



**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
Statistics Act Compliance
Campus Safety & Security Report
September 26, 2024**

Introduction

The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, also known as the Campus Safety and Security Report, are provided in compliance with the Crime Awareness and Campus Security Act of 1990. The report informs the campus community about important procedures, policies, crime prevention programs and campus crime statistics. On or before October 1 of every year, an email is sent to all students, faculty and staff advising them that the report can be accessed on the Thomas Jefferson School of Law (the School) website at <https://www.tjssl.edu/about/required-disclosures/>. Hard copies of the report are available at the Front Lobby Desk. Prospective students can find the information online, and prospective employees are afforded the same information at the time they obtain an application for employment.

Safety at Thomas Jefferson School of Law

The campus is not immune to crime. Becoming aware of potential dangers and taking preventative measures will protect you and assist us in keeping the School a safe and pleasant environment to pursue an education.

The administration makes continuous efforts to prevent crime on campus yet your help is needed as well. We firmly believe that a well-informed community is better served and, thus, safer. Please take the time to read this information.

Crime Prevention

It is well recognized that the prevention of crime provides the best measure of protection. Therefore, the School supports an active crime prevention program that works closely with the community to make a safer place to work, live and learn.

All incidents of criminal activity which pose a potential threat to the campus are immediately brought to the attention of the community. The building's security officers' as well as the campus security officers' assignment is to function in an "Observe and Report" position. They are unarmed and are not law enforcement officers. They will report all irregularities, violations

of rules, safety violations and hazards to the administration and to the San Diego Police Department when appropriate. They assist in the prevention of crime by patrolling the building, outside, and campus areas as a deterrent to crime.

Campus Safeguards

Campus security and personal safety are central issues at the School. Providing security to the campus community is a continuous process of reevaluating existing policies and practices so that they conform to the changing needs of the community. The campus itself is not open to members of the public. Students and employees need to display their identification badges to gain access to campus. All campus visitors are required to check-in before being permitted to move about the campus.

To supplement these efforts, the School's Emergency Response Team meets regularly to discuss emergency response situations and security procedures. It consistently evaluates existing practices and makes security recommendations to the building security team when necessary. The School also works closely with the San Diego Fire Department in an annual fire drill and evacuation of the premises.

Together with the administration, the Emergency Response Team strives to make the School a safe place to learn and work. The building utilizes a security system at the perimeter and interior entry areas. Additionally, there is video surveillance monitoring of the building entrances, the building lobby, and entrance to the adjacent parking garage, as well as along the exterior of the building to help maintain security.

Emergency Notification Procedures

Thomas Jefferson School of Law uses the e²Campus notification system to alert all students, faculty, and staff of an emergency on campus. Through the use of the e²Campus Emergency Notification System, those that have signed up will receive both text and email messages in the event of an emergency situation. Some examples of emergency notifications sent through e²Campus include building closure, electrical outages, fire, and hazards due to individuals with life threatening aggressive behavior.

In the event of an emergency, the School will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification in the professional judgment of the Dean and/or General Counsel would compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency. In most cases, the content of the notification will contain necessary information to alert all students, faculty, and staff as to what the emergency condition is and the recommended course of action.

The notification will be sent by either the Facilities Department or the IT Director, after consultation with the Dean or General Counsel.

In the case that emergency information needs to be disseminated to the larger San Diego community, the School will work in cooperation with the San Diego Police Department to ensure its delivery.

The e²Campus notification system is tested at the start of both the fall and spring academic terms by sending out a test notification to all users.

Evacuation Procedures

Notification to evacuate is conducted by the sounding of the fire alarm (horn strobes), school wide e-mail, and the e²Campus notification system. Staff and faculty volunteers will sweep assigned areas to ensure the evacuation of the impacted area of campus. In the event of fire, emergency exit stairs must be taken to the ground floor. Employees and students will exit by the quickest means to the ground floor and assemble outside the building. Those that exit from the west side of the building shall proceed south to C Street and congregate between 7th and 8th Avenue. Those that exit from east side of the building shall proceed north to the intersection of 8th Avenue and B Street, congregating on the northeast corner of the intersection.

