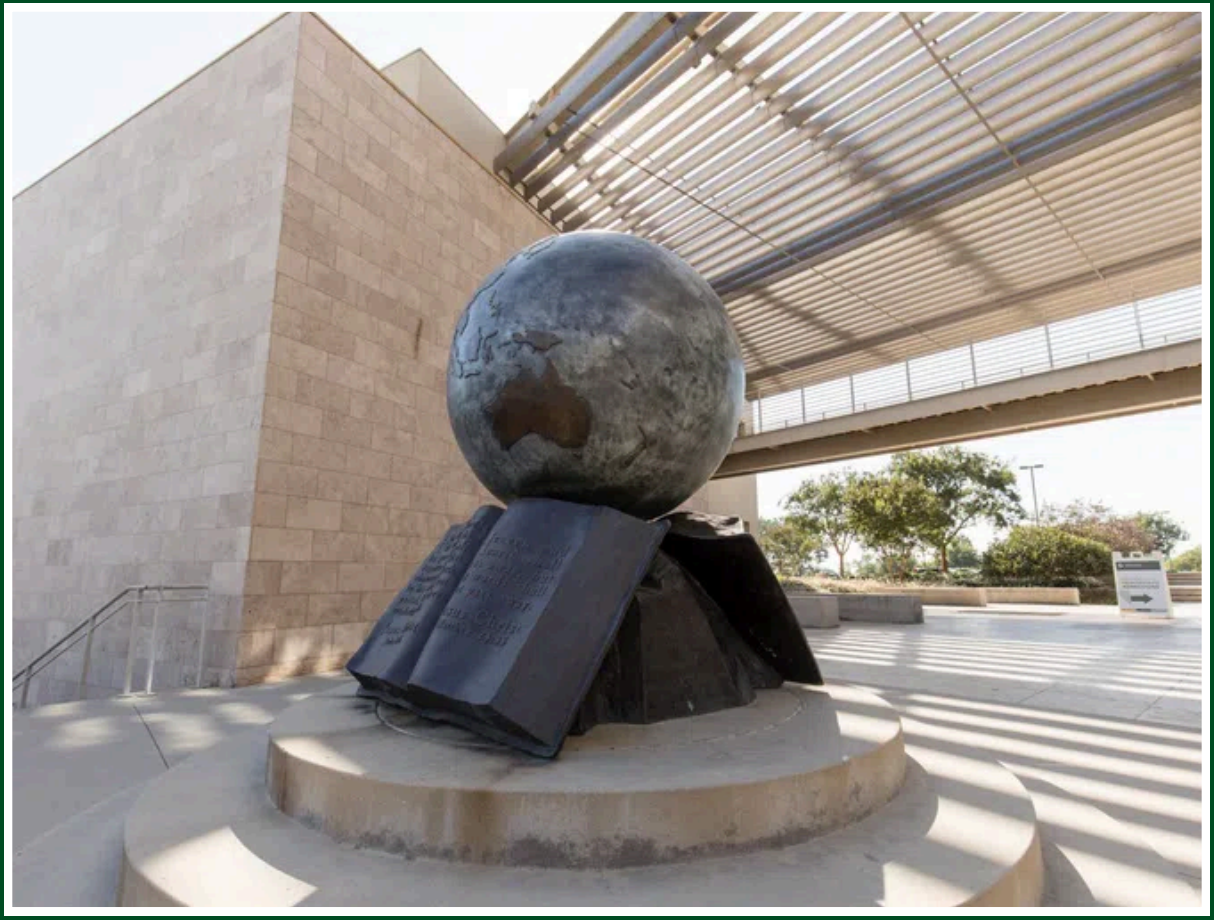
CONCORDIA UNIVERSITY
IRVINE

Title IX Resource Guide



Introduction

Concordia University Irvine is committed to creating and maintaining a community where all persons who participate in University programs and activities learn and work together. Sexual offenses of any form, including quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence and stalking, can be detrimental to the safe living and learning environment which Concordia University Irvine seeks to maintain. Such behavior is prohibited by law and University policy. The University will respond promptly and effectively to reports of sexual assault, domestic violence, dating violence and stalking and will take appropriate action to prevent, correct and discipline behavior that violates policy. Concordia University Irvine' complete Policy Against Sexual Misconduct/Title IX can be found on-line at **https://www.cui.edu/studentlife/title-ix.**

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Section 1681 et seq., is a federal law that prohibits discrimination on the basis of sex in education programs and activities by educational institutions that receive federal financial assistance. Prohibited sex discrimination includes sex harassment. Prohibited sex harassment, in turn includes but is not limited to sexual assault and other forms of sexual violence.

The Violence Against Women Reauthorization Act of 2013 (VAWA), including the Campus Sexual Violence Elimination Act (Campus SaVE Act), is a federal law that requires colleges and universities to have procedures in place to respond to incidents of sexual assault, domestic violence, dating violence and stalking.
In order to address its responsibilities under Title IX and the VAWA, the University has implemented these reporting and response standards and protocols specifically to address incidents of sexual misconduct and relationship violence. All students, faculty and staff at the University are expected to be familiar with and to abide by these standards and protocols.

