



# 2022 Annual Security Report

In compliance with the Jeanne Clery Disclosure  
of Campus Security Policy and Campus Crime Statistics Act  
(Crime Statistics 2019-2021)

For  
Campuses Located in  
Henderson, NV  
Summerlin, NV  
South Jordan, UT

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# Letter to Campus Community

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Dear Roseman University (RU) Community:

The Office of the Vice-President for Operations is responsible for ensuring the safety and security of the RU Community from all hazards, including crime. As a unit of the University, Facilities Management has the primary responsibility for providing security services for Roseman. The Annual Security Report is prepared by the Facilities Management office with assistance from security, local police departments, and designated Campus Security Authorities. (CSA) Crime statistics are pulled from local law enforcement data, as well as reports made to members of facilities, security, or CSAs.

This guide will provide you with information on safety and security at each of our Roseman campuses: Henderson, NV, Summerlin, NV and South Jordan, UT. Inside you will find policies and procedures for reporting crime, safety and security prevention and protection programs, victim assistance services, and other safety and security information to assist you in maintaining your safety and security. All policy statements included in the Annual Security Report pertain to all our campuses unless otherwise stated. Campus crime statistics are listed for your review and information. I encourage you to read this information and consider how it can help you prevent and protect yourself and the Roseman community against crime. If you have any questions or comments regarding this information contained in this booklet, please feel free to contact Facilities Management. Please note that because Roseman University does not have any on-campus housing facilities, we are not required to comply with the Fire Safety and Missing Student provisions of the Higher Education Opportunity Act.

Whether you have worked at Roseman for many years or you are new to our community, we hope that you take the time to read our Annual Security Report. This document will assist you in attaining the knowledge necessary to develop and maintain a sense of situational awareness. Our goal is to educate you and the rest of the community by sharing information on crime and safety. Our students, faculty, and staff come from across the United States and many different countries around the world. Expectations on crime and safety can vary widely; by reading this report, you will gain a better understanding of our community. Overall, our campuses are located in safe areas, but we need your support and active participation to suppress crime effectively. The staff at Roseman ask that you help us in our mission by assisting with the following:

- Lock your offices when you leave.
- Secure valuables when they will be out of your sight.
- Be cautious of those you have just met.
- Call in suspicious behavior as soon as possible:

Henderson Campus	702-968-2025
South Jordan Campus	801-878-1025
Summerlin Campus	702-968-2025

- When going out at night, travel with friends, there is safety in numbers.
- Do not leave friends behind when you leave a party or a nightclub.
- Access card readers protect many doors on campus. Do not hold doors open for strangers. Do not let other people into protected areas. Please be familiar with the University Badge Policy located at <http://www.roseman.edu/wp-content/uploads/2018/05/Access-Badge-Policy.pdf>  
Guests & visitors should check in at the front receptionist desk to get the appropriate visitor's badge.
- Do not hesitate to approach Facilities Management personnel or our security Officers with safety concerns.

Thank you for your support. Together we can build a safe environment and sense of community if we work together.

***Together we can make a difference.***

# About Roseman University of Health Sciences

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Roseman University of Health Sciences was originally established as Nevada College of Pharmacy in 1999. Roseman University of Health Sciences began with the idea from founder Dr. Harry Rosenberg that pharmacy education should and could be better, more effective, and capable of producing highly competent graduates, who would be sought after by employers regardless of the job market. His belief in this idea was so strong that he moved from California to Nevada in August 1999 rented a 900 square foot office in Henderson to begin the Nevada College of Pharmacy (NCP), which would become one of the most innovative, creative, and cost-effective Colleges of Pharmacy in the nation.

Almost immediately, the NCP began a rapid phase of growth when its reputation for quality education started. The inaugural class of 38 students entered the Nevada College of Pharmacy in January 2001. As expansion continued, the university was then named University of Southern Nevada.

In 2006, the University expanded its programs to a brand-new campus in South Jordan, Utah. Early in 2011, the Board of Trustees approved to change the University's name to Roseman University of Health Sciences, effective July 1, 2011. Today, Roseman has four colleges (Pharmacy, Nursing, Dental Medicine, and MBA), and close to 1,200 students. As Roseman continues to grow, it remains true to the vision and ideals of Dr. Rosenberg by providing the highest quality education with innovative and effective instruction and graduating competent professionals in healthcare and business fields. The University's campuses are located in safe areas, but no campus is free from crime whether is located in an urban, suburban, or rural environment. All members of the University Community, therefore, should take reasonable precautions. Roseman is committed to working with all members of the community to make our campuses safe and secure environments. The University has developed a series of policies and procedures to assist with these efforts.

The following information has been prepared to increase your awareness of the Current programs that are available to assist you in protecting your safety and well-being. Portions are also provided in compliance with federal law, specifically the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act (HEOA). Roseman has been fortunate in experiencing few serious crimes, but such incidents could occur, and all crime is serious to the victim. Students, faculty, and staff are responsible for adopting measures to protect themselves and their possessions.

The information contained in this report pertains to all campuses unless otherwise stated. Crime statistics are separated by campus.

# Crime Statistics

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## Statement Addressing Preparation of Disclosure of Annual Crime Statistics

Campus crime, arrest and referral statistics include those reported to Facilities Management Unit, the Office of Student Services and other Campus Security Authorities (as defined by the Clery Act), Henderson Police Department, South Jordan Police Department and Las Vegas Metropolitan Police Department. Crime statistics are gathered for buildings and property within the core campus that are owned or controlled by the university and used for educational and institutional purposes. Other geography included for crime statistics purposes include areas on public property within or immediately adjacent to the campus boundaries, and in buildings outside the core campus that are owned or controlled by Roseman University, used for educational purposes and are frequently used by students.

All the statistics are gathered, compiled, and reported to the University community via this report. The statistics are gathered throughout the calendar year by Facilities Management, Security, and our Campus Security Authorities. Statistics are tracked and saved on a shared universal computer drive; which multiple people in Facilities Management has access to. The Clery Compliance Manager completes the Daily Crime Log, and Annual Security Report using this data. The Clery Compliance Manager then submits the annual crime statistics published in this document to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

By October 1st of each year, an e-mail notification is made to all enrolled students, faculty and staff that provides the website address for accessing crime statistics and information regarding how interested persons can request a printed copy. Roseman University's most current Annual Security and Safety Report is posted on the university's website safety page at

<http://www.roseman.edu/about-roseman-university/roseman-university-security/>

Additionally, information about the Annual Security Report is made available to all applicants who apply for a position on all our campus, as well as current employees. This information is readily available on our applicant system.

<https://www.roseman.edu/university-faculty-staff/university-human-resources/>

# Clery Act Requirements

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## What is the Clery Act?

Signed into law in 1990, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All post-secondary public and private institutions participating in federal student aid programs must adhere to these regulations. The Clery Act was championed by Howard & Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986.

To ensure compliance with the Clery Act, Roseman University must meet certain obligations required by federal law. They include: (1) policy disclosure; (2) records collection and retention; and (3) information dissemination.

- Policy Disclosure — Roseman University must provide the campus community and the public with arcuate statements of Current policies and practices regarding procedures for students and others to report criminal actions or other emergencies on campus, security of and access to campus facilities, and campus law enforcement.
- Records Collection and Retention — Roseman University is required to keep records of crimes reported on campus to Campus Security Authorities (CSAs), make a reasonable good faith effort to obtain certain crime statistics from appropriate law enforcement agencies to include in the annual security report, and keep a daily crime log open for public inspection.
- Information Dissemination — To provide members of the campus community with information needed to make informed personal safety decisions, Roseman University must provide:
  - 1) A “timely warning” of any Clery Act crime that represents an ongoing threat to the safety of students and employees;
  - 2) Develop and maintain a log of all crimes reported to the Roseman Facilities Management Unit, ensure public access to the crime log during normal business hours, and;
  - 3) Publish an annual security report, make the report available to all current students and employees, and ensure the annual security report is made available to prospective students and employees.

# Overview of Roseman Security

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## Security Service and Hours

For your protection, our campus is protected by a professional security service. Security Officers are on-site at all our campuses 24 hours a day and include full time Officers and roving patrols. Additional security is provided for certain special events and at off-site events such as graduations.

Roseman University Clery boundaries consist of our physical campuses, parking lots, and the public areas, like roads, that surround our properties. The Clery geographical area covers the Henderson, NV campus, the Summerlin, NV campus, and the South Jordan, UT campus. Our Summerlin campus was not included in our Clery geographical area before 2019 because; 1) It is a separate campus location that had no program of study being offered and 2) It was not frequented by students. We began collecting crime statistics for the Summerlin Campus in January, 2019, due to an elective student course and student laboratory research being held on campus.

## Security Officers

Roseman University of Health Sciences contracts with outside professional security companies for guard services. This service is provided on a 24-hour basis with slight variances during holidays. Additionally, there are drive-by security units that check both campuses several times per evening, weekends, and holidays. Security officers are given written instructions on security policies, procedures, and any special event that may be occurring. The patrol jurisdiction of security officers is limited to any buildings or properties owned or controlled by Roseman University. Security officers are not sworn officers, but they are responsible for enforcing university policies, and those policies include enforcing violations of the law. Security Officers document violations of university policy/law and contact local law enforcement agencies to report observed violations of federal laws and state laws.

When an actual or suspected crime occurs, on campus property, including the parking lot, students/employees should report the incident to the Facilities Management Unit; or, if after hours, to the security guard on duty. If a situation develops in which the student fears for his/her safety, he/she should immediately call 911 (9-911 from a university phone). Students are encouraged to walk in groups when leaving campus after dark. Concerns regarding campus security should be directed to the University Facility Management Unit. When university sanctioned events occur on the weekends or after regular business hours, a security guard is present for the duration of the activity.

Facilities Management is responsible for the administration of the security service. Although our officers do not have the authority to make an arrest, they are authorized to restrain them until the police arrive on the scene.

The University libraries are open late for the convenience of our students. The University provides two-way communication radios to the security officers and library staff. This allows our library staff and security officers to communicate rapidly in any emergency that may arise.

## Statement of Officer Training

Roseman and our contracted security companies recognize the fact that training is a vital determinant to ensure the effective job performance.

All new security officers complete a security officer basic training course. The following is an outline of the training each officer is provided:

### **On the Job Training for officers at Roseman University**

- Post Orders (a copy of RU post procedures provided to each guard)
- The importance of company's policies and procedures
- (RU) Equipment used to patrol
- Fire Systems Alarm Systems
- Protecting the Customer's assets
- Patrolling technique and avoiding patterns (Observation)
- Patrolling with Officers, tour systems, using the uniform as a deterrent
- Locating Safety Hazards
- Inside Patrol versus Outside Patrol Parking Lot and Parking Rules
- Access Control
- Locking and unlocking procedures
- Fire Hazards

### **Contract Security Training provided by vendor agency for all officers**

- How to handle emergencies
- How to spot safety hazards
- How to report incidents and situations and when to make a report
- What a deterrent is and how to use it to their best advantage
- Basic law of arrest
- Bomb threats

## **Statement Addressing Interagency Relationships with Local and State Law Enforcement**

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Roseman University maintains a close working relationship with Henderson Police Department, Las Vegas Metropolitan Police Department, and South Jordan Police Department, along with the Nevada and Utah State Police agencies. Crimes requiring investigations are reported to these agencies. The University does not have a memorandum of understanding with any state or local police pertaining to investigation of criminal incidents or any other topics.

## **How to Report a Crime or Emergency on Campus**

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### **General Procedures for Reporting a Crime or Emergency**

Community members, students, faculty, staff, and guests are encouraged to accurately and promptly report all crime and public safety-related incidents to Facilities Management, the guard on duty, or Campus Security Authority. Promptly report all crime to appropriate police agencies, including when the victim of crime elects to or is unable to make such a report.

<http://www.roseman.edu/about-roseman-university/roseman-university-security>

This publication focuses on the Facilities Management Unit and Officers on duty, because they are mainly responsible for activities on our campuses. It will be determined, by appropriate individuals, whether the local authorities should be contacted unless the incident is indeed an emergency, in which case 911 should be called (9- 911 from university phones). It is critical for the safety of our campus community that you immediately report all incidents to the Clery Compliance Manager, Facilities Management, Campus Security Authorities, or Campus Security Officers so the report can be investigated, the

statistics can be captured, and determine if follow-up actions are required, including issuing a Timely Warning or Emergency Notification.

To report a crime or other emergency on the **Henderson Campus**, call extension 2025. If calling from outside the University phone system (702) 968-2025. In an emergency, dial 9-911. To report a crime or other emergency on the **South Jordan Campus**, call extension 1025. If calling from outside the University phone system (801) 878-1025. In an emergency, dial 9-911. To report a crime or other emergency on the **Summerlin Campus**, call extension 2025. If calling from outside the University phone system (702) 968-2025. In an emergency, dial 9-911. The Roseman Now App can be used to report a tip.

In response to these reports, all incident reports are forwarded to the office of the Vice President for Operations for review and referral to the appropriate Dean and/or designee for potential action as appropriate.

Crime is reported via Incident Reports and to the local police department if necessary. Any crime that could have an effect on the campus population will be reported via an “Timely Warning” to all of the campus community. See the Timely Warnings section for more information Alerts.

Roseman retains daily logs of any crime that occurred within the patrol jurisdiction of the contracted security company designated by the University. The Daily Crime Log is available for public review from 8 a.m. – 5 p.m. Monday through Friday excluding holidays at the receptionist desk at each campus’ main building:

**Henderson Campus:** 11 Sunset Way, Henderson, NV 89014

**South Jordan Campus:** 10920 River Front Parkway, South Jordan, UT 84095

**Summerlin Campus:** 1 Breakthrough Way, Las Vegas, NV 89135

## Voluntary Confidential Reporting

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Roseman University does not have a procedure that allows victims or witnesses to report crimes on a voluntary basis for inclusion in the annual disclosure of crime statistics.

### Statement Encouraging Accurate and Prompt Crime Reporting

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to Facilities Management in a timely and accurate manner.

Crimes reported to Facilities will be reviewed for potential inclusion within the annual crime statistics (if they occurred within the university’s defined Clery Geography) and will be used to assess whether a Timely Warning is warranted.

### Statement Addressing Counselors and Confidential Crime Reporting

Roseman University of Health Sciences does not have a procedure for voluntary confidential reporting. Furthermore, the University does not employ pastoral or professional counselors and therefore has no procedure to encourage such counselors.

University policy encourages such individuals to, when appropriate, report crimes without providing personally identifiable information so that they may be included in the annual disclosure of crime statistics.

# Timely Warnings

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## Statement Addressing Issuing Timely Warnings

Timely Warnings Notices shall be distributed to ALL students and employees in the event that a Clery Act crime is reported that is determined to pose a serious or continuing threat to the University community, and has occurred on or within the Roseman Clery Geography as described below. A timely warning will be distributed as soon as pertinent information is available, in a manner that withholds the names of the victims as confidential, and with the intention of trying to aid in the prevention of similar occurrences.

Timely Warnings will typically be issued when the following three conditions are met.

First, if any of the following statutorily designated crimes are reported to Facilities Management.

- Murder, non-negligent manslaughter, and manslaughter by negligence
- Sex Offenses – (Rape, fondling, incest, statutory rape) (Sex offenses are considered on a case-by-case basis depending on the facts of the case, when the incident occurred versus when it was reported, and the amount of information known by Facilities Management).
- Robbery involving force or violence
- Aggravated assault (Cases of aggravated assault are considered on a case-by-case basis, depending on the facts of the case and the information known by the Facilities Management Unit. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other Roseman University community members and a Timely Warning would not be distributed.)
- Burglary (Timely Warnings will not typically be issued for single cases. A Timely Warning may be distributed if a pattern of incidents poses an ongoing threat.)
- Motor Vehicle Theft (Timely Warnings will not typically be issued for single cases. A Timely Warning may be distributed if a pattern of incidents poses an ongoing threat.)
- Major incidents of arson
- Hate crimes (Any of the above offenses and incidents that were motivated by the offender's bias).
- Other Clery crimes as determined necessary by the Clery Compliance Office.

Second, such reported crimes must have occurred at the following locations: on campus, on public property within or immediately adjacent to the campus boundaries, and in Non-campus buildings outside the core campus that are owned or controlled by Roseman University and used for educational purposes and are frequently used by students.

And third, such reported crimes present a serious or continuing threat to university students, faculty and staff.

On a case-by case basis, the Campus Emergency Management Team or an individual on the Team, will determine if a timely warning should be issued. The Emergency Management Team members who are involved with timely warnings consist of the following; the University President, the Vice President for Operations, the Vice President for Communications, Marketing Director of the South Jordan Campus, Director of Facilities, Director of Operations and the Administrative Assistant of Facilities Management (who serves as the Clery Compliance Manager). The individuals above have the authority to develop the content of the warning, and will, in consultation with each other (when time permits) develop the content and disseminate the warning to the campus community. The notifications will be sent by the Vice President of Communications, the Marketing Director, or the Clery Compliance Manager per the Notification Process.

The decision will be based on a variety of factors to include whether the incident poses a serious or continuing threat to the university community; if the threat has been mitigated by apprehending the suspect, timeliness of the reported crime to Facilities Management Unit, and whether students, or university employees are at risk of becoming future victims of a similar crime.



The Facilities Management Unit will work with University Communications in the development and dissemination of the Timely Warning/Safety Advisory. Timely Warnings/Safety Advisories will generally be disseminated via email, text messages and phone calls to cell phones to the campus community. These notifications will also be posted on our Emergency Information Page on our website <http://www.roseman.edu/about-roseman-university/roseman-university-security/roseman-university-emergency-information> (Roseman University's Emergency Information Webpage. You may wish to save the URL for easy referencing in the event of an emergency impacting Roseman University's Henderson, Summerlin or South Jordan campuses.) During an emergency, information on this page will be updated regularly to keep students, faculty, staff, and family members informed with accurate and current information. Additionally, messages will be sent out via the Roseman University Emergency Notification System, powered by AppArmor.

To modify your notification preferences for Roseman Universities emergency notification system please visit the following URL:

<https://roseman.safety.info/Subscribers/>

A Timely Warning will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (i.e., crime prevention or safety tips)
- Suspect description(s) when deemed appropriate and if there is sufficient detail (see Emergency Notifications below)
- Police contact information
- Other information as deemed appropriate by the Clery Compliance Office

## Emergency Response, Notifications and Evacuations Procedures

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### Emergency Notifications

The University will initiate and provide immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors. The University 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 will, in the professional judgment of responsible authorities, comprise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University Clery Compliance team, in conjunction with other University administrators, local first responders and/or the National Weather Service, are responsible for confirming emergencies that may warrant the distribution of an immediate notification to the University community. The decision to send out an emergency notification is situational (i.e. snow day notification is made by Facilities Management based on National Weather alerts). The decision is made by considering all available facts, including whether the crime or event is considered to be a serious or continuing threat to students or employees.

Immediate notification for incidents that may pose an immediate threat to health and safety will be made, without delay, unless issuing a notification will, in the professional judgment of responsible authorities and taking into account the safety of

the University community, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University Clery Compliance Office will determine if an immediate notification should be issued. Office members have the authority to develop the content of the immediate notification, and will, in consultation with each other (when time permits) develop the content and disseminate the warning to the campus community using some of all of the below listed systems.

If the emergency is limited to a particular segment or segments of a Roseman campus, the Committee Member who is initiating the notification will determine segment or segments will be issued an immediate notification. The campus Chancellor, Facilities Management, and the Director of Marketing will send out all notifications.

Notification will be made by using some or all of the following methods depending on the type of emergency: Roseman Notification System (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person communication. The Marketing and Communications Office will be responsible for any communication with outside sources; i.e. media, webpage, social media, etc.

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community and will direct them to where they can receive additional information. Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the University website and/or social media. The Marketing and Communications Office will determine whether to contact the media and larger community and will disseminate the information.

If any these systems fail or the university deems it appropriate, in person communication may be used to communicate an emergency.

## Emergency (Immediate) Notification

Roseman University will immediately distribute emergency notifications to the campus community upon confirmation of a significant emergency or dangerous situation on or near campus involving an immediate threat to the health or safety of students or staff. Examples of emergencies that would warrant such a notification include but are not limited to: an active shooter on campus, hostage/barricade situation, a riot, bomb threat, a tornado, a fire/explosion, suspicious death, structural damage to a University-owned or controlled facility, biological threat (anthrax, etc.), significant flooding, a gas leak, or a significant hazardous materials release.