Students and employees will be notified once the building is safe for occupancy.

Campus Facilities Access

As noted above, the campus is not generally open to members of the public. All students, staff and faculty members are issued identification cards. Identification cards must be displayed in order to access campus.

Keys and Access Fobs

Keys and access fobs are provided to individual employees on a need-to-enter basis as determined by the appropriate supervisor. Lost keys or access fobs must be reported immediately to the employee's supervisor and to the General Counsel. Keys and access fobs should never be loaned to other employees or students. Any keys which have not been specifically issued to a particular individual will be confiscated. Duplication of keys or release of access fobs to an unauthorized person without proper authorization is prohibited.

Crime Statistics

Campus crime, arrest and referral statistics include those reported to designated campus officials, advisors to student organizations, and local law enforcement agencies. To comply with the Act, the School collects crime statistics from local police agencies by providing the address of campus property controlled by the School and public property immediately adjacent to campus. All local police agencies, where the School property is located or is nearby, provide automated

statistics for the property and a radius around the property requested. These statistics may also include crimes that have occurred in private residences or businesses. The crime and arrest statistics are compiled by the Facilities Department with the assistance of the San Diego Police Department for crimes occurring on city thoroughfares, streets, sidewalks, and parking facilities within or immediately adjacent to the School.

Reporting Crimes and Requesting Police Assistance

The reporting of crimes is vital in achieving the goal of providing a safe working and learning environment for the campus community. All persons who are victims or witnesses of a crime should promptly report the occurrence to the building security. To report a crime, please call the security desk at 619-630-6618 or send an email to 701Bsecurity@aus.com. For emergencies, call 9-1-1 from any campus phone. Upon calling, please provide the following:

- Name, telephone number, and location.
- Describe the incident clearly and accurately.
- Do not hang up! Let the person providing assistance end the call. More information may be requested.

California law (§11160-11163.6 of the California Penal Code) requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners when they provide medical services to a person they know or are reasonably suspected of suffering from wounds inflicted by a firearm or is a result of an assault or other abusive conduct.

Reporting of such offenses by victims or witnesses may be done voluntarily. At times, sensitive situations may arise and School officials cooperate with individuals on a confidential basis to the extent permitted. Privileges of confidentiality in criminal matters that are referred for prosecution in a court of law may be subject to exposure. The School encourages prompt reporting of all crimes, potential criminal activities and other emergencies on campus either in person or by calling 9-1-1. The campus elevator is also equipped with an emergency button that can be used to summons assistance. The dispatcher should be advised that you are calling from Thomas Jefferson School of Law.

Incident Reporting

The San Diego Police Department has the primary jurisdiction and responsibility to investigate crimes and provide police services on campus. It is important that all crimes occurring on campus be immediately reported to the San Diego Police Department to ensure that appropriate action can be taken.

The School endorses a reporting policy that strongly encourages victims to report all incidents regardless of their nature. Any member of the Thomas Jefferson staff or faculty is available to

assist crime victims, including victims of sexual assault, in notifying law enforcement authorities. Crimes occurring off campus should be immediately reported to the law enforcement agency having proper jurisdiction.

Emergencies requiring police, fire or medical aid can be reported in person or by dialing 911.

Incidents involving sexual assault should then be reported to the Title IX Coordinator for proper posting and follow-up.

Law School Property

No School property may be removed from the campus without express written permission from the department supervisor or General Counsel. Unauthorized removal of School property from campus is a violation of the law and violators may be prosecuted.

Dating and Domestic Violence, Stalking and Sexual Assault

Thomas Jefferson School of Law is committed to providing an educational and work environment that is free of discrimination, retaliation, and harassment including sexual violence. Title IX of the Education Amendments of 1972 (Title IX), prohibits sex discrimination in educational programs and activities (including discrimination against sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity) and includes acts of sexual violence. This prohibition against sex discrimination extends to admission and employment, and applies to all education programs or activities, whether such programs or activities occur on-campus or off-campus.

