

California's Megan's Law requires that certain information about sex offenders be made available upon request to members of the public. The California Office of the Attorney General has developed a web site, www.meganslaw.ca.gov, where citizens can review information about registered sex offenders.

Point Loma Nazarene University-Mission Valley

Campus Crime Statistics

Category	Venue	2006	2007	2008
Criminal	• On campus	0	0	0
Homicide – Murder and Non-negligent	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building	N/A	NA	NA
Manslaughter	• On Public Property	0	0	0
Negligent Manslaughter	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Sex Offenses: Forcible	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	NA	NA
Non-Forcible	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Robbery	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0

Aggravated Assault	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Burglary	• On campus	1	2	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Arson	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building / property	N/A	NA	NA
	• On Public Property	0	0	0
Auto Theft	• On campus	0	1	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Arrest For: Liquor law violations	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Drug-related violations	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA

	• In or on a non-campus building / property	N/A	NA	NA
	• On Public Property	0	0	0
Weapons possession	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building/ property	N/A	NA	NA
	• On Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	• On campus	0	0	1
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building / property	N/A	NA	NA
	• On Public Property	0	0	0
Drug-related violations	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building / property	N/A	NA	NA
	• On Public Property	0	0	0
Weapons possession	• On campus	0	0	0
	• In Residence Halls	N/A	NA	NA
	• In or on a non-campus building / property	N/A	NA	NA
	• On Public Property	0	0	0

Key to Hate crimes notations: Type of bias or prejudice: Race=ra, Gender=g, Religion=re, Sexual orientation=s, Ethnicity=e, Disability=d

Note: San Diego Police Department could not break down statistics for inclusion in the Department of Education report as required by the Clery Act.

The following crimes were reported for 2008 Mission Valley area : Rape - 1, Robbery - 1, Aggravated Assault - 1, Burglary - 12, Auto Theft - 8, Alcohol Arrests - 12, Drug Arrests - 8.