Roseman University Emergency Notification System:

- The Vice President for Communications (or their designee) will prepare a list of brief message templates that identify possible emergency incidents and provide instructions detailing the intended response. This list will be reviewed annually by the Administrative Council and updated whenever any change is made to the Roseman University Emergency Operations Plan.
- The Clery Compliance Manager and Facilities Management will always have easy access to these messages.
- If the need to activate the Roseman University emergency notification system arises, the VP for Communications will identify the appropriate message and direct that the alert be sent.

#### University Website:

- In the event of an emergency incident, the Vice President for Communications (or their designee) will place a conspicuous alert on the University's home page and all appropriate social media.
- This alert will contain a hyperlink to an information log.
- The first alert message will be the same message as provided through the campus emergency notification system.
- As information is updated, the hyperlinked log will reflect all new updates with a time and date stamp.
- Each alert will provide all current information relating to the incident, instructions for any required response, and, when possible, the time when the next update will occur.
- The alert log will provide the following information for media outlets:
  - Name and contact number of the media spokesperson.
  - Location for all press conferences.

#### E-mail/Text:

- The University will use the campus emergency notification system to send the initial emergency message to members of the Roseman University community.
- Roseman University Communications may send follow-up information via email or the emergency notification system; however, all emails and text message communication will direct the recipient to refer to the University website for updated information.

#### Telephone:

- In an emergency incident, various offices may become a point of contact for the public. For example, parents or students may call the Office of Student Services or the President's Office for information relating to a building evacuation. Any unit receiving a phone call should direct the caller to the website for the most up to date information available. Only information included on the website may be shared with callers as the website will be the sole official source of all information.

#### Written News Releases:

- The Roseman University Vice President for Communications may prepare written news releases regarding emergency incidents. These should not be viewed as an immediate source of information. They are useful for the purpose of supplementing information that has already been reported on the website.

## Emergency Response Organization

The campus maintains an Emergency Operations Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of units or positions.

<https://8eni411zmtt3hm1752a0zox-wpengine.netdna-ssl.com/wp-content/uploads/2022/08/Emergency-Operations-Plan-October-2022.pdf>

Emergency Management Teams are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

## Emergency Response Education

Information about emergency response procedures is provided at the beginning of each semester at student orientation, and it is re-emphasized throughout the year on a campus-wide basis. Information on how to receive emergency notifications is also located on the Roseman Website.

<https://www.roseman.edu/about-roseman-university/safety/roseman-university-emergency-information/>

Every campus building is equipped with an emergency evacuation map/sign that illustrates the emergency evacuation route and location of emergency items, i.e. AED and stop the bleed kits. Please review and be familiar with your routes and where the emergency items are located.

## Statement Addressing Testing Emergency Response

In compliance with federal law, the Roseman Emergency Notification System, Roseman University webpage, campus emergency notification system, and Emergency Operations Plan are tested at least once a year. The drills are scheduled with input from all campus colleges. The annual training is initiated and carried out by the Facility Management Team. During these scheduled (announced) test periods campus community members are encouraged to register for AppArmor and to become familiar with where emergency information can be found. The Emergency Management Team publicizes a summary of the emergency response and evacuation procedures at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act. The results of these tests will be sent to the Roseman Community via email in the form of an After-Action Report. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced. Additionally, each test is recorded in Roseman Universities Incident Tracker system for recordkeeping.

## Statement Address Evacuation Procedures

Roseman University has no residence halls and therefore is not required to do annual fire drills.

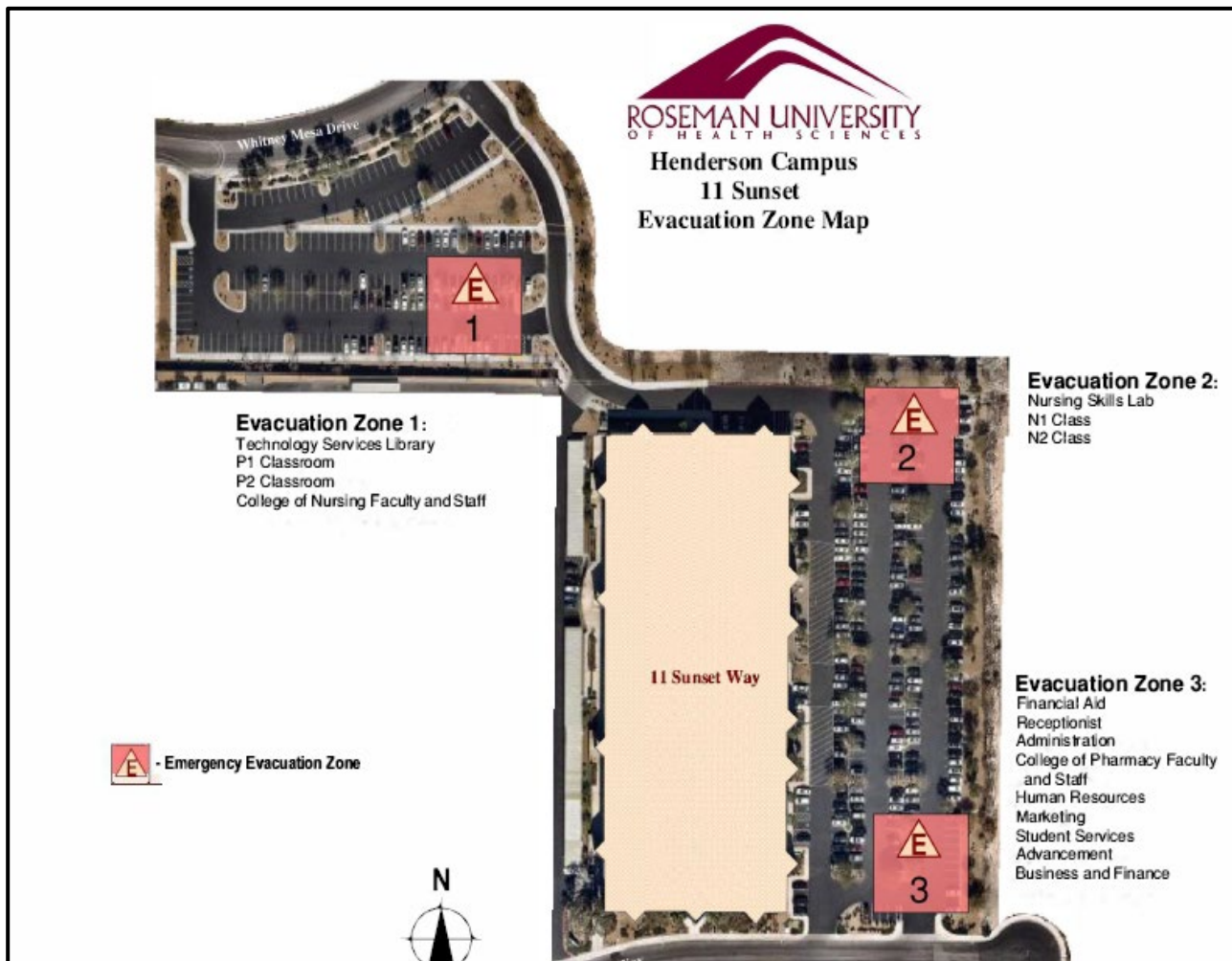
We do however have building evacuation drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the university an opportunity to test the operation of fire alarm system components.

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Facilities Management by dialing (Henderson) 702-968-2025, (South Jordan) 801-878-1025 and (Summerlin) 702-968-2025. Some other tips:

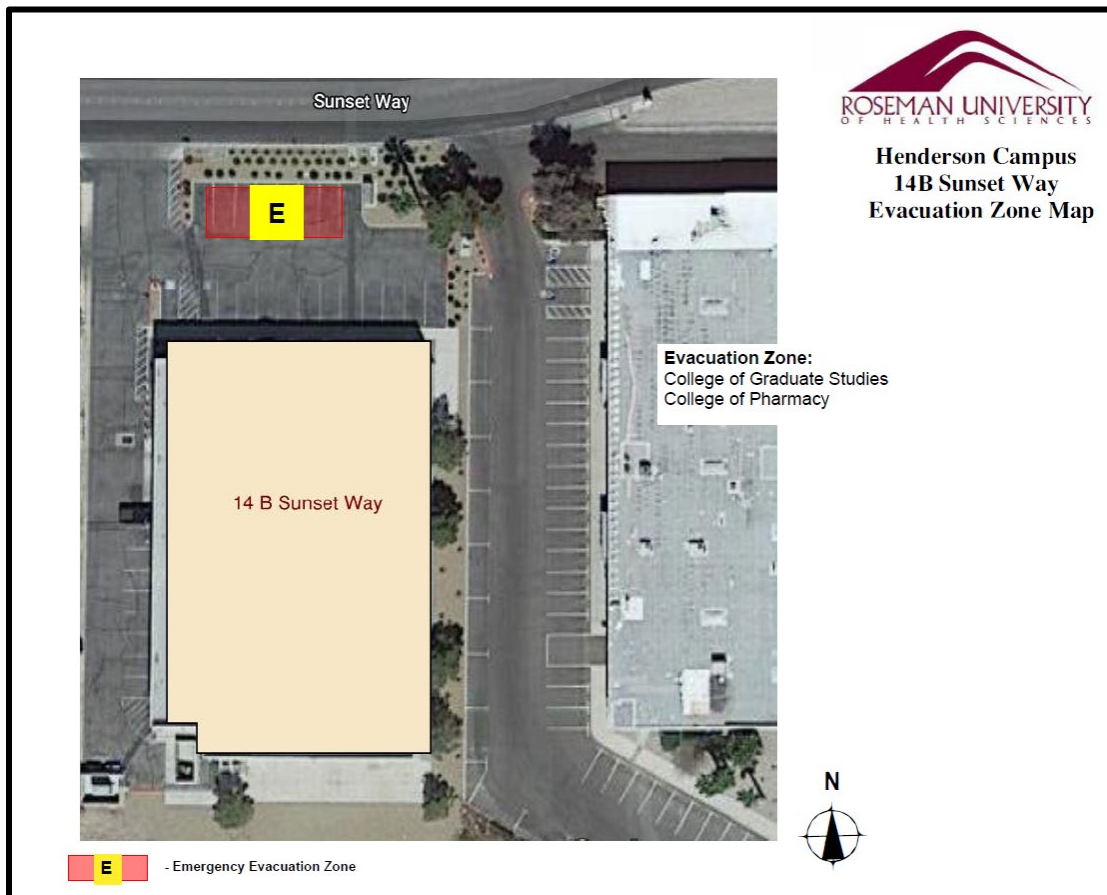
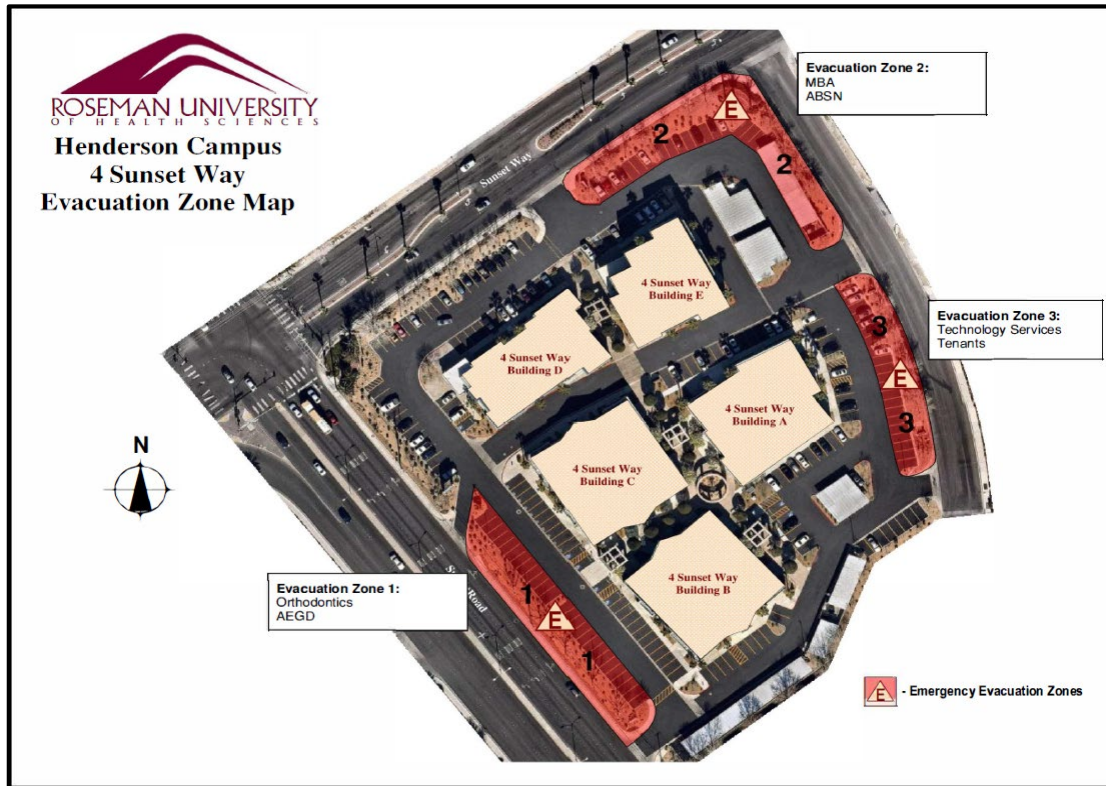
- Remain Calm
- Do NOT use elevators. Use the stairs.
- If you are unable to self-evacuate without the use of elevators, proceed to the “temporary gathering place” as identified on the building emergency evacuation plans posted in all buildings; oftentimes, this is near or in a stairwell. If you are part of a personal support network for someone who is unable to self- evacuate, evacuate the building and immediately inform notify Facilities Management Unit or the Fire Department of the individual’s location.

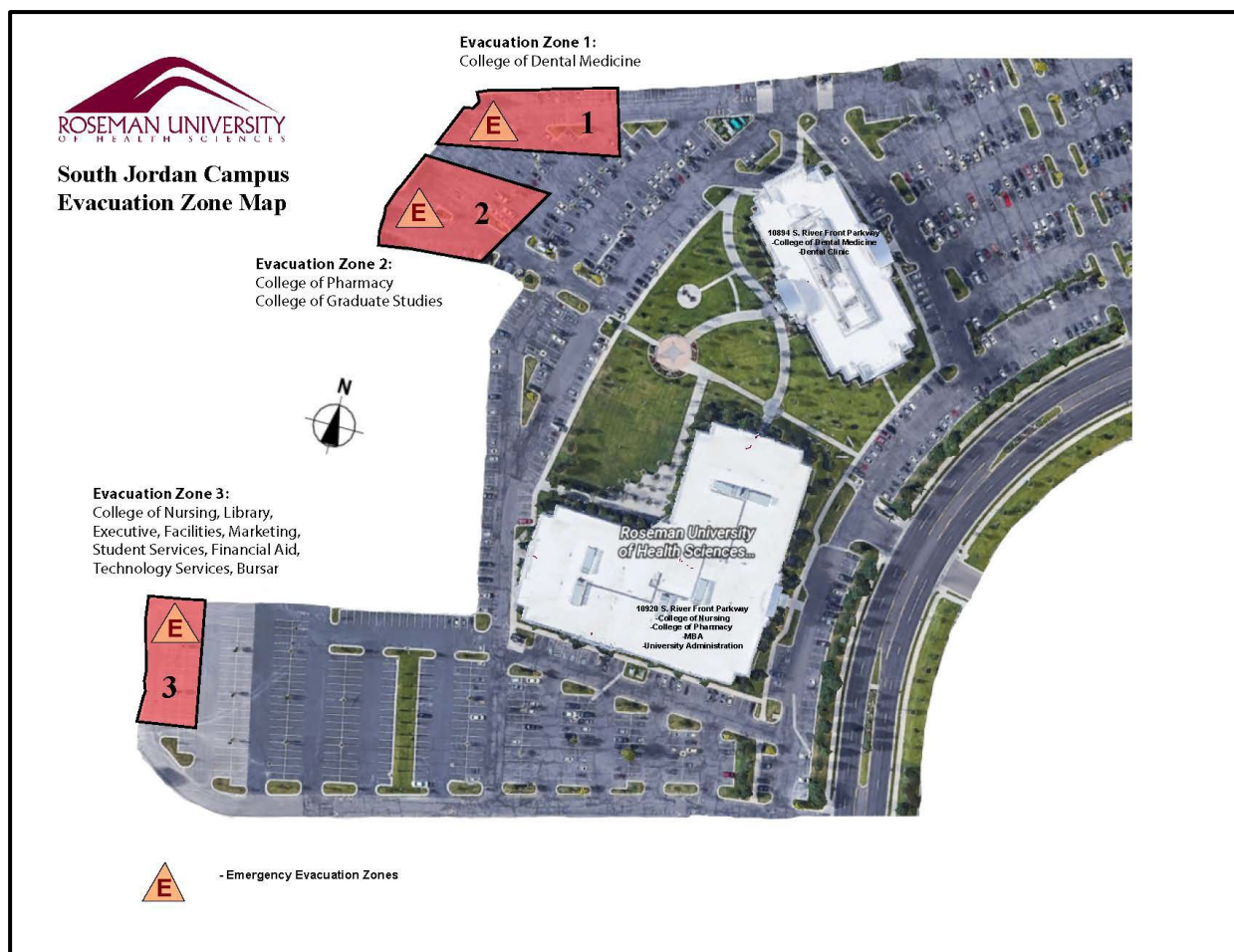
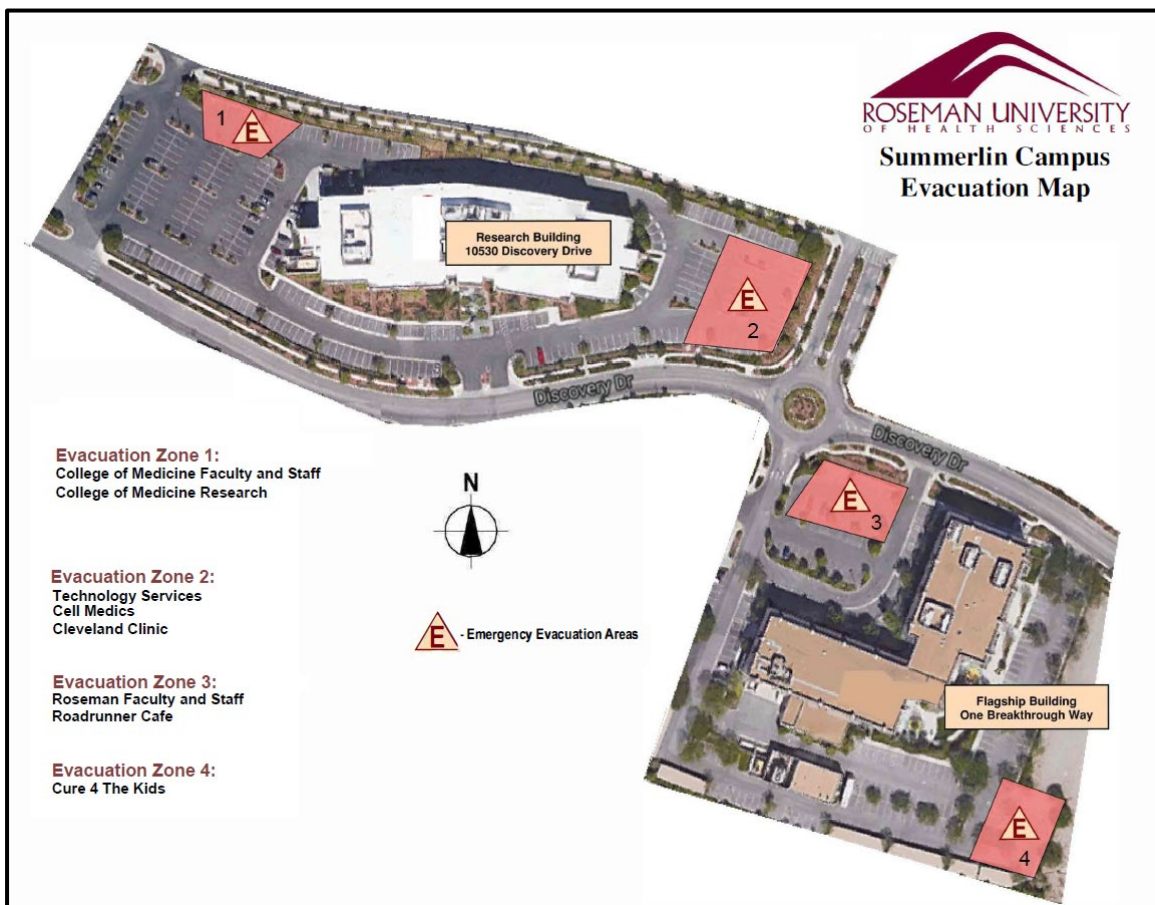
- Proceed to your assigned evacuation zone. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

## Evacuation Zone Maps









# Crime Activity and Crime Log

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## Statement Addressing Criminal Activity Off Campus

Roseman University has no university owned or controlled off-campus (non-campus) housing or recognized student organization housing and therefore do not use local police to monitor and record criminal activity at non-campus locations. Facilities Management handles criminal matters on all university properties.