In accordance with its obligations under the Title IX and California State Law, Thomas Jefferson School of Law prohibits sexual harassment and sex-based harassment, including gender identity, gender expression, or sexual orientation. Any of the following conduct on the basis of sex constitutes sexual or sex-based harassment and is a violation of this policy:

- A school employee, agent, or other person authorized by the school to provide an aid, benefit, or service under the school's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct (often called *quid pro quo* harassment);
- Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the education program or activity (i.e., creates a hostile environment); or
- Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined below).

Definition of Key Terms

For the purpose of this Policy, the School utilizes the following definitions:

Affirmative consent- affirmative, conscious, and voluntary agreement to engage in sexual activity by each person involved, which must be ongoing and can be revoked at any time. The existence of a dating relationship between the parties, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

It shall not be a valid excuse that the Respondent believed the Complainant consented to the sexual activity under either of the following circumstances:

- The Respondent's belief in affirmative consent arose from the intoxication or recklessness of the Respondent.
- The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

Additionally, it shall not be a valid excuse that the Respondent believed the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious.
- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
- The Complainant was unable to communicate due to a mental or physical condition. For purposes of this Policy, the age of consent is eighteen (18).

Complainant- a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination and who was participating or attempting to participate in an education program or activity at the time of the alleged sex discrimination

Complaint- an oral or written request that objectively can be understood as a request to investigate and make a determination about alleged misconduct

Dating violence- violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim

Domestic violence- crimes committed by a current or former spouse or intimate partner of the

victim or a person similarly situated to a spouse of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by any other person who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

Disciplinary sanctions- consequences imposed on a respondent following a determination that the respondent violated the prohibition on sex discrimination (including sexual harassment and sex-based harassment)

Party- a complainant or respondent

Relevant – that which is related to the allegations of sex discrimination (including sexual harassment and sex-based harassment) under investigation as part of the grievance procedures, including questions seeking evidence that may aid a decisionmaker in determining whether the alleged sex discrimination occurred

Remedies - measures provided, as appropriate, to a complainant or any other person identified as having had their equal access to the school's education program or activity limited or denied by sex discrimination (including sexual harassment and sex-based harassment). These measures are provided to restore or preserve that person's access to the education program or activity after a determination that sex discrimination occurred

Respondent- a person who is alleged to have violated the prohibition on sex discrimination (including sexual harassment and sex-based harassment)

Sexual Assault- an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation

Stalking- engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress

Pregnancy and Related Conditions

Thomas Jefferson School of Law prohibits discrimination against any student based on the student's current, potential, or past pregnancy or related conditions including pregnancy, childbirth, termination of pregnancy, lactation, medical conditions related thereto, or recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

It is the responsibility of the student, or an individual who has legal right to act on behalf of the student, to inform the Title IX Coordinator of the pregnancy or related conditions. Upon receiving such notification, the Title IX Coordinator will provide the student with the School's Notice of Non-discrimination and the student's rights under Title IX.

Reporting Title IX Violations

Individuals who believe they have been victims of sexual harassment, sex-based harassment, sex discrimination, assault, violence, or other sexual misconduct are encouraged to contact the local authorities and should notify the School's Title IX Coordinator:

Aparajita Bandyopadhyay
Director of Student Affairs & Title IX Coordinator
701 B Street, #110
San Diego, CA 92101
abandyopadhyay@tjssl.edu
619-961-4202

Such report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address listed for the Title IX Coordinator, above.

A report may also be made to the proper authorities in conjunction or separately from the complaint made to the Coordinator.

Supportive Measures

After the Title IX Coordinator receives a report of an alleged violation of this Policy, the Title IX Coordinator will promptly contact the alleged victim confidentially to discuss the availability of supportive measures. Supportive measures are individualized measures offered as appropriate, and reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to restore or preserve equal access to the School's education program or activity, protect student and employee safety, or provide support during the grievance process.