Updated for 26-27 Academic Year

Privacy and Confidentiality

Concordia University Irvine is committed to protecting the privacy of all individuals involved in a report of sexual misconduct or relationship violence. In any report made under these policies, the privacy interest of those involved will be protected in a manner consistent with the need to respond to and to conduct a thorough review of the incident reported. Information will only be shared with those individuals who have a legitimate need to know the information in order to assist in the response to, investigation and/or resolution of the complaint.

Confidentiality is not the same as privacy. Confidentiality means that the information shared with a certain University employee or outside professional cannot be disclosed to others without the express permission of the individual who shared the information.

Individuals who wish to obtain confidential assistance without making a report to the University may do so by speaking confidentially with professionals who are obligated by law to maintain confidentiality, subject to the stated terms of confidentiality of that office. At Concordia University Irvine, students may speak confidentially with any of the following: wellness center providers, sexual assault victim advocates, off-campus local rape crisis counselors, domestic violence resources, state assistance agencies and campus pastors.

Non-mandatory reporters on campus include:

Rev. Quinton Anderson, Campus Ministry 104, (949) 214-3024

Wellness Center Staff, Campus Safety and Wellness Building, (949) 214-3102

Information shared with these confidential sources will not be shared with University officials without consent, unless the disclosure is specifically permitted or required by law, such as when the circumstances pose an imminent risk of harm to self or others or where the report involves the suspected abuse of a minor under the age of 18.

Reporting Procedures and Options

Concordia University Irvine encourages all members of the University community to report information about any incident of sexual misconduct or relationship violence as soon as possible, whether the incident occurred on or off campus. Reports can be made to University officials or local law enforcement.

Concordia University Irvine also encourages all faculty or staff who have responsibility for student welfare to promptly report information about any incident of sexual misconduct or relationship violence as provided below, unless the employee is required by law to keep that information confidential by virtue of his or her professional role. In addition, those employees who have been informed by the Department of Campus Safety that they are "Campus Security Authorities" under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act are legally required to report such incidents to the Department of Campus Safety.

Reporting to Concordia University Irvine

A report to Concordia University Irvine of an incident of sexual misconduct or relationship violence should be made to any of the following:

Megan Bouslaugh: Vice President of Student Affairs, Dean of Students; Chief Title IX Coordinator, Office of the Dean of Students, CSLD 101, (949) 214-3057, megan.bouslaugh@cui.edu
Stephanie Staley: Director of Disability Access Services, stephanie.staley@cui.edu, (949)214-3039
Brittany Pereda: Senior Woman Administrator, Assistant Athletics Director for Development and Operations, Deputy Title IX Coordinator, brittany.pereda@cui.edu, (949) 214-3216
Human Resources: Administration Building, Suite 200, (949) 214-3131, HR@cui.edu
Department of Campus Safety: Campus Safety and Wellness Building, (949) 214-3000.
Residence Life: Students can also contact a Residential Assistant (RA) to report a violation of policy.
The 24 hour RA Duty line is (949) 307-6216.
Online Reporting Form: Reports can also be submitted online via CUI's Title IX Website on our Reporting Form at https://cm.maxient.com/reporting.php?ConcordiaUnivIrvine

An individual who has experienced an incident of sexual misconduct or relationship violence may report the incident at any time, regardless of how much time has lapsed since the incident occurred.

Reporting to Law Enforcement

An incident of sexual misconduct or relationship violence can be reported to the Irvine Police Department at any time, 24-hours a day/7-days a week by calling 911 or their non-emergency line at (949) 724-7000. The Irvine Police Department is located at 1 Civic Center Drive, Irvine, CA 92606.

At the reporting party's request, Concordia University Irvine will assist the reporting party in contacting law enforcement. If the reporting party decides to pursue the criminal process, the University will cooperate with law enforcement to the extent permitted by law.

By law, Concordia University Irvine is required to report all acts of sexual assault, violence or hate crime to the law enforcement agency having jurisdiction where the incident occurred without identifying the victim, unless the victim consents to being identified after the victim has been informed of his/her right to have his/her identifying information withheld. The University is also prohibited from reporting the name of the alleged assailant if the victim does not consent to being identified.

Making an Anonymous Report

An individual may report an incident of sexual misconduct or relationship violence anonymously by contacting any of the above listed individuals/departments or utilizing the anonymous reporting feature on the University's Title IX webpage at www.cui.edu/studentlife/title-ix. An anonymous report does not require the disclosure of the name of the person making the report or the names involved. Depending on the amount of information available about the incident or the individuals involved, the University's ability to respond may be limited.