Roseman University includes two Non-Campus locations; that are not owned, but are controlled by, the University. These sites include St. Rose and Delta Point. They are located in Henderson, NV and Las Vegas, NV, and as such, are included in the Henderson crime statistics.

In general, prospective students, employees and visitors to Roseman University should know that as with any community, criminal activity occasionally occurs both on- and off-campus and that it is important to take reasonable precautions at all times. Facilities Management can assist any member of the University community in determining an appropriate point of contact for police. For additional local, off-campus information, you may contact the Henderson Police Department, Las Vegas Metropolitan Police Department or South Jordan Police Department.

## Statement Addressing the Daily Crime Log

As required under federal law, Facilities Management maintains a daily crime log (police blotter) which is normally updated each business day and contains all crimes reported to Facilities Management. The daily crime log is a secondary means of distributing information to the Roseman University community about crimes and crime trends on campus. The Crime Log entry includes all crimes reported to security and/or CSA's that occur within Clery geographically defined boundaries of the University Campus. The log records the nature, date and time reported, date and time occurred, general location, and disposition of each offense. The Daily Crime Log is available for public review from 8 a.m. – 5 p.m. Monday through Friday excluding holidays at the receptionist desk at each campus' main building.



## Crime Statistics Tables – Henderson Campus

Roseman University Main Campus – Henderson NV Non-Campus – St. Rose and Delta Point	On Campus			Non-Campus Building or Property			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
<b>Selected Criminal Offenses:</b>									
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	1
Arson	0	0	0	0	0	0	0	0	0
<b>Sex Offenses:</b>									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<b>Liquor, Drug &amp; Weapon Statistics:</b>									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Disciplinary Referrals	0	0	0	0	0	0	0	0	0
<b>Reportable VAWA Crimes:</b>	2021	2020	2019	2021	2020	2019	2021	2020	2019
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Unfounded Crimes:</b>	2021	2020	2019	2021	2020	2019	2021	2020	2019
Unfounded Crimes	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0

Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

**On Campus:** (1) Any building or property owned or controlled by any institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**On Campus-Residential Facilities:** Dormitories or other residential facilities for students on campus. This is a subset of the on-campus category. Roseman does not have residential facilities.

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

**Non-Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographical area of the institution. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

**Hate Crimes:** (1) A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes hate crimes include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/ Vandalism of Property are included only if they are hate crimes.

## Crime Statistics Tables – South Jordan Campus

Roseman University South Jordan Campus – South Jordan UT	On Campus			Non-Campus Building or Property			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
<b>Selected Criminal Offenses:</b>									
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<b>Liquor, Drug &amp; Weapon Statistics:</b>									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Disciplinary Referrals	0	0	0	0	0	0	0	0	0
<b>Reportable VAWA Crimes</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
<b>Unfounded Crimes:</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>
Unfounded Crimes	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0

Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

**On Campus:** (1) Any building or property owned or controlled by any institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

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**Hate Crimes:** (1) A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes hate crimes include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/ Vandalism of Property are included only if they are hate crimes.

## Crime Statistics Tables – Summerlin Campus

Roseman University Main Campus – Summerlin, NV	On Campus			Non-Campus Building or Property			Public Property		
Selected Criminal Offenses:	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	1	0	0	0	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Sex Offenses									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Liquor, Drug & Weapon Statistics:									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Reportable VAWA Crimes									
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	1	1	0	0	0	0	0	0
Unfounded Crimes:									
Unfounded Crimes	0	0	0	0	0	0	0	0	0
Hate Crimes									
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0

Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

**On Campus:** (1) Any building or property owned or controlled by any institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**On Campus-Residential Facilities:** Dormitories or other residential facilities for students on campus. This is a subset of the on campus category. Roseman does not have residential facilities.

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

**Non-Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographical area of the institution. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

**Hate Crimes:** (1) A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes hate crimes include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/ Vandalism of Property are included only if they are hate crimes.

# Security Awareness, Crime Prevention and Education

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## Statement Addressing Crime Prevention and Security Awareness Programs for Students and Employees

Facilities Management provides a number of services and programs to the campus community to ensure the safety and security of our campus affiliates. Our services strive to emphasize proactive measures, minimizing the need for reactive responses. We must all take responsibility for our own safety and the safety of others. Promptly and accurately reporting any and all criminal acts, dangerous situations and suspicious behaviors greatly assists in the provision of a safe campus community.

The following are descriptions of Facilities Management security awareness programs. These courses are offered to all students and employees at orientation, and on an annual basis. They are designed to inform students and employees about crime prevention. A full list of all training courses can be found on the Roseman Training site.

Student Orientation & Faculty/Staff Orientation: Tips on personal safety while on campus and in the surrounding community.

- Online Training Courses include:
  - Alcohol Awareness (*Educates on the many risks of abusing alcohol and/or drugs and detrimental effects that these can have on lives*), Campus Save Act (*Sexual Violence Prevention Education course that educates on consent, healthy relationships, bystander intervention, and harassment*), Drug Awareness and Abuse (*Educates on awareness of issues related to drug use and abuse and some precautions to consider*), Intimate Partner Violence (*Educates on how to properly identify, respond to and handle incidents of intimate partner violence*), Stress Management (*Educates on identifying potential sources of stress in your life and strategies you can use to cope with this stress*), Student Mental Health (*Provides an overview of mental health awareness, strategies to help peers, warning signs, ways to respond and how to create a positive environment*), Title IX (*Educates on the importance of Title IX and what an institution's obligations are when a formal complaint is filed*), AED Training (*Provides a tutorial focused on the use of automated external defibrillators*), Bloodborne Pathogens (*Trains on the OSHA Bloodborne Pathogen standard including what is covered by this standard, what exposure is, protective practices, steps to take in case of exposure, HBV Symptoms, and HIV symptoms*), Cyber Security (*Provides an overview of cybercrime and cybersecurity, the basics of cybersecurity, and the types of cyber threats*), Diversity Awareness (*Provides an awareness of how a diverse student body, as well as diverse faculty and staff members, strengthen a campus*), First Aid, and others as assigned per college.
- In-Person Training Courses include:
  - See Something, Say Something campaign, Drug & Alcohol Awareness,

Active Shooter Response training: In-person training offered to campus units (by request) on actions you should take if you encounter an active shooter.

- Online Training Courses include:
  - Active Shooter Preparedness for Students and Employees (*Provides active shooter training and information on how they occur and how they can be prevented*), Bystander Awareness (*Educates on the 'bystander effect' and intervention strategies related to preventing sexual violence*)
- In-Person Training Courses include:
  - Annual on-site trainings run by local police authorities

Clery Act Campus Security Authority training: In-person and online training provided to our Campus Security Authorities, regarding compliance with the Clery Act.

- Online Training Courses include:

- Clery Act Overview Training (*Provides historical information about the federal legislation known as the Clery act. Educates on the legal requirements mandated by the Clery act as well as its importance*), Campus Save Act (*Sexual Violence Prevention Education course that educates on consent, healthy relationships, bystander intervention, and harassment*), CSA Training Course (*A course provided yearly to Roseman's CSAs. This course educates on the importance of accurate reporting, as well as how to do so.*), Title IX (*Educates on the importance of Title IX and what an institution's obligations are when a formal complaint is filed*)
- In-Person Training Courses include:
  - Annual CSA Training

## Protecting Yourself on Campus and at Home

If you become the victim of a crime, it is not your fault. Perpetrators, not victims, are responsible for dating violence, domestic violence, sexual assault, stalking and other crimes. There are some actions that may increase your sense of safety and decrease the chances you will be targeted or victimized:

- Trust your instincts. Listen to your inner voice and act on it.
- You can't tell if someone has the potential to rape based on how they look or because they have been nonviolent in the past.
- Ask yourself, "Am I able to say 'no'?" and, "Am I comfortable with what is happening?" If not, leave. Know and set your boundaries.
- Remember, you can reject what someone is doing without rejecting them.
- Get out of the situation as soon as you sense danger or feel afraid.
- Take assertiveness training and self-defense courses.
- Remember that no ALWAYS means no. Ask your partner if you are uncertain about what they want you to do. Do not give mixed messages; be clear.
- Set limits for yourself and your partner (e.g., "I will be home by midnight," or, "Keep your hands above my waist.")
- Know that you have the right to say no at any point in any sexual act regardless of whether you have had sex with that person before.
- Have a safety plan.
- Don't leave your drink unattended. Rape-facilitated drugs are tasteless, colorless and odorless. Victims don't know they have ingested drugs until the effects are well underway.
- Attend and leave parties with friend you know and trust.
- Look out for each other. If you see someone who could be in trouble, speak up or call authorities.
- Keep your purse, wallet, or other valuables in a locked cabinet or drawer. Office thieves know where to look.
- Be aware of your surroundings and any signs that something appears to be wrong or out of place.
- Avoid walking alone, especially at night, unless absolutely necessary.
- Stay in well-lit areas.
- Exercise good judgment when walking, jogging or engaged in solitary activity, especially at night.
- Do not risk personal injury if someone forcibly attempts to take your wallet, purse, or property.
- Carry a whistle or personal alarm and use it when you feel threatened.
- Do not attach your ID to your key chain or mark your keys with your name and address.
- Do not carry extra credit cards or large sums of money.
- Keep credit/debit cards in a safe place; keep your PIN number secret. When possible, only use ATMs during the day.
- Lock or secure doors and windows when you are alone or asleep.
- Keep emergency numbers by your phone.
- Get to know your neighbors and share information about suspicious activities.
- Acquaintance Rape does happen. Learn the danger signs.
- Distance yourself from the misuse of alcohol/drugs.



## Vehicle Safety

Immediately report thefts, as well as suspicious activity in University parking lots or near parked cars to Security or Facilities Management:

Henderson Campus	702-968-2025
South Jordan Campus	801-878-1025
Summerlin Campus	702-968-2025

- Look into your car before getting in. Lock doors and roll up windows once inside for protection.
- Always have keys ready in hand not buried in a purse.
- Never pick up hitchhikers.
- Drive to a police or fire station or open place of business if you feel you are being followed.
- Do not stop to help occupants of stopped or disabled vehicles; continue driving to the nearest phone and call assistance for them.
- If your car breaks down, raise the hood then lock yourself into your car. If someone stops and offers you help, remain in your car and ask them to phone for help.
- Lock all doors after parking.
- Secure your car against theft/burglary with an electronic alarm, kill switch, “Club” or other theft deterrent.
- Keep a copy of your registration, title, and vehicle I.D. number in a safe place separate from your vehicle.
- Store your valuables out of sight.
- If your car is parked and not used regularly, check on it daily.

## Bike Safety

- Ride defensively with the traffic and use hand signals.
- Be considerate of pedestrians and drivers in vehicles.
- Keep your bike maintained – especially the brakes.
- Use a U-LOCK to secure your bicycle frame and wheels to a rack. Bikes locked with cables and small chains are easily stolen.
- Report suspicious activity or loitering around bike racks. Thieves usually carry a hidden bolt cutter or other cutting tool.
- Never leave your bike unsecured even for a “moment”.

## Domestic Violence, Dating Violence, Stalking and Sexual Assault

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Roseman University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, Roseman University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a university official.

Sexual assault is against the law. Furthermore, sexual misconduct is specifically prohibited in the Title IX Policy and the University’s Sexual Harassment Policies and Procedures. Acquaintance rape accounts for the majority of sex assaults

committed. These can include situations in which a person is without the physical or mental capacity to consent (often due to being under the influence of alcohol or other drugs). Violators can be arrested, charged with a crime, and face university discipline.

## Sexual Harassment Policy and Scope

Roseman University of Health Sciences prohibits any form of sexual harassment of its students or its employees in the University workplace by any person. The University shall maintain a working and educational environment that is free from all forms of discrimination, including sexual harassment. Section 703(a) of the Civil Rights Act of 1964 prohibits discrimination by an employer against an individual “with respect to his compensation, terms, conditions or privileges of employment” because of the person’s sex.

The Equal Employment Opportunity Commission (EEOC) has adopted guidelines designed to deal with harassment on the basis of sex as a violation of Section 703(a) of Title VII of the Civil Rights Act of 1964.

Under the EEOC Guidelines, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when 1) submission to the conduct is made either explicitly or implicitly as a term or condition of an individual’s employment, 2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual, or 3) the conduct has the purpose or effect of unreasonably interfering with the person’s work performance or creates an intimidating, hostile or offensive working environment. Accordingly, Roseman University of Health Sciences is using this statement to make it clear to everyone, including all employees, students, staff, faculty and administrators, visitors, invitees and licensees, that conduct which violates the foregoing guidelines will not be tolerated. The Roseman University of Health Sciences strongly supports the policies set forth by the EEOC and any proven allegation of sexual harassment in any form may be grounds for disciplinary action up to and including termination of employment of an offending employee or dismissal from the academic program of a student; and/or removal of a visitor who violates this policy.

Sexual Harassment includes:

- “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - Submission to such conduct is made either explicitly or implicitly, a term or condition of an individual’s academic progress or achievement;
    - Submission to or rejection of such conduct by an individual is used as the basis for decisions regarding academic achievement or progress affecting such individual, or
    - Such conduct has the purpose or effect of unreasonably interfering with an individual’s academic progress or creating an intimidating, hostile, or offensive academic environment.”
  - The following list is a limited example of the most common complaints constituting sexual harassment:
- Unwanted sexual advances
- Making or threatening reprisals after a negative response to sexual advances
- Conduct including leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons or posters
- Making sexually derogatory comments, epithets, slurs or jokes
- Graphic verbal commentaries about an individual's body, suggestive or obscene letters, notes or invitations
- Physical conduct that includes touching, assaulting, or impeding or blocking movements
- Sexual orientation comments objectionable to gays, lesbians, transgender, etc.

# Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

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The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

## Domestic Violence – Clery Definition

- i. A Felony or misdemeanor crime of violence committed—
  - a) By a current or former spouse or intimate partner of the victim;
  - b) By a person with whom the victim shares a child in common;
  - c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - e) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Dating Violence – Clery Definition

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition—
  - a) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - b) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Sexual Assault – Clery Definition

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”

## Rape – Clery Definition

An offense that is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

## Fondling – Clery Definition

An offense that is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

## Incest – Clery Definition

An offense that is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

## Statutory Rape – Clery Definition

An offense that is defined as sexual intercourse with a person who is under the statutory age of consent.

## Stalking – Clery Definition

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - a) Fear for the person’s safety or the safety of others; or
  - b) Suffer substantial emotional distress.
- ii. For the purposes of this definition—
  - a) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
  - b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

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The following are jurisdictional definitions of domestic violence, dating violence, sexual assault, and stalking. These definitions, as well as the Clery definitions are reviewed in the training courses provided through Roseman Universities online training site.

### Domestic Violence - Jurisdictional Definition

The **State of Nevada** defines domestic violence as occurring when a person commits one of the following acts against or upon the person’s spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person’s minor child or any other person who has been appointed the custodian or legal guardian for the person’s minor child: (a) a battery. (b) An assault. (c) Compelling the other person by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform (d) A sexual assault. (e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to: stalking, arson, trespassing, larceny, destruction of private property, carrying a concealed weapon without a permit, injuring or killing an animal. (f) A false imprisonment. (g) Unlawful entry of the other person’s residence, or forcible entry against the other person’s will if there is a reasonably foreseeable risk of harm to the other person from the entry.

The **State of Utah** defines domestic violence as any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. "Domestic violence" also means commission or attempt to commit, any of the following offenses by one cohabitant against another:

a) aggravated assault, b) assault, c) criminal homicide, d) harassment, e) electronic communication harassment. kidnapping, child kidnapping, or aggravated kidnapping, g) mayhem, h) sexual offenses, i) stalking, j) unlawful detention or unlawful detention of a minor, k) violation of a protective order or ex parte protective order, l) any offense against property, m) possession of a deadly weapon with intent to assault, n) discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building or vehicle, o) disorderly conduct, if a conviction of disorderly conduct is the result of a plea agreement in which the defendant was originally charged with any domestic violence offense otherwise described in this subsection. Conviction of disorderly conduct as a domestic violence offense, in the manner described in this Subsection (4)(o), does not constitute a misdemeanor crime of domestic violence under 18 U.S.C. Section 921, and is exempt from the provisions of the federal Firearms Act, 18 U.S.C. Section 921 et seq.; p) child abuse

## Dating Violence – Jurisdictional Definition

Dating violence is when someone purposefully hurts or scares someone they are dating. Dating violence includes but is not limited to physical, emotional, and/or sexual abuse, including the threat of such abuse.

The **State of Nevada** does not have a definition for dating violence.

The State of Utah defines dating violence as (a) any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner of the person; or (b) any attempt, conspiracy, or solicitation by a person to commit a criminal offense involving violence or physical harm against a dating partner of the person. The existence of such a relationship will be determined based on the complainant's statement and consideration of the length, type and the frequency of interaction between the partner's relationships.

## Sexual Assault - Jurisdictional Definition

The United States Department of Justice defines sexual assault as any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

The **State of Nevada** defines sexual assault as occurring when a person who subjects another person to sexual penetration, or who forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct, is guilty of sexual assault. Utah state law defines rape as when the actor has sexual intercourse with another person without the victim's consent. This applies whether or not the actor is married to the victim.

The **State of Utah** states that a person commits forcible sexual abuse if the victim is 14 years of age or older and, under circumstances not amounting to rape, object rape, sodomy, or attempted rape or sodomy, the actor touches the anus, buttocks, or any part of the genitals of another, or touches the breast of a female, or otherwise takes indecent liberties with another, or causes another to take indecent liberties with the actor or another, with intent to cause substantial emotional or bodily pain to any person or with the intent to arouse or gratify the sexual desire of any person, without the consent of the other, regardless of the sex of any participant.

A person commits aggravated sexual assault if: (a) in the course of a rape, object rape, forcible sodomy, or forcible sexual abuse, the actor: (i) uses, or threatens the victim with the use of, a dangerous weapon as defined in Section 76-1-601; (ii) compels, or attempts to compel, the victim to submit to rape, object rape, forcible sodomy, or forcible sexual abuse, by threat

of kidnapping, death, or serious bodily injury to be inflicted imminently on any person; or (iii) is aided or abetted by one or more persons; (b) in the course of an attempted rape, attempted object rape, or attempted forcible sodomy, the actor: (i) causes serious bodily injury to any person; (ii) uses, or threatens the victim with the use of, a dangerous weapon as defined in Section 76-1-601; (iii) attempts to compel the victim to submit to rape, object rape, or forcible sodomy, by threat of kidnapping, death, or serious bodily injury to be inflicted imminently on any person; or (iv) is aided or abetted by one or more persons; or (c) in the course of attempted forcible sexual abuse, the actor: (i) causes serious bodily injury to any person; (ii) uses, or threatens the victim with the use of, a dangerous weapon as defined in Section 76-1-601; (iii) attempts to compel the victim to submit to forcible sexual abuse, by threat of kidnapping, death, or serious bodily injury to be inflicted imminently on any person; or (iv) is aided or abetted by one or more persons;

## Stalking - Jurisdictional Definition

The US Department of Justice defines stalking as “a pattern of repeated and unwanted attention, harassment, contact or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.” Repeatedly communicating with, following, threatening or spreading rumors about a person who does not want the attention are actions that may constitute stalking according to the Department of Justice.

The **State of Nevada** defines stalking as a person who, without lawful authority, willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, commits the crime of stalking. The State of Utah defines stalking by stating that a person is guilty of stalking who intentionally or knowingly engages in a course of conduct directed at a specific person and know or should know that the course of conduct would cause a reasonable person: (a) to fear for the person’s own safety or the safety of the third person; or (b) to suffer other emotional distress. A person is guilty of stalking who intentionally or knowingly violates: (a) a stalking injunction issued pursuant to Title 77, Chapter 3a, Stalking Injunctions; or (b) a permanent criminal stalking injunction issued pursuant to this section. In any prosecution under this section, it is not a defense that the actor: (a) was not given actual notice that the course of the conduct was unwanted; or (b) did not intend to cause the victim fear or other emotional distress.