The range of supportive measures available to complainants and respondents may include counseling, extensions of deadlines or other course-related adjustments, increased security and monitoring of certain areas of campus, modifications of work or class schedules, mutual restrictions on contact between parties, training and education programs related to sex-based harassment, and leaves of absence. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Supportive measures will be made available to a complainant regardless of whether a formal complaint is made.

Making a Complaint

A complaint of sex discrimination, including complaints of sexual and sex-based harassment, requesting that the School investigate and make a determination about alleged discrimination under Title IX may be made by a complainant (as that term is defined above), a parent, guardian,

or other authorized legal representative with the legal right to act on behalf of a complainant, or the Title IX Coordinator. Complaints of sex discrimination, apart from those involving sex-based harassment, may also be brought by any student or employee or any person other than a student or employee who was participating or attempting to participate in an education program or activity at the time of the alleged sex discrimination.

Grievance Procedure

The School is committed to providing prompt and equitable resolution of complaints alleging a violation of this Policy made by students, employees, or other individuals who are participating or attempting to participate in the School's education program or activity. The School will treat complainants and respondents equitably.

The School's Grievance Procedure includes: (1) the Investigation; (2) Informal Resolution, when appropriate; (3) Questioning the parties and witnesses; (4) a Written Determination; and in some circumstances (5) an Appeal.

In order to ensure a fair and equitable process, the School will:

- Treat Complainants and Respondents equitably.
- Presume the Respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.
- Require an objective evaluation of all relevant evidence that is not otherwise impermissible—including both inculpatory and exculpatory evidence—and provide that credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- Ensure any individual who is designated by the School as a Title IX Coordinator, investigator, or decision-maker is adequately trained and free from bias and conflict of interest for or against complainants or respondents generally or an individual complainant or respondent.
- Take reasonable steps to protect the privacy rights of the parties and witnesses during its Grievance Procedure. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses, or consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in the Grievance Procedure.
- Not permit retaliation, including against witnesses.
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege under Federal or State law, unless the person holding such privilege has waived the privilege.
- Not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the School obtains that party's or witness's voluntary, written consent.
- Not seek evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to

prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent to the alleged conduct. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the Complainant's consent to the alleged misconduct or preclude determination that misconduct occurred.

The School has established the following timeframes for the Grievance Procedure:

- *Investigation*- will begin upon receipt of a complaint, and will be concluded within 21 calendar days after receiving the complaint, unless the School determines that additional time is required.
- *Informal Resolution* – if appropriate, an informal resolution will be offered within 14 calendar days after the completion of the investigation, unless the School determines that additional time is required.
- *Questioning* – if no informal resolution is reached, the Decisionmaker, who may be the same person as the Investigator, will question all parties and witnesses. Such process shall be completed within 30 calendar days of the determination that there will be no informal resolution, unless the School determines that additional time is required.
- *Written Determination* – the Decisionmaker will provide a written determination 14 calendar days after notification to the parties of the conclusion of the questioning of parties and witnesses, unless the School determines that additional time is required.
- *Appeal*, if requested—an appeal must be brought within 7 calendar days of delivery of the written determination or within 7 calendar days of the School dismissing a complaint. A decision on the appeal will be made 14 calendar days after all requested information is received, unless the School determines that additional time is required.

Although the School is committed to resolving the allegations promptly, it understands that a temporary delay of the Grievance Procedure or limited extension of time frames for good cause may be necessary. Good cause may include considerations such as the absence of a party or a party's advisor, absence of a witness, concurrent law enforcement activity or accommodation of disabilities. In such circumstances, the party requesting the delay or extension should provide written notice to the Title IX Coordinator detailing the reasons for their request. Reasonable extensions of time frames will be evaluated on a case-by-case basis with notice to the parties including the reason for the delay.