Medical Treatment and Prevention of Evidence

After an incident of sexual misconduct or relationship violence, the victim should consider seeking medical attention as soon as possible at the Concordia Wellness Center or the emergency room at:

Anaheim Regional Medical Center
1111 W La Palma Ave
Anaheim, CA 92801
(714)774-1550

In California, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual misconduct or relationship violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University investigators/hearing boards or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

The Concordia Wellness Center is located in the Campus Safety and Wellness building. Center hours are Monday – Friday: 9:00 a.m. – 4:00 p.m. The Center can be reached by telephone at 949-214-3102 or on-line at www.cui.edu/wellness.

Reporting Procedures and Options

Concordia University Wellness Center can provide confidential support for you during this difficult period. They can inform you of common emotional reactions and discuss coping methods that may assist you immediately following the event(s) and later. Talking about your concerns with a counselor in a safe and supportive environment may help you sort through your feelings and decide what to do. You do not need to disclose your name if you call the Wellness Center for information. Counselors will not reveal your identity to anyone barring standard exceptions, without your permission. Students may be seen on an emergency walk-in basis or by appointment. The Wellness Center currently has counselors and other staff available during the fall and spring semesters. When student needs are beyond the scope of available services, counselors offer case management and referrals to local treatment centers.

In addition to services provided through the Wellness Center, individuals may contact the Sexual Assault Victim Services for South Orange County. They provide free counseling, accompaniment and advocacy as well as a 24-hour rape crisis hotline at **(949) 831-9110**.

Protective Orders

Concordia University complies with California law in recognizing protection orders by contacting local law enforcement authorities in the event of a protection order violation. Any person who obtains a protection order from California or any other issuing jurisdiction, should provide a copy to the Department of Campus Safety, the Office of the Title IX Coordinator or Human Resources. A reporting party may then meet with Campus Safety to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, no-contact orders, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. Assistance in obtaining Protection Orders may be available through the Irvine Police Department or by visiting the Superior Court of California County of Orange website at www.occourts.org/self-help/restraining orders.

Accomodations, Safety Measures, and Interim Measures

After a report is made and prior to final determination, Concordia University Irvine will implement appropriate accommodations, safety measures and interim measures to protect the parties and the needs of others involved in the incident, if so requested and if such measures are reasonably available. These measures may include, but are not limited to:

- Academic, residential, employment, and/or transportation accommodations
- The implementation of a No-Contact Order
- On-campus escorts
- Interim suspension
- Other interim restrictions

Request for accommodations should be made to the Vice President for Student Affairs, Dean of Students (949-214-3057), the Director of Student Conduct (949-214-3048), or the Director of Human Resources (949-214-3131).

No Retaliation

Concordia University Irvine will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for filing a report of sexual misconduct or relationship violence or for assisting in the investigation.

Preponderance of Evidence

A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the University's Student Conduct Code?"

Possible Sanctions

The following University-wide disciplinary sanctions may be imposed upon students found responsible for sexual misconduct or relationship violence. All sanctions may be imposed singularly or in combination. Possible sanctions include; University expulsion, suspension, or probation; restrictions; written warning, fines; restitution; mandatory assessment; withholding of diploma; revocation of degree; residence halls expulsion, suspension, probation; or housing relocation. Employee sanctions may include actions up to and including termination of employment.

Additional Available Resources

Other resources available to those involved in incidents of sexual misconduct or relationship violence include:

- http://www.cui.edu/studentlife/title-ix
- 24-Hour Sexual Assault Crisis Hotline— (949) 831—9110
- 24-Hour Domestic Violence Hotline— (800) 799—7233
- Victim advocacy—www.waymakersoc.org

Process Assurance for Complainant and Respondent

1. A prompt and equitable response to reports of Prohibited Conduct;
2. to receive supportive measures that may be reasonably available and necessary for protection and support;
3. information about how to access confidential resources on and off campus and other forms of support available through the University and in the community;
4. written notice of the alleged conduct, potential policy violations at issue, and details about the process;
5. an adequate, reliable, thorough and impartial process conducted by trained individuals free from conflict of interest and bias;
6. a process that includes the presumption that the respondent is not responsible for a policy violation unless and until a determination regarding responsibility is made at the conclusion of the process;
7. the opportunity for an advisor of choice who may attend all meetings and proceedings related to the report and/or complaint;
8. timely notice of any meeting at which the party's presence is required, with sufficient time to prepare for the meeting; agency and autonomy to decline to participate in an investigation or resolution under the policy, although the College may choose to continue the process even if the complainant and/or respondent does not participate;
9. to identify witnesses, submit suggested questions in writing during the investigation, and provide evidence during the investigation and resolution;
10. timely and equal access to any information that is used in the investigation and resolution;
11. prompt remedial action if Prohibited Conduct is determined to have occurred;
12. regular communication about the progress of the process and of the resolution;
13. timely written notice of the outcome, required remedies, and issued sanctions and rationale;
14. the opportunity to appeal the outcome (determination as to responsibility) and sanction.

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