The following list highlights examples of complaints of stalking:

- Repeated, unwanted, intrusive, and frightening communications from the perpetrator
- Repeatedly leaving or sending an individual unwanted items or presents
- Following or waiting for an individual at places such as home, school, work, or places of recreation
- Making direct or indirect threats to harm an individual, her/his children, relatives, friends or pets
- Damaging or threatening to damage an individual’s property
- Spreading rumors about an individual on the internet or other public forums

## Consent - Jurisdictional Definition

The **State of Nevada** does not have a definition of consent in relation to sexual activity but does have laws regarding age of consent.

Under **Utah law**, sexual offenses “without consent” of the victim arise when: (1) the victim expresses lack of consent through words or conduct; (2) the actor overcomes the victim through the actual application of physical force or violence; (3) the actor is able to overcome the victim through concealment or by the element of surprise; (4)(a)(i) the actor coerces the victim to submit by threatening to retaliate in the immediate future against the victim or any other person, and the victim perceives at the time that the actor has the ability to execute this threat; or (ii) the actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person, and the victim believes at the time that the actor has the ability to execute this threat; (5) the actor knows the victim is unconscious, unaware that the act is occurring, or physically unable to resist; (6) the actor knows that as a result of mental disease or defect, or for any other reason the victim is at the time of the act incapable either of appraising the nature of the act or of resisting it; (7) the actor knows that the victim submits or

participates because the victim erroneously believes that the actor is the victim's spouse; (8) the actor intentionally impaired the power of the victim to appraise or control his or her conduct by administering any substance without the victim's knowledge; (9) the victim is younger than 14 years of age; (10) the victim is younger than 18 years of age and at the time of the offense the actor was the victim's parent, stepparent, adoptive parent, or legal guardian or occupied a position of special trust in relation to the victim; (11) the victim is 14 years of age or older, but younger than 18 years of age, and the actor is more than three years older than the victim and entices or coerces the victim to submit or participate, under circumstances not amounting to the force or threat required under Subsection (2) or (4); or (12) the actor is a health professional or religious counselor, the act is committed under the guise of providing professional diagnosis, counseling, or treatment, and at the time of the act the victim reasonably believed that the act was for medically or professionally appropriate diagnosis, counseling, or treatment to the extent that resistance by the victim could not reasonably be expected to have been manifested. Utah Code Ann. §76-5-406.

## Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault & Stalking

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels. The programming, initiatives, strategies, and campaigns all include the policy of the University prohibiting crimes.

### Primary Prevention and Ongoing Awareness Programs for Incoming Student & New Students

Roseman University prohibits the crimes of domestic violence, dating violence, sexual assault and stalking.

The Roseman Training Site is an online training program that helps students, faculty and staff create a safe and healthy campus community where they take care of themselves, look out for one another, and make choices for the greater good. The Training Site and content are available to all faculty, staff, and students. To access the Training Site, please contact Facilities Management.

Specifically, the University offered the following primary prevention and ongoing awareness programs for all current and incoming students in 2021.			
Name of Program	Date Held	Location Held	Brief overview
Intimate Partner Violence	Available online 24/7 Via Roseman Training Site	Online Program	Educates on how to properly identify, respond to and handle incidents of intimate partner violence
Title IX Student Orientation: Sexual misconduct policy	Available online 24/7 Via Roseman Training Site	Online Program	Educates on Roseman policy surrounding sexual misconduct as well as the importance of Title IX. Educates on how to report sexual misconduct and the procedures that are taken once a report is received.



Student Mental health	Available online 24/7 Via Roseman Training Site	Online Program	Provides an overview of mental health awareness, strategies to help peers, warning signs, ways to respond and how to create a positive environment
Bystander Intervention	Available online 24/7 Via Roseman Training Site	Online Program	Educate students on the “bystander effect” and intervention strategies related to preventing sexual violence.
Campus SAVE act	Available online 24/7 Via Roseman Training Site	Online Program	Sexual Violence Prevention Education course that educates on consent, healthy relationships, bystander intervention, and harassment

## Primary Prevention and Ongoing Awareness Programs for Current and New Employees

Roseman University is committed to ensuring the safety of all members of the university community. Sexual misconduct violates University standards, and it will not be tolerated. Roseman University prohibits all forms of sexual misconduct, to include domestic violence, dating violence, sexual assault, stalking and sexual harassment.

The University offered the following primary prevention and ongoing awareness programs for all current and new employees in 2021:			
Name of Program	Date Held	Location Held	Brief Overview
Clery Act Overview	Available online 24/7 Via Roseman Training Site	Online Program	Provides historical information about the federal legislation known as the Clery act. Educates on the legal requirements mandated by the Clery act as well as its importance
Campus SAVE act	Available online 24/7 Via Roseman Training Site	Online Program	Sexual Violence Prevention Education course that educates on consent, healthy relationships, bystander intervention, and harassment
CSA Training	Available online 24/7 Via Roseman Training Site	Online Program	A course provided yearly to Roseman’s CSAs. This course educates on the importance of accurate reporting, as well as how to do so
Title IX	Available online 24/7 Via Roseman Training Site	Online Program	Educates on the importance of Title IX and what an institution’s obligations are when a formal complaint is filed
Sexual Harassment HR Training	August 2021 via HRs ADP System	Online Program	Provides employees with Roseman Universities current Sexual Harassment policy as well as training for prevention.



## Ongoing Prevention and Awareness Campaigns

The University has developed an annual educational campaign consisting of:

The University offered the following ongoing awareness and prevention programs for all students in 2021:			
Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Bystander Intervention	Available online 24/7	Online Program	VAWA Crimes
Campus SaVE Act	Available online 24/7	Online Program	VAWA Crimes
Intimate Partner Violence	Available online 24/7	Online Program	VAWA Crimes

The University offered the following ongoing awareness and prevention programs for all employees in 2021:			
Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX and Sexual Misconduct	Available online 24/7	Online Program	VAWA Crimes
Workplace Violence	Available online 24/7	Online Program	VAWA Crimes

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees.

The University's sexual misconduct policy, and the awareness training, outlines a process for those individuals who believe they have been subjected to sexual misconduct. The policy includes information regarding the following:

- Procedures you should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs;
- How the institution will protect the confidentiality of victims and other necessary parties (As described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" in this document);
- Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" in this document); and
- Options for, available assistance in, and how to request changes to academic living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" in this document);
- Procedures for institutional disciplinary action in case of alleged dating violence, domestic violence, sexual assault, or stalking ("Adjudications of Violations" in this document).

## Bystander Intervention

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### How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

- We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found at the link below. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seduce, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

The Bystander Intervention for Students training includes information that Educates on the “bystander Effect” and intervention strategies related to sexual violence. This training can be found on the Roseman training site.

Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance. For more information about Bystander Intervention please use the following resource:

[http://www.nsvrc.org/sites/default/files/Publications\\_NSVRC\\_Booklets\\_Text-Only\\_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf](http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Booklets_Text-Only_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf)

## Risk Reduction Tips

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

With no intent to blame victims, and in recognizing that only abusers are responsible for the abuse they perpetrate, the following are some strategies to reduce one’s risk of sexual assault.

- **Be aware of your surroundings.** Knowing where you are and who is around you may help you to find a way to out of a bad situation
- **Avoid isolated areas.** It is more difficult to get help in no one is around
- **Walk with a purpose.** Even if you don’t know where you are going, act like you do.
- **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure you cell phone is with you** and charged, and that you have money
- **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know
- **Avoid putting music headphone in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you, may help you out of a bad situation.
- **Trust your instincts.** If you feel unsafe or uncomfortable in any situation or location, go with your gut – probably isn’t the best place to be. IF you see something suspicious, contact law enforcement immediately, (local authorities can be reached by calling 911 in most are of the U.S.)
- **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- **Don’t accept drinks from people you don’t know or trust.** If you choose to accept a drink, do with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink punch from bowls or other large, common open containers.
- **Watch out for your friends, and vice versa.** IF a friend seems out of it, is too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

- **If you suspect you or a friend has been drugged**, contact law enforcement immediately (local authorities can be reached by call 911 in most areas of the U.S.)
- **If you need to get out of an uncomfortable or scary situation** here are some things they you can try:
  - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feel is right to you and what you are comfortable with.
  - **Have a code word** with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - **Lie.** If you don't want to hurt the person's feeling it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared or worse. Some excuses you could use are: needing to take care of a friend or family member not feeling well, having somewhere else that you need to be, etc.
- **Try to think of an escape route.** How would you try to get out of the room? Where is the door? Window? Are there people around who might be able to help you? Is there an emergency phone nearby?
- **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgement before doing anything you may regret later.
- **Trust your instincts.** Listen to your inner voice and act on it.
  - You can't tell if someone has the potential to rape based on how they look or because they have been nonviolent in the past.
  - Ask yourself, "Am I able to say 'no'?" and, "Am I comfortable with what is happening?" If not, leave. Know and set your boundaries
- **Take assertiveness training and self-defense courses.**
  - Remember that no ALWAYS means no. Ask your partner if you are uncertain about what they want to do. Do not give mixed messages; be clear.
  - Know that you have the right to say no at any point in any sexual act regardless of whether you have had sex with that person before.

Source: Ways to Reduce Your Risk of Sexual Assault (n.d.). Rape, Abuse & Incest National Network. Retrieved, April 23, 2015 from <https://rainn.org/get-information/sexual-assault-prevention>

## Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is extremely important for you to seek help immediately by doing the following:

- **Get to a safe place and call police 9-1-1 or 9-911 (from a campus phone).**
- **Try to preserve all physical evidence.**

**Nearest Hospital Henderson, NV –**  
 Henderson Hospital  
 1050 W Galleria Drive,  
 Henderson, NV 89011  
 702-963-7000

**Nearest Hospital South Jordan, UT –**  
 Intermountain Riverton Hospital

3741 W. 12600 S.  
Riverton, UT 84065  
(801) 285-2500

**Nearest Hospital Summerlin, NV –**  
Summerlin Hospital Medical Center  
657 N. Town Center Dr.  
Las Vegas, NV 89144  
(702) 233-7000

- In certain states, medical personnel are required to report injuries caused by criminal conduct. If a patient has suffered an injury in addition to the rape, the injury will generally have to be reported. Again, the question which arises in these states is whether a rape must be reported when the patient has suffered no injury other than the rape itself. Utah is one of those states. Utah Code Ann. 26-23a-1
- It is not mandatory to report sexual assault in Nevada. The filing of a report with law enforcement is a prerequisite to receiving medical treatment at county expense for sexual assault. NRS § 217.310
  - Try to preserve all physical evidence. For this reason, it is of extreme importance to not change clothes, shower, bath, douche or brush your teeth. Collecting of evidence is important, however, it does not require you to press criminal charges. The decision can be made later. If evidence is not collected immediately it may hinder your ability to press criminal charges or obtain a protection order should choose to do so. If it is the obligation of the medical provider to report the incident to the police, they will come interview you in the emergency room where you are being treated.
- **Get medical attention as soon as possible** at the nearest hospital. The hospitals closest to each campus are provided in this report. A special exam should be conducted as soon as possible following an assault to ensure your physical well-being and to collect evidence that may be useful in criminal proceedings. The exam can be conducted without the involvement of law enforcement. Even if you have not been physically hurt, this forensic exam is strongly recommended to maintain all your legal options. After the evidence is collected, it can be stored in case you wish to press criminal charges. 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 may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. 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 infections. If requested by the victim, the police will take you to the hospital for proper medical attention and will make a report.
- **Talk with an advocate** or a counselor who will maintain privacy, help explain your options, give you information, and provide emotional support.
- **Contact someone you trust** to be with you and support you.

Victims of sexual assault, domestic violence, stalking, and dating 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 adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse 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 Student Services to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

## Involvement of Law Enforcement and Campus Authorities

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

However, the University Student Services unit will assist any victim with notifying law enforcement if the victim so desires.

- Michael DeYoung, VP of Student Services, 11 Sunset Way, Henderson NV 89014 Office #161, [mdeyoung@roseman.edu](mailto:mdeyoung@roseman.edu), 702-968-2006

## Local Police Contact Information

- **Henderson Police Department** may also be reached directly by calling 702-267-5000, in person at 223 Lead Street, Henderson, NV 89015. Additional information about the Henderson Police department may be found online at: <http://www.cityofhenderson.com/police>
- **South Jordan Police Department** may also be reach directly by calling 801-254-4708, in person at 1600 Towne Center, Dr. South Jordan UT 84095. Additional information about South Jordan Police department may be found online at <http://www.sjc.utah.gov/police/>
- **Summerlin Las Vegas Metropolitan Police Department** may also be reach directly by calling 702-828-3111, in person at 400 S. Martin L. King Blvd, Las Vegas, NV 89106. Additional information about Las Vegas Metropolitan Police Department may be found online at <https://www.lvmpd.com/en-us/Pages/ContactUs.aspx>

## Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator by calling, writing or coming into the office to report in person and Campus Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

### Students should contact:

- Michael DeYoung, VP of Student Services and Title IX Coordinator, 11 Sunset Way, Henderson NV 89014 Office #161, [mdeyoung@roseman.edu](mailto:mdeyoung@roseman.edu), 702-968-2006

### Employees should contact:

- Saralyn Barnes, Director of HR, 11 Sunset Way, Henderson NV 89014 HR Office #1126, [sbarnes@roseman.edu](mailto:sbarnes@roseman.edu) 702-968-1611
- Shannon Bachman, HRIS and Project Manager, 10920 S. River Front Pkwy, South Jordan, NV 84095 HR Office #2410, [sbachman@roseman.edu](mailto:sbachman@roseman.edu) 801-878-1250

## Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if requested, and if they are reasonable available, regardless of whether a crime is reported to security or local law enforcement.

### Students should contact:

- Michael DeYoung, VP of Student Services, 11 Sunset Way, Henderson NV 89014 Office #161, [mdeyoung@roseman.edu](mailto:mdeyoung@roseman.edu), 702-968-2006

### Employees should contact:

- Saralyn Barnes, Director of HR, 11 Sunset Way, Henderson NV 89014 HR Office #1126, [sbarnes@roseman.edu](mailto:sbarnes@roseman.edu) 702-968-1611
- Shannon Bachman, HRIS and Project Manager, 10920 S. River Front Pkwy, South Jordan, NV 84095 HR Office #2410, [sbachman@roseman.edu](mailto:sbachman@roseman.edu) 801-878-1250

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Stalking	<ol style="list-style-type: none"><li>1. Institution will assess immediate safety needs of complainant</li><li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li><li>3. Institution will provide written instructions on how to apply for Protective Order</li><li>4. Institution will provide written information to complainant on how to preserve evidence</li><li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li><li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li><li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li></ol>
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Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>6. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>7. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>8. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>9. Institution will provide written instructions on how to apply for Protective Order</li> <li>10. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>11. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>12. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

Dating Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
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Domestic Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
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## Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. This written explanation is found on the Roseman Safety website. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and an explanation of the procedures for institutional disciplinary action

## Rights of Victims and the Institution's Responsibilities

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Roseman University complies with Nevada and Utah state law in recognizing orders of protection no contact order, restraining orders, or lawful orders issued by a criminal, civil or tribal court. Any person who obtains an order of protection from Nevada or Utah should provide a copy of the order to the Roseman Clery Manager and the University's Title IX Coordinator. The Title IX Coordinator will work with the complainant, Facilities, Campus Security, and the complainant's academic program to develop a Safety Action Plan, which is a plan to reduce the risk of harm while on campus or coming or going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).



Protection from abuse orders may be available through:

### **Nevada Courts**

Is someone making you feel afraid? Unsafe? If you are being stalked tell someone what happened and keep a record of the date and time of each incident.

Regional Justice Center- Justice Court Clerk's Office 200 Lewis Avenue #2

Las Vegas, NV 89101 702-671-3478

Monday-Friday 8 a.m.-3 p.m. (Closed holidays)

To apply you must arrive and receive a number by 3 p.m.

- Depending on your circumstances, different types of Protection Orders may be available to you: Sexual assault, Workplace/harassment/stalking, Protection of Children
- Does your partner or family member make you feel afraid? Unsafe? You are not alone. Family Court can help you create a safety plan.

Family Court and Services Center

601 North Pecos Road, Ste. ADG-450

Las Vegas, NV 89101-2408

702-455-3400

Monday-Thursday 8 a.m.-5 p.m., Friday 9 a.m.-5 p.m. (Closed weekends and holidays) \*To apply you must arrive by 3 p.m.

### **Utah Courts:**

How to request a Protective Order:

There is no fee for requesting a Protective Order. You have to fill out forms, file them with the court, and attend court hearings. The County Sheriff will serve the Respondent.

- The [Online Court Assistance Program](#) will help you prepare the necessary forms.
- Fill-in-the-blank forms are online at this website or get them at any courthouse or domestic violence shelter. Or dial 211 for the domestic violence advocate office.

Take the completed forms and identification to the district court in the county where you or the Respondent live or where the abuse took place.

Locate the clerk's office. Tell the clerk that you want to file a Request for a Protective Order. Show the clerk your driver's license or other identification. The clerk will:

- Check your paperwork and your identification.
- Watch you sign the Request.
- Sign the Request after you and assign a case number and a judge. You will need your case number and the judge's name for other forms you will have to fill out.
- Take you and your papers to a judge for the ex parte hearing.

## Temporary Protective Order

If the Request for a Protective Order convinces the judge that an immediate Protective Order is needed, the judge will sign a Temporary Protective Order. The Temporary Protective Order starts as soon as the Sheriff serves a copy on the Respondent and lasts until the court hearing for the Final Protective Order. The judge can extend the Temporary Protective Order if the Respondent has not been served before the hearing or if there is some other delay.

The court clerk will give a copy of the Temporary Protective Order to the Petitioner; send a copy of the Temporary Protective Order to the County Sheriff or Constable to serve on the Respondent; and enter information about the Temporary Protective Order in the Statewide Domestic Violence Network so it can be accessed by all law enforcement agencies in Utah.

If the judge does not enter a Temporary Protective Order, it usually means there was not enough evidence that the Petitioner was harmed. Even if the judge does not enter a Temporary Protective Order, the Petitioner still has a right to a hearing for a Final Protective Order and should try to present more evidence at that hearing.

If the judge does not issue a Temporary Protective Order, the Petitioner will have to decide whether to request a hearing for a Final Protective Order or to dismiss the petition. Having a hearing for a Final Protective Order is the Petitioner's right. To request a hearing, the Petitioner must file a Request for Hearing form with the court. The court will notify the Petitioner of the hearing and have the Respondent served with the Petition and notice of the hearing. There will be no Temporary Protective Order in place during this time. If you are concerned for your safety, you should take steps to protect yourself. Depending on your circumstances, different types of Protection Orders may be available to you: Sexual assault, Workplace/harassment/Stalking, Protection of children.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

The disciplinary proceedings may result in one or more of the following sanctions:

- Warning - written statement(s) that clearly indicates particular aspects of the behavior at issue and expectations for future behavior.
- No contact - an order to have no contact in any form with identified student, other students, or third party.
- Educational intervention(s) – an educational task such as a taking a course, completing a research paper, participating in an interview, conducting, or attending a lecture, observations, etc., that would increase the Respondent's understanding of related issues and/or appropriate physical boundaries.
- Restitution - reimbursement for property damage, and/or for the Complainant's personal and medical expenses.
- Discretionary sanctions – work assignments, service to the University or other related discretionary assignments.
- Behavioral agreements – a written statement of expectations that the Respondent must adhere.
- Psychological assessment – an assessment conducted by a licensed or certified mental health professional. The Respondent would be responsible for payment for all services.
- Participation in community and/or University service projects.
- University and/or Academic Program Probation – the terms of the probation will be set by the Board.

- University suspension – the suspension would not exceed more than one year, after which the student may be eligible to return. Conditions for readmission shall be specified.
- University dismissal – with the opportunity to reapply to the University. Conditions for readmission shall be specified.
- University expulsion – permanent severance of the student from the University.

## Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Roseman University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours.

Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, and/or request assistance in receiving these accommodations, a victim who is a student should contact the University's Title IX Coordinator.

An employee who is a victim should contact the Director of Human Resources at 702-968-1611.

In accordance with the University's Title IX policies, you can contact the Title IX Coordinator at [mdeyoung@roseman.edu](mailto:mdeyoung@roseman.edu) or at (702) 968-2006.

## On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Roseman University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. This information is available to all students and employees.