Investigation Process

Upon receipt of a complaint, the Title IX Coordinator will provide written notice to both the Complainant and Respondent of:

- The allegations of the policy violation, including sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), if known, the conduct allegedly constituting sex discrimination or sex-based harassment, and the date(s) and location(s) of the alleged incident(s).
- The Title IX Grievance Procedure and any informal resolution process, if applicable.
- Retaliation being prohibited.
- The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation(s) of misconduct.
- The presumption that that Respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the Grievance Procedure.
- The Complainant's and Respondent's right to have an advisor of their choice, who may be, but is not required to be, an attorney, accompany them to any meeting and participate in the Grievance Procedure. The School may establish restrictions regarding the extent to which the advisor may participate in the Grievance Procedure.
- The School's Student Code of Conduct prohibiting knowingly making false statements or knowingly submitting false information during the Grievance Procedure.

The Title IX Coordinator will then either personally investigate or oversee the Investigation Process of the complaint. The Investigation Process will be conducted in an adequate, reliable, impartial, and prompt manner, and will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The Investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance and will provide an equal opportunity to the Complainant and Respondent to access the evidence that is relevant to the allegations and not otherwise impermissible, or an accurate description of the evidence.

Each party will have an equal and reasonable opportunity to respond to the evidence or the accurate description of the evidence, and the School will take reasonable steps to prevent and address any parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures.

The Investigator will provide to any party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.

The burden remains on the School—not the parties—to conduct an investigation that gathers sufficient evidence to determine whether a policy violation has occurred.

The Investigation shall be completed within 21 calendar days and will result in an investigative report that fairly summarizes relevant evidence. The investigative report will be sent in electronic format or hard copy to each party.

Informal Resolution

Unless the allegation concerns conduct by an employee of the School, the parties may be permitted the option to participate in an informal resolution process. Details of this process will be provided to the parties if the Title IX Coordinator believes an informal resolution would address the reported behavior, prevent recurrence, and remedy effects without completing the investigation process. Informal resolution will only be considered in cases where the School receives the parties' voluntary, informed consent in writing. This consent may be withdrawn in favor of a return to the Grievance Procedure at any time before agreeing to a resolution.

Dismissal of Complaint

A complaint may be dismissed by the School in its sole discretion if:

- The School is unable to identify the Respondent after taking reasonable steps to do so.
- The conduct alleged, even if proved, would not constitute sex discrimination as defined above.
- Complainant voluntarily withdraws any or all of the allegations in the complaint in writing, the Title IX Coordinator declines to initiate a complaint, and the School determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination as defined above.
- Respondent is not participating in the School's education program or activity and is not employed by the School.

Upon dismissal, the School will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then the School will also notify the Respondent of the dismissal and the basis for the dismissal. Both parties will be offered supportive measures, as appropriate, and the School will take any other prompt and effective steps deemed necessary to ensure that sex discrimination does not continue or recur within its education program or activity.

Questioning Parties and Witnesses

If an informal resolution is not reached or is not warranted by the circumstances, within 30 days after the conclusion of the investigation, the Decisionmaker will meet with and question the parties and witnesses. This process will enable the Decisionmaker to adequately assess a party's

or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more of the allegations of misconduct.

Each party will be permitted to propose questions they want asked of any party or witness and have those questions asked by the Decisionmaker during one or more individual meetings, including follow-up meetings, with a party or witness, subject to the procedures for evaluating and limiting questions.

The Decisionmaker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are repetitive, irrelevant, or harassing of the party or witness being questioned will not be permitted. The Decisionmaker will give a party an opportunity to clarify or revise a question that the Decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Each party will be given an audio or audiovisual recording or transcript of the questioning with enough time for the party to have a reasonable opportunity to propose follow-up questions.

The Decisionmaker may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Decisionmaker will not draw an inference about whether misconduct occurred based solely on a party's or witness's refusal to respond to such questions.

Written Determination

Following the Questioning and evaluation of all relevant and not otherwise impermissible evidence, the Decisionmaker will use the preponderance of the evidence standard of proof to determine whether a policy violation occurred. The preponderance of the evidence standard is met if the Decisionmaker determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision. This standard of proof requires the Decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Decisionmaker is not persuaded under the applicable standard by the evidence that misconduct occurred, whatever the quantity of the evidence is, the Decisionmaker will not determine that such alleged misconduct occurred.