These resources include the following:

<b>ON CAMPUS</b>	Type of Services Available	Service Provider	Contact Information
Counseling	Student Assistance Plan	UnitedHealthCare	<a href="#">Student Health &amp; Wellness</a>
Health	Student Assistance Plan	UnitedHealthCare	<a href="#">Student Health &amp; Wellness</a>
Mental Health	Student Assistance Plan	UnitedHealthCare	<a href="#">Student Health &amp; Wellness</a>
Victim Advocacy	Student Assistance Plan	UnitedHealthCare	<a href="#">Student Health &amp; Wellness</a>
Legal Assistance	Student Assistance Plan	UnitedHealthCare	<a href="#">Student Health &amp; Wellness</a>
Student Financial Aid	Roseman University Financial Aid		

In accordance to Title IX reporting, you can contact the University's Title IX Coordinator, Dr. DeYoung, at (702) 968-2006

<b>OFF CAMPUS</b>	Type of Services Available	Service Provider	Contact Information
Utah	24 Hour Crisis Services	University Neuropsychiatric Institute- Mobile Crisis Unit	801-587-3000
Utah	Mental Health Services	Utah 2-1-1 State of Utah Mental Health Services	Dial 2-1-1
Utah	Sexual Assault	Rape Recovery Center 2035 S. 1300 E. Salt Lake City, Utah 84105	(801) 467-7273 <a href="http://www.raperecoverycenter.com">www.raperecoverycenter.com</a>
Nevada	24 Hour Crisis Services	University Neuropsychiatric Institute- Mobile Crisis Unit	801-587-3000
Nevada	Sexual Assault	Nevada Coalition Against Sexual Violence	<a href="http://www.ncedsv.org">http://www.ncedsv.org</a> 702-940-2033
Nevada	Mental Health Services	Nevada 2-1-1 State of Nevada Mental Health Services	Dial 2-1-1
Nevada	Sexual Assault	Rape Crisis Center & Hotline 741 Veterans Memorial Dr. Las Vegas, NV 89101	702-385-2153

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- National Domestic Violence Hotline: 1- 800-799-7233
- National Hopeline Network: 1-800-SUICIDE (800-784-2433)
- Crisis Text Line: Text "DESERVE" TO 741-741

- Lifeline Crisis Chat (Online live messaging): <https://suicidepreventionlifeline.org/chat/>
- Self-Harm Hotline: 1-800-DONT CUT (1-800-366-8288)
- American Association of Poison Control Centers: 1-800-222-1222
- National Council on Alcoholism & Drug Dependency Hope Line: 1-800-622-2255
- National Crisis Line – Anorexia and Bulimia: 1-800-233-4357
- GLBT Hotline: 1-888-843-4564
- TREVOR Crisis Hotline: 1-866-488-7386
- AIDS Crisis Line: 1-800-221-7044
- Veterans Crisis Line: <https://www.veteranscrisisline.net> 1-800-273-8255 or text 838255
- TransLifeline: <https://www.translifeline.org> – 877-565-8860
- Planned Parenthood Hotline: 1-800-230-PLAN (7526)
- Disaster Survivors – this is a 24/7 Disaster Distress Helpline – 1-800-985-5990
- HealthiestYou Virtual Counseling: <https://www.uhcsr.com/HYcounseling>

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## Confidentiality

Victims may request that directory information on file with the University be withheld by contacting Student Services.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in any Public Record, including the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## Adjudication of Violations

The university’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;

The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;

The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;

The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to attending preliminary meetings, and all other related meetings, hearings, or investigative interviews once the investigative and disciplinary process has commenced. An advisor is not allowed to make oral statements, ask questions, question witnesses or raise objections during a hearing or meeting an advisor may request a brief break to provide advice.

The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and

Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the university or a person may file a complaint with the University's Title IX Coordinator or Director of Human Resources, depending upon the status of the accused (student or employee).

## Sex Offense Allegations Against Student Perpetrators

The University's Title IX Coordinator will address reports and/or complaints that a student is an alleged perpetrator of a sex offense. If a complainant decides to file a formal complaint, the Title IX Coordinator will initiate an investigation. If it is concluded that the facts of the complaint, even if true, would not be considered a violation of the University's Title IX policy, then the alleged victim still reserves the right to make a report to the student perpetrator's academic program that the student violated the program's student code of conduct. The University will not use informal mediation to resolve allegations of sexual harassment as defined by its Title IX policy.

*Note: Roseman doesn't use mediation at all to resolve Title IX reports or complaints.*

Both the accuser and the accused are entitled to have an advisor of choice present during the Title IX adjudication process. The Title IX Coordinator shall advise the complainant and respondent of the resolution of any investigation and the outcome of the Title IX adjudication process. A copy of the investigator's written report shall be provided to the complainant and the respondent. Sanctions, in general, can include up to suspension or expulsion. RU policy prohibits retaliation against any party involved in a Student Conduct investigation. For more information, please contact the Title IX Coordinator. If safety is your primary concern, contact Campus Security, the University's Title IX Coordinator or your local police department at 911. If you are not sure about making a police report, you can get free, confidential information and support and discuss your options by contacting the University's Title IX Coordinator.

## Sex Offense Allegations Against Employee Perpetrators

The Office of Human Resources addresses allegations of sexual harassment and assault when the alleged harasser is a faculty member, staff member or student employee acting in his/her employment capacity. Both the accuser and the accused are entitled to have others present during the hearing process. The accuser and the accused will both be informed of the outcome

of any hearing outcome. Information about Sexual Discrimination and Harassment, the University's sexual harassment policy, and how complaints of sexual harassment and assault are addressed and can be found in the Employee Handbook on page 15.

Employees can confidentially discuss or report an incident of sexual harassment or assault to the Office of Human Resources at 702-968-1611 and/or speak to a counselor in the Employee Assistance (EAP) at phone number 866-248-4094 that will provide confidential counseling services.

## Consent

Roseman University will consider the following issues to determine if a complainant gave consent:

- A person who is unconscious can't consent to sexual activity.
- Every individual has the right to say "no" at any time and to have that choice respected. A voluntary affirmative verbal response is a way to ensure that an individual has given consent to sexual activity. An individual does not have to physically resist for an activity to be considered sexual assault. Any sign of resistance eliminates consent.
- Silence is not accepted as a means to establish consent to any kind of sexual activity.
- A person who believes they were coerced, physically or mentally, is unable to give consent.
- Unless granted an exemption by the Office of Human Resources, any individual that has 'Academic or Supervisory Authority' over a Roseman student at any time during a current academic year is prohibited from initiating or continuing a sexual or romantic relationship with this student.
- An individual who is incapacitated is unable to consent to sexual activity. Roseman University will assess the following as indicators of being incapacitated:
  - Preceding and/or during the sexual activity, did the complainant know the respondent's name?
  - Did the complainant know if more than one person was engaging the complainant in sexual activity?
  - Preceding and/or during the sexual activity, did the complainant know the date and time?
  - Preceding and/or during the sexual activity, did the complainant know where the respondent was engaging the complainant in sexual activity?
  - Was the complainant aware of how the respondent was engaging the complainant in sexual activity?
  - Did the complainant show any signs of slurred speech, an inability to stand or walk without assistance, vomiting, and/or being in and out of consciousness preceding and/or during the sexual activity with the respondent?
  - Was there any other indicator that a reasonable person would conclude was a sign that the complainant was incapacitated?
- Prior sexual contact does not mean consent, even when individuals have been in a relationship. An individual who initially consents to sexual conduct has the right to withdraw this consent during the course of sexual activity.
- The University will apply the conditions defining consent consistently, including as between men and women and as between the complainant and respondent, in the University's Title IX grievance process.
- The burden of proof and the burden of collecting evidence sufficient to reach determination regarding consent, is the responsibility of the University's Title IX personnel. The Department of Education's final regulations do not require a respondent to prove consent and do not require a complainant to prove the absence of consent.

## Statement Addressing Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

Roseman University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Roseman University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be provided with the results if so requested.

## Statement Addressing Sex Offender Registration

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

**CAMPUS SEX CRIMES PREVENTION ACT** per Megan's Law you can access information regarding the residence of sexual offenders in your area. You can contact the local police department at:

### **Henderson Police Department**

223 Lead St.  
Henderson, NV 89015  
(702) 267-5000

### **South Jordan Police Department**

1600 West Towne Center Dr.  
South Jordan, UT 84095  
(801) 254-4708

### **Las Vegas Metropolitan Police Department (Summerlin)**

400 S. Martin L. King Blvd.  
Las Vegas, NV 89106  
(702) 828-3111

The public is encouraged to gain access to certain sex offender information. You can access sex offender information online by visiting the following websites:

Henderson, NV - <http://nvsexoffenders.gov>

South Jordan, UT - [http://sheriffalerts.com/cap\\_main.php?office=54438](http://sheriffalerts.com/cap_main.php?office=54438)

Summerlin, NV - <https://www.lvmpd.com/en-us/Pages/SexOffenders.aspx>



# Drug and Alcohol Policy

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## Statement Addressing Possession, Use, and Sale of Alcoholic Beverages

The university does not condone violations of laws prohibiting the unlawful possession, use, or sale of alcoholic beverages and possession, use, sale, manufacture, or distribution of illegal drugs.

Members of the RU community should know that violation of the laws concerning illegal drugs may lead to disciplinary action, which may include revocation of privileges, or suspension or expulsion from the university in order to protect the interests of the university and the rights and safety of others. The Code of Student Conduct specifies the prohibitions and the penalties for violations.

Roseman University of Health Sciences complies with the Omnibus Anti-drug Abuse Act of 1988 (the Drug-Free Workplace Act) and is committed to providing a safe workplace and learning environment. The university is committed to maintaining a safe, healthy, and efficient working environment for our employees and the students we serve. The unlawful or improper presence or use of controlled substances or alcohol in the workplace is dangerous. In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, students and employees are prohibited from the unlawful possession, use, or distribution of illicit drugs or alcohol while on College property and while conducting college-related activities off College premises or as part of College activities.

Violations of the law or Roseman University regulations will result in disciplinary action for students and employees up to and including expulsion of students and/or termination of employment pursuant to a student's College Student Code of Conduct and Roseman University policies and referral for criminal prosecution. A disciplinary sanction may include the completion of an appropriate educational or rehabilitation program. Sanctions for student organizations may include, but are not limited to, warning, probation, denial of use of Roseman University facilities, and withdrawal of organization recognition.

Roseman University prohibits the unlawful possession, use, sale, or distribution of alcohol by students or employees on university premises or as part of any university activity. The legal age for drinking alcohol in Nevada and Utah is 21 and it is against state laws to sell or give alcohol to anyone under the age of 21. Roseman policy prohibits the forced consumption of liquor or drugs for the purpose of initiation or affiliation with a Roseman student organization. Any student or employee who violates underage drinking laws on campus will be subject to referral for disciplinary action, up to and including expulsion from school and termination of employment.

Roseman University is a drug free campus and the unlawful possession, use, sale, manufacture, or distribution of illegal drugs or other controlled substances on the university premises or as part of any university activity is illegal and is strictly prohibited. Any student or employee who violates university policy prohibiting the manufacture, use or possession of illegal drugs on campus will be subject to referral for disciplinary action, up to and including expulsion from school and termination of employment. Roseman University's definition of a controlled substance is consistent with Nevada regulations adopted pursuant to NRS 453.146 (NAC 453.510 to NAC 453.550 inclusive). The possession or use of prescription drugs without a proper prescription is a crime in the State of Nevada and Utah. Federal law prohibits the use of marijuana on college and university campuses that receive federal funding

Roseman University students enrolled in the College of Dental Medicine, College of Graduate Studies, College of Nursing and College of Pharmacy throughout their course of studies are provided information about drug and alcohol abuse throughout their didactic and clinical/experiential requirements. Didactic instruction includes courses on pharmacology, public/community health, federal and state laws, and interprofessional education seminars. Dental, Nursing and Pharmacy students learn about the rules and regulations regarding controlled substances. Students in the College of Graduate Studies can take a course on Public Health and Epidemiology. Students required to complete clinical/experiential education receive "real world" exposure to issues involving alcohol and drug abuse.

Each Roseman University College has policies relating to drug and alcohol use, including their own Student Professional Code of Conduct that includes a commitment to a professional responsibility to seek help when a student is impaired. These policies govern students who demonstrate unsafe behaviors during their participation in any learning experience, including classroom,

clinical laboratory, clinical settings, and other school sponsored functions. The Student Professional Code of Conduct is published in each College's Student Handbook that students are required to sign an acknowledgement of adherence to the Code at the beginning of every academic year. Each College may arrange for students to receive presentations from guest speakers in their profession about the risks of drug and alcohol abuse and guidance on how a professional should respond when they suspect that they or a colleague shows signs of impairment. Any student found responsible for violating their College's Student Code of Conduct or their Student Handbook's rules involving alcohol or drug use will be subject to disciplinary action, up to and including dismissal from his/her program of study and the University. Other possible sanctions include: restrictions, loss of privileges, restitution, assessments and or treatment referrals, reflection papers, conduct probation, deferred suspension, suspension, and other educational sanctions.

Roseman University employees are governed by the Roseman University Employee Handbook and the Roseman University Faculty Handbook. Licensed health care professionals who are Roseman employees are also governed by their professional licensing boards and the Memorandum of Understanding (MOU) the University has negotiated with the employee's clinical site.

The Roseman University Employee Handbook states that employees are prohibited from reporting to work or working while using illegal or unauthorized substances. Employees are prohibited from reporting to work, or working when the employee uses any controlled substance, except when the use is pursuant to a doctor's orders and the doctor advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. Employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal substances and alcohol in the workplace including: on university paid time, on university premises, in university vehicles or while engaged in university activities. Employees are also prohibited from reporting for duty or remaining on duty with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods. This does not include the authorized use of alcohol at university sponsored functions or activities. Any violation of this policy may result in disciplinary action, up to and including discharge. Furthermore, any employee who violates this policy who is subject to termination, may be permitted in lieu of termination, at the university's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws.

Consistent with its fair employment policy, the university maintains a policy of nondiscrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. The University encourage employees to seek assistance before their substance or alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others. The university will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures consistent with the university's policies and applicable federal, state, or local laws.

The university further reserves the right to take all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of university issued lockers, desks, or other suspected areas of concealment, as well as an employee's personal property when the university has reasonable suspicion to believe that the employee has violated this substance abuse policy.

Roseman University follows local, state, and federal compliance standards. Salt Lake City and Salt Lake County adhere to the standards set forth by Utah state law and these are the minimum rules for the entire state. Las Vegas, Henderson and Clark County adhere to the standards set by Nevada law. Violations of federal, state, or local laws and ordinances concerning drugs and alcohol can lead to felony or misdemeanor convictions and legal sanctions, which include but are not limited to: fines, imprisonment, forfeiture of property, and loss of driving privileges.

### **Federal Trafficking Penalties**

[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30)

In 1984, the National Minimum Drinking Age Act (Public Law 98-363) was passed:

[http://www.nhtsa.dot.gov/people/injury/alcohol/Community%20Guides%20HTML/PDFs/Public\\_App7.pdf](http://www.nhtsa.dot.gov/people/injury/alcohol/Community%20Guides%20HTML/PDFs/Public_App7.pdf)

The University recognizes that alcoholism is a disease and that there are treatment programs available to help individuals experiencing problems. When appropriate, University personnel will refer students, faculty and staff to agencies outside of the University for treatment / rehabilitation for addiction to alcohol or other drugs.

Persons who violate the foregoing policies or laws which follow are subject to University disciplinary action as well as civil/criminal penalties as determined by University, state, or federal enforcement officials.

Students and individuals who are found in violation of the University policy on alcohol and other drugs may be subject to one or more of the following penalties, dependent upon the severity of the offense and the existence or absence of prior alcohol or other drug violations:

Consultation only.

Verbal and/ or written warning.

Probation. An indication that further violations may result in suspension.

Suspension. Temporary withdrawal of privileges of enrollment from the University for a specified period of time.

Indefinite suspension. Specific actions must be taken prior to consideration for re-entry.

*Note: These penalties need not necessarily be applied in numerical sequence. Any penalty may be chosen from this list for any offense, dependent upon its nature.*

## University Groups and Student Organizations

Student organizations found in violation of city, state, or federal laws and University regulations involving the use or possession of alcohol and other drugs are also subject to disciplinary action by both civil and University authorities. In general, disciplinary penalties for student organizations are the same as those listed for individual students. However, it is possible that an offending student organization may be denied recognition or affiliation with the University as part of the disciplinary action.

Violations by University groups and recognized student organizations will be reviewed by the Associate Dean for Admissions and Student Affairs for pharmacy students, Nursing Dean for nursing students, MBA Program Director for MBA students, Dean for College of Dental Medicine for Dental students and Vice President for Student Services for University wide (non-program specific) student organizations and adjudicated in compliance with current procedures before the appropriate Student Professionalism Board.

## Roseman University College and Program Student Handbook Statements on Drug and Alcohol

### College of Dental Medicine

#### Probation and Suspension for Professional or Personal Misconduct

Students who exhibit inappropriate professional or personal behavior may be placed on Probation or Suspended for Professional or Personal Misconduct. **Inappropriate professional or personal behavior includes, but is not be limited to, the following... misuse of drugs, alcohol or other substances...**

#### Drug Testing

...the Office of Clinical Affairs and Patient Care and Assistant Dean for General Dentistry Education reserves the right the right to request a drug screen as when CODM Clinic Managers, faculty or administration believe they have a reasonable suspicion that a student may be impaired.

**The College of Dental Medicine reserves the right to deny admission to, or terminate the enrollment of, individuals with criminal or drug histories that affect participation in activities at the College or at affiliated training sites.**

Inability to participate in clinical or other required educational activities may adversely affect the student's ability to

graduate. A student will not be awarded a degree if all aspects of the curriculum are not completed, including clinical rotations at training sites.

#### Honor Code

**Seeking treatment for any personal impairment, including substance abuse, which could adversely impact patients, instructors, health care providers or other students.**

If sufficient facts exist to resolve the problem alleged by the accuser(s) the Deans conducting the investigation can then determine appropriate punitive action (if any) based upon the findings of fact. This includes probation and suspension.

### AEODO Resident Handbook

#### Policies and Procedures Pertaining to Professionalism

Consequently, upon accepting admission to the University, each resident agrees to abide by basic standards of honesty and academic integrity, which include but are not limited to...

**Seeking treatment for any personal impairment, including substance abuse, which could adversely impact patients, instructors, health care providers or other residents.**

### College of Nursing

#### Unprofessional Conduct

...criminal convictions for crimes against persons or property; on university grounds under the influence of non-prescribed controlled substances or alcohol, etc.

The student may be encouraged to seek treatment for alcohol and/or drug addiction. However, if the student continues to engage in unprofessional conduct, he/she may be recommended for additional misconduct proceedings which may include anything up to and including probation, suspension or withdrawal.

Any of the following behaviors are sufficient grounds for faculty to determine that the student is unsafe clinically and may not continue in his/her clinical rotations...

**Illegal use of drugs or the consumption of alcohol during clinical rotations, or under the influence of drugs, alcohol, or mind-altering medications**

### College of Pharmacy

#### Drug and Alcohol Screening

**If a student does not achieve a satisfactory outcome for the drug and alcohol screening test or refuses the drug and alcohol screening, it may preclude participation in experiential rotations.**

#### Standards of Professional Conduct

Seeking treatment for any personal impairment, including substance abuse, which could adversely impact patients, instructors, health care providers or other students.

A student who exhibits inappropriate professional or personal behavior may be placed on Probation for Professional or Personal Misconduct. Violations can also lead to suspension or termination from the program.

# Treatment Options

For treatment options and health risks associated with alcohol and drugs, please see the [Drug Free Schools and Communities Act](#).

## 1. Alcohol and Drug Abuse Prevention

### A. Alcohol

Alcohol is a liquid distilled product of fermented fruits, grains and vegetables.

#### a. Short-term Effects:

distorted vision, hearing, and coordination

altered perceptions and emotions

impaired judgment

bad breath; hangovers

#### b. Long-term Effects which would be the result of alcoholism:

liver disease

heart disease

certain forms of cancer

pancreatitis

Alcoholism, also known as "alcohol dependence," is a disease that these four symptoms:

Craving: A strong need, or compulsion, to drink.

Loss of control: The inability to limit one's drinking on any given occasion.

Physical dependence: Withdrawal symptoms, such as nausea, sweating, shakiness, and anxiety, occur when alcohol use is stopped after a period of heavy drinking.

Tolerance: The need to drink greater amounts of alcohol to "get high."

### B. Heroin

Heroin is a highly addictive drug and is processed from morphine, a naturally occurring substance extracted from the seedpod of the Asian poppy plant.

#### a. Short-term Effects:

Appear soon after a single dose and disappear in a few hours.

After an injection of heroin, the user reports feeling a surge of euphoria ("rush") accompanied by a warm flushing of the skin, a dry mouth, and heavy extremities.

Following this initial euphoria, the user goes "on the nod," an alternately wakeful and drowsy state.

Mental functioning becomes clouded due to the depression of the central nervous system.

#### b. Long-term Effects:

Chronic users may develop collapsed veins, infection of the heart lining and valves, abscesses, cellulitis, and liver disease. Pulmonary complications, including various types of pneumonia, may result from the poor health condition of the abuser, as well as from heroin's depressing effects on respiration.

C. Cocaine or “Crack” Cocaine is a powerfully addictive stimulant that directly affects the brain.

a. Short Term Effects:

increased heart rate, blood pressure, metabolism

feelings of exhilaration, energy

increased mental alertness

increased temperature

b. Long Term Effects:

rapid irregular heartbeat

reduced appetite, weight loss

heart failure

chest pain

respiratory failure

nausea

abdominal pain

strokes

seizures

headaches

malnutrition

Physical effects of cocaine use include constricted peripheral blood vessels, dilated pupils, and increased temperature, heart rate, and blood pressure. The duration of cocaine's immediate euphoric effects, which include hyper-stimulation, reduced fatigue, and mental clarity, depends on the route of administration. The faster the absorption, the more intense the high. On the other hand, the faster the absorption, the shorter the duration of action. The high from snorting may last 15 to 30 minutes, while that from smoking may last 5 to 10 minutes. Increased use can reduce the period of stimulation. High doses of cocaine and/or prolonged use can trigger paranoia.

Smoking crack cocaine can produce a particularly aggressive paranoid behavior in users. When addicted individuals stop using cocaine, they often become depressed. This also may lead to further cocaine use to alleviate depression. Prolonged cocaine snorting can result in ulceration of the mucous membrane of the nose and can damage the nasal septum enough to cause it to collapse. Cocaine-related deaths are often a result of cardiac arrest or seizures followed by respiratory arrest.

D. Marijuana

All forms of marijuana are mind-altering. In other words, they change how the brain works. Marijuana is a green, brown, or gray mixture of dried, shredded leaves, stems, seeds, and flowers of the hemp plant.

a. Short Term Effects:

euphoria

slowed thinking and reaction time

confusion

impaired balance and coordination

b. Long Term Effects:

cough

frequent respiratory infections

impaired memory and learning

increased heart rate, anxiety

panic attacks

tolerance

addiction

Effects of Heavy Marijuana Use on Learning and Social Behavior:

A study of college students has shown that critical skills related to attention, memory, and learning are impaired among people who use marijuana heavily, even after discontinuing its use for at least 24 hours. Seven researchers compared 65 "heavy users," who had smoked marijuana a median of 29 of the past 30 days, and 64 "light users," who had smoked a median of 1 of the past 30 days. After a closely monitored 19- to 24-hour period of abstinence from marijuana and other illicit drugs and alcohol, the undergraduates were given several standard tests measuring aspects of attention, memory, and learning. Compared to the light users, heavy marijuana users made more errors and had more difficulty sustaining attention, shifting attention to meet the demands of changes in the environment, and in registering, processing, and using information. These findings suggest that the greater impairment among heavy users is likely due to an alteration of brain activity produced by marijuana.

E. Methamphetamine or "Meth"

Methamphetamine is a powerfully addictive stimulant that dramatically affects the central nervous system.

a. Short Term Effects:

increased heart rate, blood pressure, metabolism

feelings of exhilaration, energy

increased mental alertness

aggression, violence, or psychotic behavior

b. Long Term Effects:

memory loss

cardiac and neurological damage

impaired memory and learning

tolerance

addiction

Methamphetamine releases high levels of the neurotransmitter dopamine, which stimulates brain cells, enhancing mood and body movement. It also appears to have a neurotoxic effect, damaging brain cells

that contain dopamine and serotonin, another neurotransmitter. Over time, methamphetamine appears to cause reduced levels of dopamine, which can result in symptoms like those of Parkinson's disease, a severe movement disorder.

#### F. Prescription Drugs

Prescription medications such as pain relievers, tranquilizers, stimulants, and sedatives are very useful treatment tools but sometimes people do not take them as directed and may become addicted. The inappropriate or non-medical use of prescription medications is a serious public health concern. The most common forms are:

Opioids - often prescribed to treat pain

Example: Oxycontin, Demerol or Vicodin

CNS Depressants - used to treat anxiety and sleep disorders

Example: Nembutal and Valium 17

Stimulants- prescribed to treat narcolepsy and attention deficit/hyperactivity disorder

Example: Dexedrine and Ritalin

##### a. Long Term Effects:

Opioids or CNS depressants

- lead to physical dependence and addiction to

Stimulants (taken in higher doses)

- lead to compulsive use
- paranoia
- dangerously high body temperatures
- irregular heartbeat

#### G. Steroids

Human-made substances related to male sex hormones. Some athletes abuse anabolic steroids to enhance performance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible.

##### a. Short Term Effects

increased heart rate, blood pressure, metabolism

feelings of exhilaration, energy

increased mental alertness

aggression, violence, or psychotic behavior

##### b. Long Term Effects

hypertension

blood clotting and cholesterol changes

liver cysts and cancer

kidney cancer



hostility and aggression

acne

adolescents, premature stoppage of growth

in males, prostate cancer, reduced sperm production, shrunken testicles, breast enlargement

in females, menstrual irregularities, development of beard and other masculine characteristics

For more information on the health risks of drugs: <https://www.dea.gov/druginfo/factsheets.shtml> for more specific drug information)

## Drug and Alcohol Abuse Education Programs

Roseman University is a Health Sciences University. With that in mind, our students are taught about adverse reactions of drug and alcohol during their studies here at the University.

## Resources for Roseman University Employees and Students

Addiction Recovery Guide <a href="http://www.addictionrecoveryguide.org">www.addictionrecoveryguide.org</a>	Addiction and Psychological Services, Inc. (located in South Jordan, UT) 1-801-302-1155	Al-Anon: 1-800-344-2666
Alcoholics Anonymous 702-598-1888 801-484-7871 <a href="http://www.alcoholics-anonymous.org/">www.alcoholics-anonymous.org/</a> <a href="http://www.lvcentraloffice.org">www.lvcentraloffice.org</a> <a href="http://www.salakeaa.org">www.salakeaa.org</a>	Alcoholics Anonymous Las Vegas Central Office 702-595-1888 <a href="http://www.lvcentraloffice.org">www.lvcentraloffice.org</a>	American Council for Drug Education (ACDE) 1-800-drughelp <a href="http://www.acde.org/">www.acde.org/</a>
American Council on Alcoholism Helpline 1-800-527-5344	Chemical Dependency Intensive Outpatient (CDIOP)-via Monte Vista Hospital Morning and Evening Meetings Offered 702-364-1111 ext. 3134 801-562-1940	Cocaine Anonymous <a href="http://www.ca.org">www.ca.org</a>
Cocaine Hotline (24/7 drug helpline): 352-771-2700	College Drinking – Changing the Culture <a href="http://www.collegedrinkingprevention.gov">www.collegedrinkingprevention.gov</a>	FACE Resources, Training and Action on Alcohol Issues 1-888-822-3223 <a href="http://www.faceproject.org">www.faceproject.org</a>
Federal Substance Abuse and Mental Health Services Administration's Treatment Routing Services 1-800-662-4357	Heroin Information <a href="http://www.herion-information.org">www.herion-information.org</a> 1-800-559-9503 <a href="http://www.heroin.org">www.heroin.org</a>	Las Vegas Recovery Center: 702-515-1373
Marijuana Anonymous <a href="http://www.marijuana-anonymous.org">www.marijuana-anonymous.org</a>	Narconon-Drug and Alcohol Education and Rehabilitation Services (holistic approach to treatment) brochures available in library 1-775-726-3948 <a href="http://www.rainbowcanyon.us">www.rainbowcanyon.us</a>	Narcotics Anonymous (Southern Nevada) 1-702-369-3362-24 hours <a href="http://www.snasc.org">www.snasc.org</a>

Narcotics Anonymous (Salt Lake City area) 801-296-4044 801-296-4045 <a href="http://www.wsona.org">www.wsona.org</a> <a href="http://www.utahna.info">www.utahna.info</a>	National Association of State Alcohol/Drug Abuse Directors (NASADAD) <a href="http://www.nasadad.org/about1.htm">www.nasadad.org/about1.htm</a>	National Clearinghouse for Alcohol and Drug Information (NCADI) 1-800-729-6686 <a href="http://www.health.org">www.health.org</a>
National Council on Alcoholism and Drug Dependence 1-800-NCA-CALL <a href="http://www.ncadd.org">www.ncadd.org</a>	National Institute on Drug Abuse (NIDA) <a href="http://www.nida.nih.gov">www.nida.nih.gov</a>	National Drug Information Treatment and Referral Hotline Online alcohol test and resources on drugs and alcohol Substance Abuse Treatment Facility Locator 1-800-662-HELP <a href="http://www.dasis3.samhsa.gov">www.dasis3.samhsa.gov</a>
Nevada State Board of Nursing 775-688-2690 <a href="http://www.nursingboard.state.nv.us">www.nursingboard.state.nv.us</a>	Nevada State Board of Pharmacy 1-775-850-1440 <a href="http://www.state.nv.us/pharmacy">www.state.nv.us/pharmacy</a>	Region 51 Narcotics Anonymous: 888-495-3222 <a href="http://www.region51na.org">www.region51na.org</a>
Salvation Army Adult Rehabilitation Program (Las Vegas, Nevada) 702-399-2769	University of Utah Neuropsychiatric Institute 801-583-2500	Neuropsychiatric Institute 801-583-2500
U.S. Department of Education's Higher Education Center for Alcohol and Other Drug Abuse and Violence Prevention 1-800-676-1730 <a href="http://www.higheredcenter.org/">www.higheredcenter.org/</a>	Utah State Board of Nursing 1-866-275-3675-toll free in Utah <a href="http://www.dopl.utah.gov/licensing/nurse.html">www.dopl.utah.gov/licensing/nurse.html</a>	Utah State Board of Pharmacy 801-530-6179 <a href="http://www.dopl.utah.gov">www.dopl.utah.gov</a>

Roseman employees and students are encouraged to use their respective Employee Assistance Plan (EAP) and Student Assistance Plan (SAP).

The Education Development Center's website also offers some very important information about prevention.

<https://www.edc.org/opioid-misuse-prevention-strategies-staying-ahead-trends>

<https://www.edc.org/substance-abuse-prevention-collaborative-planning-tool>

Dangers of Drinking / Alcohol Abuse Training: <https://roseman.dialogedu.com/training>

## Campus Facilities

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### Statement Addressing Security of and Access to Campus Facilities

For your protection, our campus is protected by a professional security service. Security Officers are on-site at all our campuses 24 hours a day and include full time Officers and roving patrols. Additional security is provided for certain special events and at off-site events such as graduations.

Since both the Henderson, South Jordan and Summerlin facilities are small campuses, with no residence halls, our daily population is undersized compared to larger Universities. Having a smaller population is conducive to keeping our crime rate very low. The nature of the study, and service, conducted at Roseman University requires that our facility be open to our students, staff, faculty and visitors of the university during normal business hours. These individuals should always be alert and aware of their surroundings and exercise common-sense safety precautions. After normal business hours and during breaks these facilities are locked and only accessible to authorized individuals. Security officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

All employees may use their identification card to gain access to campus facilities after regular business hours. In addition to the badging card access system, the university has security cameras that are monitored regularly by our security Officers.

It is essential that staff and faculty cooperate to keep closed facilities locked. To ensure that unauthorized individuals do not enter campus buildings DO NOT prop doors open or leave doors unlocked if you enter after hours. DO NOT open the door for individuals you do not know. In addition, protect the security of campus keys/access badges, and report immediately the loss or theft of keys/access badges.

## I.D. Badges

All students, faculty, and employees are issued identification badges, which must be worn and visible at all times. All visitors are required to obtain a visitor's badge at the main reception desk in the front lobby. All visitors' badges must be returned to the front desk.

## Keys

The Facilities Management Unit keeps a record of all keys used in all locations of the University. All University keys are kept in a lock-controlled area.

## Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Our contracted Security Officers regularly patrol the campus and report malfunctioning lights or other unsafe physical conditions to Facilities Management authorities for correction. In addition, Roseman University invites staff/students to report any physical hazards. Our maintenance team is constantly pinpointing any potential safety issues such as areas needing additional lighting, trees or bushes needing trimming to reduce shadows, or potholes and/or other obstacles.

## Campus Resource Organizations

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### Counseling

Students needing personal counseling services about non-academic issues (e.g., grief counseling, alcohol, substance abuse and mental health) should contact the Vice President of Student Services. While these services are not provided by the University, the Vice President of Student Services provides students with a confidential venue to voice concerns and ask questions. Student Services can work with the student to refer him/her to appropriate resources for additional assistance. Resources are also available on the website <http://www.roseman.edu/students/student-services-resources/student-health-wellness/>

## Mental Health

Suicidal thoughts — your own or a friend's — are cause for serious concern. Suicide is the second ranking cause of death for college-age students, and all warning signs must be taken seriously. A person who is suicidal often feels depressed, lonely and isolated from friends and family. A change in sleep patterns, loss of interest in activities and friends, and changes in lifestyle are some additional indicators of suicidal tendencies. If you find yourself or a friend exhibiting these behaviors, seek help immediately!

Source: United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration  
[www.samhsa.gov](http://www.samhsa.gov)

### Roseman University Protocol for Responding to Students Presenting with Mental Health Concerns

<u>Distressed Behavior</u>	<u>Disruptive Behavior</u>	<u>Dangerous Behavior</u>
<p><b>Student shows signs of distress but is not being disruptive</b></p> <p>Examples include public displays of: tearfulness, anxiety, irritation, depression, or inability to concentrate.</p> <p>or</p> <p>Student shares concerns about academic difficulty such as being placed on academic probation, poor performance on assessment or experiential rotations, etc.,</p>	<p><b>Student engages in behavior that:</b></p> <p><b>1) disrupts classroom/online didactic, laboratory or experiential instruction</b></p> <p>or</p> <p><b>2) a reasonable person would consider to be abusive or that disturbs the learning environment</b></p> <p>Examples include:</p> <p>Bizarre comments unrelated to class, use of inappropriate/ offensive language, public displays of emotional outbursts that interfere with the learning environment,</p> <p>AND</p> <p>refusal to follow employee's directions to stop disruptive behavior.</p>	<p><b>Crisis Event</b></p> <p><b>Self-Harm</b></p> <p>The student is <b>expressing</b> (verbally or nonverbally) <b>an intent to harm themselves or is attempting or is in the process of harming themselves or is engaging in behavior that a reasonable person would determine as suicidal.</b></p> <p><b>Threat to Others</b></p> <p>A reasonable person would determine that the person's behavior:</p> <ul style="list-style-type: none"> <li>• <b>poses an articulable and significant threat to the health and safety of others.</b></li> <li>• <b>is damaging property.</b></li> </ul>
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<p>Speak with student privately about your observations. Ask student if they have questions about resources.</p> <p><i>If the student has questions about mental health resources, including student health insurance mental health benefits, refer student to:</i></p> <p>Dr. DeYoung, Vice President Student Affairs <a href="mailto:mdeyoung@roseman.edu">mdeyoung@roseman.edu</a> (702) 968-2006</p> <p>Or</p> <p>Henderson:</p> <p><a href="mailto:studentwellnessnv@roseman.edu">studentwellnessnv@roseman.edu</a></p> <p>South Jordan:</p> <p><a href="mailto:studentwellnessut@roseman.edu">studentwellnessut@roseman.edu</a></p> <p><i>If student has questions about academic resources including, but not</i></p>	<p>If possible, speak with student privately to clarify appropriate behavior, set expectations and consequences.</p> <p>If the student continues disruptive behavior after being warned to stop, you have the right to ask the student to leave for the remainder of the class. Refer student to College administration.</p> <p>If a student refuses to leave class:</p> <p>1) Call Campus Security:</p> <p>Henderson:</p> <p>4 Sunset Way (702) 208-8062</p> <p>11 Sunset Way (702) 208-8841</p> <p>South Jordan:</p> <p>Bldg. 10 COP/CON (801) 664-2626</p> <p>Bldg. 11 CODM (801) 664-1208</p>	<p>1) Call 911 and provide:</p> <ul style="list-style-type: none"> <li>- Student's name</li> <li>- Student's location</li> <li>- Basic incident information who is involved, what happened, when did it happen, where did this happen</li> </ul> <p>Follow instructions from 911 operator and take reasonable precautions and actions to protect the safety of the student, others, and yourself until assistance arrives.</p> <p>2) Call Campus Security:</p> <p>Henderson:</p> <p>4 Sunset Way (702) 208-8062</p> <p>11 Sunset Way (702) 208-8841</p>

<i>limited to, tutoring, assessment preparation, study skills, Leave of Absence (LOA) policies, etc., refer student to College administration.</i>	2) Call College administration	South Jordan: Bldg. 10 COP/CON (801) 664-2626 Bldg. 11 CODM (801) 664-1208  3) Call College administration  4) Call Dr. DeYoung, Vice President for Student Affairs, at (702) 968-7980  <b>WHEN IN DOUBT, CALL 911</b>
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If student chooses to follow-up with Student Services, Student Services will document this contact.  <i>Roseman's Student Services Office does not provide counseling services. Student Services will help students enrolled in the Roseman student health insurance plan to use their benefits and students not enrolled in the plan to identify alternative resources</i>	Go to Roseman Intranet / Student Services and complete and submit 'Student Mental Health Incident Report' within 24 hours of incident. Student Services will consult with Risk Management to see if Student Services needs to complete a University Incident Report form.	Go to Roseman Intranet / Student Services and complete and submit 'Student Mental Health Incident Report' within 24 hours of incident. Student Services will work with Risk Management to complete a University Incident Report form.

## Other Student Services

The university mission is to provide students with disabilities the tools, reasonable accommodations, and support services to participate fully in the academic environment. Furthermore, their mission is to promote an accessible and culturally sensitive campus through outreach and by building partnerships within the university community and beyond.

## Disciplinary Procedures – Policy Statements

### General University Policies

The following policies have broad application throughout the University to help ensure coordinated compliance with applicable laws and regulations; to promote operational efficiencies; and enhance Roseman University's mission.

To view or download these policies, please visit [www.roseman.edu/university-policies](http://www.roseman.edu/university-policies) . Policies accessible through a password-protected area are noted

- Academic Appointment and Contract Policies – Employee Password
- Academic Freedom Policy
- Access Badge Policy
- Commencement Decorum Policy
- Computer and Network Acceptable Usage Policy
- Computer Hardware Policy
- Conflict of Interest Policy – Employee Password
- Consensual Relationships Policy
- Consulting and Outside Activities Policy – Employee Password
- Directory Information (FERPA) Policy
- Duplicate Diplomas-Certificates Policy

- Employee and News Media Policy – Employee Password
- Employee Travel Policy – Employee Password
- Employee Tuition Assistance and Remission Policy –Employee Password
- Equal Opportunity Employment Policy
- Establishment and Review of Centers and Institutes Policy – Employee Password
- Firearms and Weapons Policy
- Food and Beverage Policy
- Grade Recommendation Policy – Employee Password
- Harassment Policy – Employee Password
- Latex Allergy Policy
- Maximum Length of Supplemental Administrative Faculty Contract Policy – Employee Password
- Multimedia Recording Policy
- Non-Discrimination Policy
- Notice of Requirement to Check Student Email on a Daily Basis Policy – Student Password
- Political Activities of University Employees Policy –Employee Password
- Readmission for Service Members Policy
- Reporting and Investigative Process for Allegations of Employee Non-Academic Misconduct – Employee Password
- Requesting Reasonable Accommodations Policy –Employee Password
- Roseman and Dell Programs for New Students Policy
- Service Animal Policy
- Sexual Misconduct Policy
- Sick Leave Bank Policy – Employee Password
- Social Media Policy
- Statement of Principles of Free Expression
- Student Contact Card Policy – Student Password
- Student’s Guest Policy – Student Password
- Student Online Presence Policy – Student Password
- Student Right to Know Policy – Student Password
- Student Transportation Policy – Student Password
- Substance Abuse Policy
- Suicide Prevention Policy
- Title IX Policies Addressing Sexual Harassment
- Tobacco Free Policy
- University Email Use Policy
- University Student Professionalism Board (USPB) Policy
- Use of Copyrighted Works Policy
- Whistleblower Policy – Reporting Suspected Misconduct

## Harassment Prevention policy

### Non-Harassment

We prohibit harassment of one employee by another employee, supervisor or third party (including students) for any reason including, but not limited to: veteran status, race, color, religion, sex, national origin, age (40 and over), pregnancy (including childbirth, breastfeeding, and related medical conditions), sexual orientation, genetic information, gender identity, physical or mental disability, or any personal characteristic protected under state or federal law. Harassment of third parties (including students) by our employees is also prohibited.