The Decisionmaker will issue a written notification to the parties simultaneously regarding a determination of responsibility including:

- A determination of whether a violation of the School's Title IX Policy occurred, including a description of the alleged misconduct, information about the policies and procedures that the School used to evaluate the allegations, and the Decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination of whether misconduct occurred.
- If the Decisionmaker finds that misconduct occurred, any disciplinary sanctions the

School will impose on the Respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the School to the Complainant, and, to the extent appropriate, other students identified by the School to be experiencing the effects of the misconduct.

- The School's procedures and permissible bases for an appeal.

The School will comply with the Title IX Grievance Procedure before the imposition of any disciplinary sanctions against a respondent and will not impose discipline on a respondent unless there is a determination at the conclusion of the Grievance Procedure that the Respondent engaged in misconduct.

If there is a determination that a policy violation occurred, the Title IX Coordinator will, as appropriate:

- Coordinate the provision and implementation of remedies to a complainant and other people the School identifies as having had equal access to the School's education program or activity limited or denied by sex discrimination;
- Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the School's education program or activity.

A party, witness, or others participating in the Title IX Grievance Procedure will not be disciplined for making a false statement or for engaging in consensual sexual conduct based solely on the determination that misconduct occurred.

The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

Remedies and Disciplinary Sanctions

If Respondent is found responsible for the alleged conduct violation, possible remedies the School may provide Complainant include:

- Permanent no contact order while both students are enrolled.
- Continuing supportive measures as deemed necessary to ensure equal access to education.

Possible disciplinary sanctions the School may impose on Respondent include:

- A written reprimand and/or warning, one copy to be sent to the student and one copy to be made a permanent part of the student's file, available for inspection only by request from an admitting authority, e.g., the California Committee of Bar Examiners, or by a

- lawful court process.
- Formal administrative probation and permanent notation on the student’s transcript of an “administrative probation.”
- Suspension from classes and other Thomas Jefferson School of Law privileges for one or more semesters.
- Administrative dismissal.

Appeal Process

Within 7 calendar days of delivery of the written determination of responsibility, or within 7 calendar days of the School dismissing a complaint, either party may file an appeal with the Dean of the School. The Appeal must be in writing and must include a detailed explanation of one of the following bases for the appeal:

- Procedural irregularity that would change the outcome.
- New evidence that would change the outcome and that was not reasonably available at the time the determination or dismissal was made.
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual parties in the matter that would change the outcome.

Once an appeal is received, the School will:

- Notify the parties, including notice of the allegations.
- Implement the appeal process equally for the parties.
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint.
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations.
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome or dismissal.

All such appeals will be resolved within 14 calendar days of receiving all requested information, unless the School determines additional time is required. The parties will be notified of the result and the rationale for the result.

Protection Against Retaliation

The School prohibits retaliation against anyone for making a Title IX complaint. This includes acts of intimidation, threats, coercion or discrimination against an individual for the purpose of interfering with their Title IX rights or because the individual filed a complaint, testified, participated, or refused to participate in a Title IX proceeding. No employee or student is exempt from this policy.

The School will do its best to keep the identity of complainants, respondents, and witnesses confidential except as permitted by FERPA, as required by law, or as necessary to carry out the Title IX proceeding. Any complaints alleging retaliation may be filed with the Title IX Coordinator and will be promptly addressed.

Amnesty

Because Thomas Jefferson School of Law strongly encourages the reporting of any sexual misconduct, a complainant or witness will not be held accountable for violations of any law school alcohol or drug policies that may have occurred at the time of, or as a result of the incident, provided that these violations did not endanger others or violate the Student Code of Conduct.

Prevention and Awareness Programs

Thomas Jefferson School of Law faculty and staff are provided timely, in-person training on sexual harassment, Title IX, Clery Act, and VAWA, when they become employed at the School and in regular biennial intervals thereafter. All students are required to participate in an interactive, in-person training which covers Title IX, VAWA, and the Clery Act, and details awareness and prevention of sexual harassment and sexual misconduct.