The purpose of this policy is not to regulate the personal morality of employees. It is to assure that in the workplace, no employee harasses another for any reason.

While it is not easy to define precisely what harassment is, it includes: slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing, or any other visual or verbal conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Employees who feels that they are a victim of such harassment should immediately report the matter to the Office of Human Resources. Employees are also encouraged to report harassment they witness between other employees. The Office of Human Resources will immediately investigate all such reports as confidentially as possible. If you prefer not to discuss the matter with the Office of Human Resources, you may contact your supervisor or the Chancellor who will immediately forward the complaint to the Office of Human Resources. Adverse action will not be taken against an employee because he or she, in good faith, reports or participates in the investigation of a violation of this policy. Violations of this policy are not permitted and may result in disciplinary action, up to and including discharge.

## Sexual Harassment

Sexual harassment is against university policy and is unlawful under state and federal law.

We firmly prohibit sexual harassment of any employee by another employee, supervisor or third party (including students). Harassment of third parties (including students) by our employees is also prohibited. The purpose of this policy is not to regulate the morality of employees. It is to assure that in the workplace, no employee is subject to sexual harassment. While it is not easy to define precisely what sexual harassment is, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conducts made explicitly or implicitly a term or condition employment;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails;
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates; or
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Sexual harassment of an employee will not be tolerated. Violations of this policy may result in disciplinary action, up to and including discharge. There will be no adverse action taken against employees who, in good faith, report violations of this policy or participate in the investigation of such violations.

## Complaint Procedure

Employees who feel that they are a victim of unlawful or sexual harassment should immediately report such actions in accordance with the following procedure. All complaints will be promptly and thoroughly investigated as confidentially as possible.

1. Employees who believe that they are a victim of harassment should report the act immediately to the Office of Human Resources. If you prefer not to discuss the matter with the Office of Human Resources, you may contact your supervisor or the Chancellor who will immediately forward the complaint to the Office of Human Resources.
2. The Office of Human Resources will investigate every reported incident immediately. Any employee, supervisor or agent of the university who has been found to have violated this policy may be subject to appropriate disciplinary action, up to and including immediate discharge.



The reporting employee and any employee participating in any investigation under this policy have the university's assurance that no retaliation will occur as a result of an unlawful or sexual harassment complaint. It is our policy to encourage discussion of the matter and to help protect others from being subjected to similar inappropriate behavior. If you believe you have been retaliated against for reporting or participating in an investigation of harassment, please report such conduct to the above-mentioned parties immediately.

## Reporting and Investigative Process for Allegations of Employee Non-Academic Misconduct

The University recognizes that Roseman students and employees have the right to report when they have a good faith belief that a Roseman employee has engaged in non-academic misconduct. The University also recognizes that Roseman employees accused of engaging in non-academic misconduct have a right to due process. The University defines non-academic misconduct to include, but not limited to, behavior such as sexual harassment, non-sexual harassment, conduct that violates the University's discrimination policy, actions that jeopardize another student's, employee's or patient's safety, actions that result in the intentional breaking or destruction of another student's, employee's or patient's property. When a Roseman employee witnesses another Roseman employee engaging in non-academic misconduct, the employee should immediately report this behavior to the Office of Human Resources. When a Roseman student witnesses a Roseman employee engaging in non-academic misconduct, the student should immediately report this behavior to either the Vice President for Student Services or the Office of Human Resources.

When the Office of Human Resources receives an allegation that an employee has engaged in nonacademic misconduct, it will provide the name of the employee as well as the substance of the allegation to the Unit Head or the Dean/Program Director where the faculty member's primary appointment lies. When the Office of Human Resources and/or the Vice President for Student Services receives a report of a Roseman employee engaging in non-academic misconduct, the report will be investigated by the Office of Human Resources. If the report impacts a Roseman student, the investigation will be conducted jointly by the Office of Human Resources and the Vice President for Student Services. The Office of Human Resources reserves the right to contract with an external consultant to conduct an investigation. Any Roseman employee who has been found to have engaged in non-academic misconduct may be subject to appropriate disciplinary action.

## Whistleblower Policy- Reporting Suspected Misconduct

Roseman University requires its employees, directors and officers to perform their duties and responsibilities in accordance with applicable laws and regulations, University policy and procedures and high ethical standards. The University is committed to compliance with all applicable laws and regulations through the promulgation and administration of policies that faithfully apply them. A culture of compliance strengthens and promotes ethical practices and respectful treatment of all members of the University community and those who conduct business with the University.

Each member of the University community shares responsibility for stewardship of University resources and compliance with applicable laws and policies. Therefore, University faculty, staff and students have a responsibility and are encouraged to submit a report in accordance with this Policy, describing in detail any conduct by University employees, directors, officers, students, or other parties that may result in financial loss or other harm to the University. The University shall thereupon have a duty to investigate.

This Policy is not intended to supplant, but rather to complement and supplement, existing University policies. It thus does not affect any rights, responsibilities or procedures set forth in other University policies addressing misconduct. For example, complaints or grievances regarding discrimination, sexual harassment, academic and disciplinary matters, academic freedom, and other matters as to which there are specific University policies, should ordinarily be made and addressed in accordance with the University policies applicable to such matters and applicable law.



Any employee who has a question about the propriety of any practice under University policies or procedures should ordinarily seek guidance from his or her supervisor, Unit Head, or from the Office of Human Resources.

Instances of suspected misconduct should be reported to the Director of Human Resources, except as follows:

Person Suspected of Misconduct Report Incident to

Person Suspected of Misconduct

Academic Program Directors, Deans,  
Chancellors or Vice Presidents University President

Report Incident to

Director of Human Resources or

Director of Human Resources

University President

University President

Chair, Roseman University Board of Trustees  
c/o Ronald Reynolds, Attorney-at-Law  
823 Las Vegas Boulevard South, Suite 280  
Las Vegas, NV 89101  
(702) 445-7000

IN THE EVENT THE REPORTING PERSON HAS A LEGITIMATE CONCERN WITH SUBMITTING THE REPORT AS DIRECTED ABOVE, THE REPORT MAY BE SUBMITTED TO THE CHAIR OF THE BOARD OF TRUSTEES, C/O RONALD REYNOLDS, ATTORNEY-AT-LAW, AT THE ADDRESS AND TELEPHONE NUMBER LISTED ABOVE.

A Reporting Person may request that a report made under this Policy be handled as confidentially as possible under the circumstances. Although the University will endeavor to handle all such reports with discretion and due regard for privacy, other obligations and considerations may preclude the University from maintaining confidentiality in all circumstances. No individual who in good faith reports a violation or suspected violation shall there by suffer harassment, retaliation or adverse employment and/or academic or educational consequence. An employee who retaliates against someone who has made a report in good faith under this Policy is subject to disciplinary action, up to and including dismissal from the University. Individuals who believe they have suffered retaliation may report it to one of the reporting venues identified above.

This policy is intended to encourage and enable those in the University Community to raise serious concerns within the University prior to seeking outside resolution. Reports made in bad faith or with knowledge of their falsity may subject individuals to disciplinary or other appropriate action. Making a report under this Policy shall not insulate an individual from personnel or other actions that are warranted based on performance or other factors and are not caused by the making of a complaint under this Policy.

## Roseman University – General Standards of Conduct from Employee Handbook

### Non-Harassment

We prohibit harassment of one employee by another employee, supervisor or third party (including students) for any reason including, but not limited to: veteran status, race, color, religion, sex, national origin, age (40 and over), pregnancy (including childbirth, breastfeeding, and related medical conditions), sexual orientation, genetic information, gender identity, physical or mental disability, or any personal characteristic protected under state or federal law. Harassment of third parties (including students) by our employees is also prohibited.

The purpose of this policy is not to regulate the personal morality of employees. It is to assure that in the workplace, no employee harasses another for any reason.

While it is not easy to define precisely what harassment is, it includes: slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing, or any other visual or verbal conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Employees who feel that they are a victim of such harassment should immediately report the matter to the Office of Human Resources. Employees are also encouraged to report harassment they witness between other employees. The Office of Human Resources will immediately investigate all such reports as confidentially as possible. If you prefer not to discuss the matter with the Office of Human Resources, you may contact your supervisor or the Chancellor who will immediately forward the complaint to the Office of Human Resources. Adverse action will not be taken against an employee because he or she, in good faith, reports or participates in the investigation of a violation of this policy. Violations of this policy are not permitted and may result in disciplinary action, up to and including discharge.

## Sexual Harassment

Sexual harassment is against university policy and is unlawful under state and federal law.

We firmly prohibit sexual harassment of any employee by another employee, supervisor or third party (including students). Harassment of third parties (including students) by our employees is also prohibited. The purpose of this policy is not to regulate the morality of employees. It is to assure that in the workplace, no employee is subject to sexual harassment. While it is not easy to define precisely what sexual harassment is, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conducts made explicitly or implicitly a term or condition employment;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails;
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates; or
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Sexual harassment of an employee will not be tolerated. Violations of this policy may result in disciplinary action, up to and including discharge. There will be no adverse action taken against employees who, in good faith, report violations of this policy or participate in the investigation of such violations.

## Reporting Procedure

Employees who feel that they are a victim of unlawful or sexual harassment should immediately report such actions in accordance with the following procedure:

1. Employees who believe that they are a victim of harassment should report the act immediately to the Office of Human Resources. If you prefer not to discuss the matter with the Office of Human Resources, you may contact your supervisor or the Chancellor who will immediately forward the complaint to the Office of Human Resources.
2. The Office of Human Resources will investigate every reported incident immediately. Any employee, supervisor or agent of the university who has been found to have violated this policy may be subject to appropriate disciplinary action, up to and including immediate discharge.

All complaints will be promptly and thoroughly investigated as confidentially as possible.

The reporting employee and any employee participating in any investigation under this policy have the university's assurance that no retaliation will occur as a result of an unlawful or sexual harassment complaint. It is our policy to encourage discussion

of the matter and to help protect others from being subjected to similar inappropriate behavior. If you believe you have been retaliated against for reporting or participating in an investigation of harassment, please report such conduct to the above-mentioned parties immediately.

## Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

## Retaliation Prohibited

In addition, the University will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee has been subjected to any such retaliation, the employee should report it in the same manner in which the employee would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

## Reporting Suspected Misconduct

Roseman University of Health Sciences requires its employees, directors and officers to perform their duties and responsibilities in accordance with applicable laws and regulations, University policy and procedures and high ethical standards. The University is committed to compliance with all applicable laws and regulations through the promulgation and administration of policies that faithfully apply them. A culture of compliance strengthens and promotes ethical practices and respectful treatment of all members of the University community and those who conduct business with the University.

Each member of the University community shares responsibility for stewardship of University resources and compliance with applicable laws and policies. Therefore, University employees have a responsibility and are encouraged to submit a report in accordance with this Policy, describing in detail any conduct by University employees, directors, officers, students, or other parties that may result in financial loss or other harm to the University. The University shall thereupon have a duty to investigate.

This Policy is not intended to supplant, but rather to complement and supplement, existing University policies. It thus does not affect any rights, responsibilities or procedures set forth in other University policies addressing misconduct. For example, complaints or grievances regarding discrimination, sexual harassment, academic and disciplinary matters, academic freedom, and other matters as to which there are specific University policies, should ordinarily be made and addressed in accordance with the University policies applicable to such matters and applicable law.

Any employee who has a question about the propriety of any practice under University policies or procedures should ordinarily seek guidance from his or her supervisor, Unit Head, or from the Office of Human Resources.

Instances of suspected misconduct should be reported to the Director of Human Resources, except as follows:

Person Suspected of Misconduct

Academic Program Directors, Deans,  
Chancellors or Vice Presidents University President

Director of Human Resources

University President

Report Incident to

Director of Human Resources or

University President

Chair, Roseman University Board of Trustees  
c/o Ronald Reynolds, Attorney-at-Law  
823 Las Vegas Boulevard South, Suite 280  
Las Vegas, NV 89101  
(702) 445-7000

IN THE EVENT THE REPORTING PERSON HAS A LEGITIMATE CONCERN WITH SUBMITTING THE REPORT AS DIRECTED ABOVE, THE REPORT MAY BE SUBMITTED TO THE CHAIR OF THE BOARD OF TRUSTEES, C/O RONALD REYNOLDS, ATTORNEY-AT-LAW, AT THE ADDRESS AND TELEPHONE NUMBER LISTED ABOVE.

A Reporting Person may request that a report made under this Policy be handled as confidentially as possible under the circumstances. Although the University will endeavor to handle all such reports with discretion and due regard for privacy, other obligations and considerations may preclude the University from maintaining complete confidentiality in all circumstances. No individual who in good faith reports a violation or suspected violation shall thereby suffer retaliation or adverse employment and/or academic or educational consequence. An employee who retaliates against someone who has made a report in good faith under this Policy is subject to disciplinary action, up to and including dismissal from the University. Individuals who believe they have suffered retaliation may report it to one of the reporting venues identified above.

This policy is intended to encourage and enable those in the University Community to raise serious concerns within the University prior to seeking outside resolution. Reports made in bad faith or with knowledge of their falsity may subject individuals to disciplinary or other appropriate action. Making a report under this Policy shall not insulate an individual from personnel or other actions that are warranted based on performance or other factors and are not caused by the making of a complaint under this Policy.

## Standards of Conduct

Each employee has an obligation to observe and follow the University's policies and to always maintain proper standards of conduct. If an individual's behavior interferes with the orderly and efficient operation of a unit, corrective disciplinary measures will be taken.

## College of Nursing – Policies and Processes for Academic and/or Professional Misconduct

The College of Nursing expects students to be academically honest. To maintain academic integrity and professionalism in the College of Nursing, academic and/or professional misconduct will not be tolerated. All students are expected to behave professionally in all matters relating to their program of study.

The College of Nursing has established what constitutes academic and/or professional misconduct. Academic misconduct includes, but is not limited to the following:

- Cheating – Cheating is defined as providing or receiving information and/or assistance during assessments. Examples of cheating include, but are not limited to:

- o Possession of unauthorized copies of assessments (tests), assessment items or access to assessments prior to, or following completion of the assessment.
  - o Looking at another person's answers during an assessment or allowing another person to look at your answers. This applies to hard copy and online assessments.
  - o Collaborating with another person during individual assessments or assignments where the work is to be performed by the individual student.
  - o Taking an assessment for someone else or having another person take one for you.
  - o Exchanging notes or information between students during an assessment.
  - o Obtaining unauthorized information about an assessment.
  - o Bringing materials or information to an assessment that is not permitted, whether you planned to use it or not.
  - o Printing and/or removing an assessment from the examination room without permission.
  - o Changing an answer that has not been authorized on an assessment that has been returned to you for review. This policy applies whether the assessment has been graded or not.
  - o Presenting collaborative work (2 or more) as your own independent work.
  - o Utilizing cellular telephones, cameras, laptops, recording devices, or electronic devices during an assessment, team assessment, challenges and assessment reviews.
- Plagiarism - Taking someone's work and presenting it as your own without acknowledgement or giving credit to the originator of the work. This includes having someone else write a paper or assignment, putting your name on it and submitting it as your own.
  - Fraud - Intentional misrepresentation or omission of material facts.
  - Misrepresentation - Providing misleading information.
  - Unethical Behavior - Violation of any ethical standard of your profession and/or academic program. An example of an unethical behavior is knowingly disclosing or participating in the disclosure of client information to unauthorized individuals.
  - Improper Behavior - Disruptive behavior may occur in the classroom, online discussion threads, or other facilities. Disruptive behavior is defined as any behaviors that hamper the ability of instructors to teach or students to learn. Common examples of disruptive behaviors include, but are not limited to:
    - Eating in class
    - Monopolizing classroom discussions
    - Failing to respect the rights of other students to express their viewpoints
    - Talking when the instructor or others are speaking
    - Constant questions or interruptions which interfere with the instructor's presentation
    - Overt inattentiveness (e.g., sleeping or reading the paper in class)
    - Creating excessive noise
    - Entering the class late or leaving early
    - Use of cell phones in the classroom
    - Inordinate or inappropriate demands for time or attention

- Refusal to comply with faculty direction

Students exhibiting these types of behaviors can expect an academic intervention plan from the faculty and/or dismissal from the class in which the behavior occurs. Failure to correct such behaviors can result in a “No Pass” for the course and may lead to further disciplinary action including probation, suspension or withdrawal. An Academic Intervention Plan will be provided by the faculty member and discussed with the Associate Dean of Academic and Student Affairs/ Director.

More extreme examples of disruptive behavior include, but are not limited to:

- Use of profanity or pejorative language
- Intoxication
- Verbal abuse of instructor or other students (e.g., taunting, badgering, intimidation)
- Harassment of instructor or other students
- Threats to harm oneself or others
- Physical violence

Students exhibiting these more extreme examples of disruptive behavior may be dismissed from the lesson or the entire course. If faculty/administration or staff have a “reasonable suspicion” that the disruptive behavior is caused by intoxication or impairment from a non-prescribed medication or substance, the student will be required to submit to a drug screen (See below).

- Unprofessional conduct - Incompetent, non-collegial, unethical, or illegal conduct which may deceive, defraud or injure clients, fellow students, faculty members, or the public; or deviate from standards of professional conduct; criminal convictions for crimes against persons or property; on university grounds under the influence of non-prescribed controlled substances or alcohol, etc.
  - o If a faculty member/administrator/staff member observes the student and has a reasonable suspicion that the student may be impaired, the student may be required to submit to a random drug screening at the time of the event. If the drug screening results are negative for the presence of tested substance, the College of Nursing will cover the cost of the screening. If testing results are positive for any substance, the student will be responsible for the cost of the screening. The student may be encouraged to seek treatment for alcohol and/or drug addiction. However, if the student continues to engage in unprofessional conduct, he/she may be recommended for additional misconduct proceedings which may include anything up to and including probation, suspension or withdrawal.
- False Information - Providing or reporting untrue or inaccurate information.

A student who has or may have violated the College of Nursing’s policy on Academic, Professional, and/or Clinical misconduct will be notified verbally and in writing of the violation and of the sanction, which may include but is not limited to probation, suspension, or termination.

Following this notification, the College of Nursing administration and the student will follow the policies and procedures of the University Student Professionalism Board as outlined in the USPB policy listed after the information from each college.

## Probation, Suspension &/or Termination for Academic, Professional, and/or Clinical Misconduct – College of Nursing

### Probation

A student who exhibits inappropriate academic, professional, and/or clinical behavior as described above may be placed on probation for academic, clinical or professional misconduct. Violations can also lead to suspension or termination from the program.

Matters involving a student's inappropriate academic, professional, and/or clinical behavior on campus or at experiential facilities will be brought to the attention of the Dean and Associate Dean of Academic and Student Affairs or designee. The appropriate administrative officer will acknowledge the student's placement on probation for academic, clinical or professional misconduct, and will specify in the intervention plan the terms of probation, including further disciplinary action to be taken should the terms of probation not be met within the specified timeframe. This document will be delivered either by email to her/his university email address, certified mail or hand-delivered to the student. A copy of the letter will be submitted to the Dean.

During the probationary period, the appropriate administrative officer shall be responsible for monitoring the student's progress toward meeting the terms of probation.

### Suspension

The College reserves the right to suspend a student at any time in order to safeguard patient safety, its standards of scholarship, professional and personal conduct, and/or orderly operation.

The Dean and Associate Dean of Academic and Student Affairs or designee can place a student on suspension as a result of unprofessional behavior by the student. Additionally, the Dean and Associate Dean of Academic and Student Affairs or designee may suspend a student even if he/she has not been placed on probation and/or if the student's conduct has not been reviewed by the USPB.