Bystander Intervention

There may be situations where an individual or group acts to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Safe and positive options for bystander intervention include but are not limited to: refusing to participate in gossip or rumors, speaking up or taking a stand against a harasser, identifying people you can trust to seek help, and creating a distraction to draw the abuser away.

Megan's Law

California's Megan's Law requires that certain information about sex offenders be made available upon request to members of the public, so that the public is better prepared to protect themselves and their children. However, the City of San Diego has also developed a map that indicates the general whereabouts of residences of "high risk" or "serious" sex offenders. All members of the campus community can find information on-line concerning registered sex offenders who may be present on campus at <http://www.meganslaw.ca.gov/> or by visiting the San Diego Police Department at 1401 Broadway or by calling (619) 531-2325.

Substance Abuse Policy

Thomas Jefferson School of Law is committed to maintaining the best possible educational and work environment. In order for the School to maintain its high quality education, research and community service, it is essential that each member of the law school community be able to perform to the best of his or her ability. Alcohol and drug abuse in the academic community is detrimental to the maintenance of an effective academic program. Such abuse is also detrimental to the health and safety of our students, faculty, staff and visitors to our campus.

The School is committed to preventing any illegal activity from occurring on its premises. Additionally, the School is a recipient of federal funds and subject to the Drug-free Schools and Communities Act Amendments of 1989 (Public Law 101-26), which requires the School to certify to the Department of Education that it has adopted and implemented a program to prevent the abuse of alcohol and the illicit use of drugs by students and employees.

The abuse of alcohol and drugs is not consistent with the educational aims and goals of the School, and in addition, offers substantial health risks, leading at times to long-term physical and psychological damage, birth defects, and reduction of the ability to perform tasks requiring coordination and concentration. Substance abuse may also lead to criminal sanctions including driver's license revocation, fines, forfeiture of property, imprisonment and suspension from eligibility for federal benefits, including student loans. Law students may be denied admission to practice because of a history of drug or alcohol abuse, or conviction of a crime. For specific information, see Article 2, Offenses Involving Alcohol and Drugs in the California Vehicle Code, the California Uniform Controlled Substance Act, and the Controlled Substances Act and the Anti-Drug Abuse Amendments of 1988 in Title 21 of the United States Code.

It is the policy of the School to maintain a drug-free workplace and educational environment. The use of alcohol on campus is prohibited unless an exception has been granted for a school-sponsored event. The unlawful manufacture, distribution, dispensation, possession, sale, offer to sell, purchase and/or use of controlled substances on campus or at School sponsored functions is prohibited. In addition, the use of controlled substances or the abuse of alcohol off-campus is prohibited if such use and/or abuse adversely affect the user's ability to perform safely and efficiently while on campus. No member of the law school community is permitted to be on campus while under the influence of alcohol or any controlled substance, nor abuse alcohol at any law school sponsored function. Law school sponsored functions include all student organization activities.

Sanctions

Infractions of this policy will be regarded as a basis for disciplinary action, up to and including exclusion from the School, whether the offender is a student or an employee. However, the School recognizes that alcoholism and other substance dependencies are highly complex illnesses, which under many circumstances can be successfully treated. If said infraction of the

policy is the result of a substance dependency, the School may require the offender to seek treatment and rehabilitation as a condition of retention in the law school community. The School's emphasis is on rehabilitation, if possible, as a preferable alternative to exclusion.

Inspections

The School retains the right to search and inspect all School-maintained property and premises, including common areas used by students, to detect the presence of drugs, controlled substances or alcohol. School-maintained property includes, but is not limited to offices, machinery, equipment, and furniture. Additionally, if there is any reasonable cause or suspicion to believe that a member of the School community has illegal or prohibited substances in their possession, they may be asked to empty the contents of clothing, pockets, purses, desks, or other containers. As a term and condition of continued enrollment, every student is expected and required to fully cooperate with any search being conducted to detect the presence of drugs or alcohol on campus. Refusal to allow such a search or to relinquish suspected material will be taken into account in making any disciplinary decision.

Rehabilitation

The School encourages persons who recognize that they have a substance or chemical dependency problem to seek appropriate professional help. While the School does not maintain a program for the treatment and rehabilitation of persons suffering from substance dependence, it can and may refer persons suffering from substance dependency to local programs for treatment and rehabilitation. Some programs are free and some charge for their services. Employees of the School may be able to obtain treatment under their medical insurance. The School will attempt to reasonably accommodate members of the School community who seek treatment and rehabilitation. In some instances, the School may require a person to seek treatment and rehabilitation as a condition of retention or re-admittance to the School community.

Fire Safety

Fire Drills

Thomas Jefferson School of Law conducts an annual campus fire drill. The purpose of the drill is to instill in the minds of the occupants the correct procedures necessary to ensure the safety of life and the joint testing of the building emergency equipment and staff duties.

A typical drill starts with the reporting of a "FIRE" and the sound of the fire alarm. Observers (Staff or Faculty) will be stationed at strategic locations throughout the drill to observe the actions of personnel and students.

Observations are made for:

1. Hearing the alarm & Public Announcement System
2. Blocked Fire Extinguishers

3. Blocked Exits & Hallways
4. Debris in Stairwell
5. Doors propped open
6. Office doors not closed
7. Duties not understood or carried out
8. Procedures for the Physically Impaired
9. Response and Participation of all occupants

Timing of when the alarm is first heard to last occupant evacuated from the floor should be made to assist in evaluating problem areas in regard to movement of people.

Each floor has been assigned a Response Team which includes the following positions and responsibilities. At a minimum, each floor will be assigned a Floor Warden and Group Leader.

Floor Warden: Responsible for overseeing occupant instruction, supervising and ensuring safe and complete evacuation during a fire, other emergency or fire drill; also coordinates the Response Team and reports to the Facilities Department. Floor Wardens are also responsible for searching the floor area for occupants unaware of the emergency such as restrooms, supply storage rooms or employees in need of assistance.

Group Leader: Responsible to direct all occupants to a safe stairwell and lead occupants to the designated Safe Refuge Area. Group Leaders are also responsible to direct occupants and visitors away from elevators and to the emergency exits.

Stairwell/Elevator Monitor: Responsible for making sure occupants do not enter elevator lobbies or use elevators for evacuation. Also responsible for checking safety of respective emergency exits by feeling the emergency exit door to ensure door is not hot and for leading floor occupants to Safe Refuge Areas.

Assistance Monitors: Two (2) employees responsible to assist person(s) with physical impairments in times of emergency.

Fire Procedures

1. Safety of life is the first priority. Remove anyone in the area from immediate danger. Confine the fire by closing as many doors as possible as you leave the area.
2. Notification: Call the fire department at **9-1-1**. If you encounter problems with the 911 system, dial **619-533-4300**.

Do not hang up until the emergency operator hangs up.

3. When it is safe to do so, notify Security at **619-961-4399**.
4. Fighting the fire is an option only if you are trained, you have someone with you, it is safe to do so, and if it does not interfere with the performance of your emergency duties.
5. Direct all occupants to safe stairwell to begin evacuation procedures:
 - a. Move quickly, but DO NOT RUN.
 - b. DO NOT USE ELEVATORS.
 - c. Exit to the safest designated stairwell and DO NOT carry food and/or beverages into the stairwell as they may spill and cause a slip and fall hazard.
 - d. Remove unsafe footwear (e.g., high heels) to prevent injuries (carry them with you).
 - e. Use handrails.
 - f. Allow room for others to enter into an orderly flow of traffic without holding up others.
 - g. Gain assistance for those who are slower moving.
 - h. Treat any injuries incurred in the stairwell at the nearest landing when required and safe.
 - i. Dispel any false information or rumors (to prevent panic).
6. Evacuate adjoining areas and begin any assigned duties.

If Trapped In an Office or Other Area:

- Wedge material along the bottom of the door to keep smoke out.
- Close as many doors as possible between you and the fire.
- Call the fire department and notify them of your situation.
- Break windows only as a last resort. Smoke may enter the room and it will be impossible to stop it.
- If unable to perform your assigned duties, notify other staff members.