The Dean, Associate Dean of Academic and Student Affairs or designee will notify the student of his/her suspension, including the terms and conditions of the suspension, in a reasonable timeframe. The decision shall be delivered to the student by hand, via email to her/his university email address or by certified mail. A copy of the letter will be submitted to the Dean. A student can be required to begin the suspension even if he/she refuses to accept the hand-delivered notice of the suspension, neglects to check his/her email, or refuses to sign the certified mail receipt. This decision will also include the length of time for which the suspension will be in force. During the imposed suspension, the student is prohibited from attending or participating in any instructional sessions (either in the classroom or on experiential rotations), or any College or University events that are not open to the general public.

Following the suspension period, the student must petition the Dean, Associate Dean of Academic and Student Affairs or designee, in writing to allow him/her to return. The Dean, Associate Dean of Academic and Student Affairs or designee, shall consider the request and notify the student and the Dean, in writing, of the exact date and conditions under which the student's status is reinstated or the official termination date of the student.

### Termination

The College reserves the right to terminate a student at any time in order to safeguard patient safety, its standards of scholarship, professional and personal conduct, and/or orderly operation. Actions which threaten or endanger, in any way, the personal safety and/or well-being of self or other, or which disrupt or interfere with the orderly operation, of the College are cause for immediate termination of the student. Academic, clinical, and/or professional misconduct can also result in termination of the student's enrollment.

The Dean, Associate Dean of Academic and Student Affairs or designee may terminate a student's enrollment at the College. Additionally, the Dean, Associate Dean of Academic and Student Affairs or designee may terminate a student even if he/she has not been placed on probation and/or if the student's conduct has not been reviewed by the University Student Professionalism Board (USPB).

The Dean, Associate Dean of Academic and Student Affairs or designee will notify the student of his/her termination in a reasonable timeframe. The decision shall be delivered to the student by hand, via email to her/his university email address or by certified mail and will be effective as of the date specified in the termination letter. A copy of the letter will be submitted to the Dean.

A student who is terminated for academic, professional, and/or clinical misconduct may not be reinstated under any circumstances.

## Appeal of Probation

If a student feels he/she has been treated unfairly in a matter involving probation, he/she may appeal that decision in writing to the Dean. The written appeal must be submitted to the office of the Dean within two (2) business days of notification of the Dean, Associate Dean of Academic and Student Affairs or designee's decision. The Dean shall consider the appeal and render his/her decision. The Dean shall communicate this decision in writing to the student and the Associate Dean of Academic and Student Affairs or designee. The decision of the Dean shall be final, effective immediately.

## Appeal of Suspension or Termination

If a student feels he/she has been treated unfairly in a matter involving suspension or termination, he/she may appeal that decision in writing to the Dean. The written appeal must be submitted to the office of the Dean within two (2) business days of notification of suspension or termination. The Dean shall consider the appeal and render his/her decision. The Dean shall communicate this decision in writing to the student and the Associate Dean of Academic and Student Affairs or designee. If the suspension or termination was imposed by the Dean, the student may appeal directly to the Chancellor of the Henderson, Nevada campus, using the procedures below.

If the student is still dissatisfied, he/she may appeal the Dean's decision in writing to the Chancellor of the Henderson, Nevada campus. The written appeal must be submitted to the office of the Chancellor of the Henderson, Nevada campus within two (2) business days of notification of the Dean's decision. The Chancellor of the Henderson, Nevada campus shall consider the appeal and render his/her decision. The Chancellor of the Henderson, Nevada campus shall communicate this decision in writing to the student and the Dean. The decision of the Chancellor of the Henderson, Nevada campus shall be final, effective immediately.

When the Dean, Associate Deans, or designee concludes that it is more likely than not that the student does not pose a threat to the safety or well-being of the members of the University community, the student shall have the opportunity to continue to attend classes and participate in all sanctioned College activities until such time as any/all appeals are exhausted. The student is expected to behave in a professional manner during this time period.

The student must notify the Associate Dean immediately of his/her intent to initiate the grade appeal or grievance process when the issue includes receipt of a No Pass, "NP" for a course.

Any disruptions of class or University operations or any other unprofessional behavior may result in rescission of the student's opportunity to attend class and/or all sanctioned College activities.



## Grievance Procedures

The College of Nursing is committed to mutual respect among all of its members. This commitment includes students, faculty, staff and administration. We seek to resolve issues and concerns in a fair and informal manner. However, should a formal grievance be filed by a student he/she shall be given the right to due process.

An action or a decision can be grieved if it involves the failure to follow or a misapplication or misinterpretation of University policy, regulation, or rule; or a violation of state or federal law.

Unless a clear threat to the safety or well-being of members of the University community exists, the student shall have the opportunity to continue to attend classes and participate in all sanctioned College activities until such time as any/all appeals are exhausted. The student is expected to behave in a professional manner during this time period. Any disruptions of class or University operations or any other unprofessional behavior may result in rescission of the student's opportunity to attend class and/or all sanctioned College activities. Throughout the grievance process, the student may be accompanied by a support person who may advise the student but cannot speak for or provide information on behalf of the student.

## Informal Grievances

Any student in the College of Nursing who believes that he or she has a grievable issue (as defined above under Grievance Procedures) is encouraged to resolve the matter informally. The student must first talk with the person or groups at whom the grievance is directed in an attempt to informally resolve the issue. Grievances will be reviewed and decisions made based on the evidence presented. In no event shall persons who review a grievance substitute their subjective judgment about the issue or academic quality for that of the professor or other parties involved.

### Student Concerns, Issues & Questions Phase 1:

Attempt resolution with parties involved.

1. The student (s) should meet with individual (s) with whom the concern originated. The Grievance Form will be completed by the student and all individuals involved in the meeting.
2. After meeting with the individual (s) to discuss the matter, if a resolution cannot be reached, the student must continue with the Chain of Command which proceeds to phase 2 and/or 3. The Grievance Form will be completed and signed by all individuals involved in any meetings related to the grievance.

### Phase 2:

1. **Course Issue:** All parties involved will meet with the Course team. If the student met with the course team in phase 1, the student is not required to have a second meeting with the team but may consider the informal grievance procedure complete. The grievance form will be updated, signed and dated by all individuals involved in the meeting.
2. **Non-Course Issue:** All parties involved will meet with the Cohort Advisor to discuss the matter (s) and reach a resolution. The grievance form will be updated, signed and dated by all individuals involved in the meeting.

## Formal Grievance Procedures

The formal grievance procedure is available to resolve issues that have not been satisfactorily resolved through the informal grievance process. The person filing the grievance must be the recipient of the alleged incident leading to the grievance. A grievance cannot be filed on behalf of another person. Grievances must meet the requirements of a "grievable action/decision" (the failure to follow or a misapplication or misinterpretation of University policy, regulation, or rule; or a violation of state or federal law). If the Associate Dean of Academic and Student Affairs determines that the student's issue is grievable and it is unresolved or if the decision results in involuntary withdrawal from the College of Nursing, the formal grievance procedure should be followed as outlined below. For issues that are not considered grievable, a student should follow the student resolution process for non-grievable issues (Informal Grievances). A grievance that is not filed in a timely manner, or is from a person without grievance rights may be dismissed by the Associate Dean of Academic and Student Affairs.

To initiate the formal grievance procedure, the student must submit his or her grievance in writing to the Associate Dean of Academic and Student Affairs of the College of Nursing.

1. The written grievance must include:
  - a. The completed Grievance Form complete with all signatures and dates from previous meetings resulting from the informal grievance process and updated with the date of the formal grievance letter submission.
  - b. A statement indicating how the Informal Grievance process has been followed.
  - c. A statement that the student wishes a review of the situation by a grievance committee;
  - d. The identification of the person or group at whom the grievance is directed;
  - e. The specifics of the incident leading to the filing of a grievance;
  - f. Evidence to support the student's grievance; and the outcome or resolution desired by the student. This must include reference to the College of Nursing Student Handbook, Roseman University Student Catalog, or applicable state or federal law.
2. The Formal grievance process must be initiated no later than one (1) Business days after completing the informal grievance process. A student who does not file a grievance within one (1) Business day of completing the informal grievance process will be subject to the resolution of the informal grievance process.
3. Within 2 business days of receiving and validating the formal grievance, the Associate Dean of Academic and Student Affairs shall appoint an ad hoc committee to review the formal grievance.

## Ad Hoc Grievance Committee

If the Associate Dean of Academic and Student Affairs determines that convening the committee is appropriate, an Ad Hoc Grievance Committee will be convened on the alternate campus and Associate Dean of Academic and Student Affairs will appoint the Chair of the committee. The Chair of the committee will select individuals who are not personally involved in the assessment/course.

The committee will consider the points-of-view of both the student and the faculty member(s) to make a recommendation to the Campus/ Associate Dean.

The Ad Hoc Grievance Committee will consist of one nursing student and two nursing faculty members. The student shall not be in the same cohort as the student filing the grievance. If a nursing student is not available, a student representative may be selected from another discipline (Pharmacy, Dentistry, or Medicine).

1. The committee will review the student's letter to the Associate Dean of Academic and Student Affairs stating the rationale for the grievance. The committee may request a written response from the person or group at whom the formal grievance is directed, may ask for additional information from any or all parties involved, may request that the parties involved appear before the committee, and/or may take other steps in an attempt to resolve the issue.
2. Within 5 business days after forming the committee, the committee shall send a written report with recommendations to the Associate Dean of Academic and Student Affairs who initiated the grievance committee.
3. The Associate Dean of Academic and Student Affairs will provide a copy of the Committee's report and recommendation to the student.
4. A student wishing to appeal the committee's recommendation to the Dean of the College of Nursing must submit a written appeal to the Dean within one (1) business days of the date of the committee's report. The request must state the specific basis for appeal and identify the specific aspects of the committee's recommendation that he or she believes are the subject of the basis for appeal.
5. Only facts presented to the committee may be introduced to and considered by the Dean. The Dean shall notify the student and the committee in writing within five (5) business days of receiving the written appeal, stating the action on the appeal and the grounds for the action taken.
6. The Dean will notify the student via email and certified mail.
7. The Dean's decision shall be final, effective immediately with the exception of suspension or termination decisions.
8. If the final grievance decision is against the student, the College of Nursing's policies and procedures that govern the issue will be enforced.

9. Suspension or termination decisions may be appealed to the Chancellor, Henderson Campus following the procedures outlined under Appeals of Suspension or Termination for Academic, Professional, and/or Clinical Misconduct.

## College of Dental Medicine– Policies and Processes for Academic and/or Professional Misconduct

Surveys of the general public consistently rank dentists at the top of lists of the most trusted professions. The College of Dental Medicine is committed to developing our students to not only understand the importance of personal and professional honor and integrity, but to demonstrate honor and integrity in all settings. Our graduates will uphold and maintain the confidence and trust the public has placed in dentists as their healthcare providers.

Our emphasis on consistently demonstrating behaviors that define Lifelong Colleagues who abide by a strong Honor Code was a major theme during your interview day. You agreed to behave in accordance with these principles when you signed your letter of admission. Orientation and your first course in Ethics & Professionalism link our Lifelong Colleague Philosophy and our Honor Code to the ADA Code of Ethics and to Emotional Intelligence. All students must achieve a Pass in the Ethics & Professionalism course to participate in our White Coat Ceremony. This event is another opportunity where you affirm your commitments to each other, faculty, the dental profession and the public you will serve. We make each and every interaction reflect a sincere desire to develop each other as Lifelong Colleagues. This commitment sets the standard for how we work with each other.

Our Honor Code also directs and informs our moment-to-moment interactions with each other, our patients and our communities. It guides how we approach learning and defines our expectations to respect each other. It states simply that *“I will not lie, cheat, steal, disrespect others nor tolerate among us anyone who does.”*

We Demonstrate our commitments to be Lifelong Colleagues who abide by the Honor Code in all settings including, but not limited to:

- a. Classrooms, clinics, simulation clinics, rotations that are on-campus or in the community that are provided or arranged by the University or College of Dental Medicine
- b. Service activities, programming, events, activities, ceremonies or professional networking functions whether on-campus, in the community or at professional meetings
- c. Spoken, written, and online communications encompassing public appearances on stage, radio and television as well as in printed materials, social media, email, voicemail and other digital or electronic communications

Behaviors consistent with being Lifelong Colleagues who abide by the Honor Code include but are not limited to:

- a. Acting with honesty and integrity in all academic, professional and personal activities. All of us are expected to behave in accordance with CODM’s Honor Code and related standards of professional conduct taught in our curriculum.
- b. Striving for and achieving professional competence as colleagues, not competitors.
- c. Mentoring and assisting each other to become the best we can be at what we do.
- d. Respecting the knowledge, skills and values of dentists, instructors, and other health care professionals. You provide person-centered care under their supervision and their dental licenses.
- e. Respecting the autonomy and dignity of fellow students, instructors, staff, other health care professionals and patients.
- f. Demonstrating Emotional Intelligence in all interactions to facilitate communication, authentic understanding and genuine compassion

- g. Taking care of yourself by seeking treatment, if needed, for any personal medical or mental health condition, impairment, including substance abuse, which could adversely impact patients, instructors, health care providers, other students and your performance in the program.
- h. Promoting the good of every patient in a caring, compassionate and confidential manner.
- i. Protecting the confidentiality of any medical, personal, academic, financial or business Information.
- j. Maintaining honesty in all interactions with faculty, administration and preceptors.
- k. Complying with all safety protocols established by the University and CODM. This demonstrates respect for the health of others (Honor Code) as well as compliance with science-based recommendations from Public Health Officials, CDC, ADA and other experts to protect the health of providers and those they encounter.

Behavior that is inconsistent with the Lifelong Colleague and Honor Code commitments includes, but is not limited to:

- a. Knowingly stating, posting, publishing or circulating derogatory information concerning any member of the student body, University faculty, staff, or preceptor that materially or substantially disrupts classes or other University activities or is, in the discretion of the University, considered untrue, vulgar or indecent or otherwise not conducive to learning. Racist and sexist comments disrespect others and are violations of our Honor Code.
- b. Engaging in any form of harassment or hazing.
- c. Representing the work of others as your own.
- d. Disrupting our learning environment in ways that interfere with or undermine other students' efforts to learn.

Failure to abide by the Lifelong Colleague and Honor Code commitments as well as the Professionalism Standards will be subject to disciplinary action.

## Student & Professional Organizations

The Administration and University Student Professionalism Board recognize the responsibilities of dental student organizations to enforce the professional conduct of their own members. The College acknowledges that dental student organizations have the right to require their members to comply with additional codes of conduct beyond those enforced by the faculty and administration. Professional student organizations can act independently of the College to review and enforce their own professional codes of conduct. Therefore, members of a dental student organization acting unprofessionally in any setting are subject to appropriate sanctions, within reasonable limits, that have been imposed by their respective student organization. CODM reserves the right to review incidents that are related to the reputation of the University and CODM and/or are potential violations of its policies and procedures.

## Education Use

Violations of professional and ethical conduct may be used for educational purposes by the Roseman Mock Dental Board or similar group without personal identification information.

## Processes for Handling Alleged Violations of the Honor Code

A defining quality of a profession is its ability to police itself. To that end, it is the duty and responsibility of each member of our academic community to use their professional judgment when addressing potential violations of the standards of professional conduct. Depending on the situation, the individual witnessing a potential violation may respectfully attempt to resolve it on their own; report the incident (as appropriate) to the classroom instructor, experiential rotation preceptor; or report the incident to the appropriate CODM administrator as discussed in the next paragraph. The student may also contact

the University's Vice President of Student Services. Students may also self-report potential violations to the appropriate CODM administrator. If the concern is not resolved at the peer level or within the block, the alleged violation must be reported to the appropriate administrative officer for further inquiry and possible investigation to comply with the intent of the Honor Code. Matters concerning academic integrity should be referred to the Assistant Dean for Academic Affairs, matters concerning professional behavior in Roseman Clinics or during experiential rotations should be referred to the Assistant Dean for Clinical Education and Patient Care and all other matters concerning professional behavior should be referred to the Associate Dean for Admissions and Student Services.

## Protecting Due Process

The associate or assistant dean will inform students involved in an investigation that retaliation of any kind towards an individual who reports a potential violation and/or who participates in an investigation will not be tolerated by the College. Allegations of retaliation must be reported immediately to the associate or assistant dean or Vice President of Student Services.

## Inquires

The College/Program will complete an initial inquiry. If a student accepts responsibility for the alleged violation, the appropriate College administrators will determine the consequences for the admitted misconduct. If the problem can't be resolved it is forwarded to University Student Professionalism Board (USPB).

## Investigation

1. If the student does not accept responsibility for an allegation of misconduct, the Investigation Team will conduct an investigation which can include, but is not limited to, interview the student(s) reporting the allegation or concern, the accused student(s), witnesses, and review available printed or digital records as well as any other information available to them.
  - a. The accused student has the right to prepare a defense for their hearing before the USPB. The Investigative Team will provide the accused student with content relevant to the accused student's case, including potentially exculpatory evidence. The accused student has the right to cross examine the Investigative Team during the student's USPB hearing.
2. When a student has accepted responsibility for a violation of the Honor Code or when, after receiving the results of the USPB:
  - a. the appropriate administrators will determine the student's disciplinary sanctions, including corrective actions. The Senior Associate Dean for Administration will inform the accused student, the University Vice President of Student Services and the CODM Dean in writing, of any sanctions, including Corrective Actions, imposed on the student for violating the Honor Code. A copy of the letter signed letter and other documentation may be provided to the Vice President and Dean.
  - b. The Senior Associate Dean for Administration will provide a confidential update to the Assistant Dean of Integrated Education and Assessment as Corrective Actions could affect the student's academic performance and progression within the DMD program.
  - c. The Senior Associate Dean for Administration will provide updates to the Dean, the Assistant Dean for Integrated Education and Assessment and Vice President as needed or when requested.
  - d. The Assistant Dean for Integrated Education and Assessment will monitor compliance with or fulfillment of Corrective Actions. Other administrators or faculty with specific responsibilities or expertise directly related to the Corrective Actions will be asked to provide information to the Assistant Dean to confirm progress with and completion of these actions.

- e. When evidence suggesting that terms for all corrective actions have been met, the Assistant Dean for Integrated Education and Assessment will provide an update to the Assessment Team.
- f. The Assessment Team can make a recommendation to the Senior Associate Dean to one of the following: reinstate the student to good academic and/or professional standing, continue the period of time for monitoring the student's compliance with Corrective Actions, or take other actions on the basis of the evidence presented in the Assistant Dean for Integrated Education and Assessment's report.
- g. The Assistant Dean for Integrated Education and Assessment will prepare a written letter informing the student(s) of the action taken by the Assessment Team. This letter will be delivered either by certified mail or hand-delivered to the student. A signature from the student indicating receipt of the letter will be requested.
- h. The Assistant Dean for Integration Education and Assessment will inform the Senior Associate Dean, Dean, and the Vice President of Student Services of actions taken by the Assessment Team.
- i. Information collected during the Investigation will be digitized and maintained by the Assistant Dean for Integrated Education and Assessment. Some physical records, that cannot be easily digitized, may be retained in their original form.
- j. Depending on specifics of the matter, it may be necessary to report Corrective Actions on requests to confirm disciplinary history received from rotation sites, educational institutions for post-doctoral education, licensing boards and others with a legitimate need to know this information for decisions about the student.

## Resolution of USPB Findings

The USPB will issue a report with their findings to the student and Associate/Assistant Deans investigating this matter. The Review Team of Assistant/Associate Deans will meet to consider the University Student Professionalism Board's report. It is solely the responsibility of the Review Team to determine appropriate sanctions should the University Student Professionalism Board determine that it is more likely than not that the alleged incident did occur. The Review Team will make a final determination as to the disposition of the matter and will forward this decision in writing along with the University Student Professionalism Board's findings of fact to the Senior Associate Dean, Dean, Vice President for Student Services and the student within 10 business days, or within an extension approved by the Senior Associate Dean following receipt of the University Student Professionalism Board's report. The student may appeal the decision of the according to the relevant Student Appeal Process

## College of Pharmacy – Policies and Processes for Academic and/or Professional Misconduct

### Standards of Professional Conduct

Surveys of the public consistently rank pharmacy as one of the top most trusted professions. For the College and for the profession of pharmacy, the College is committed to instilling in our students the importance of personal and professional honor and integrity. In our position as gatekeepers for the profession of pharmacy, we intend for our students and graduates to uphold and maintain the level of confidence and trust the public has placed on pharmacists.

Consequently, upon accepting admission to the College, each student agrees to abide by basic standards of honesty and academic integrity which include, but are not limited to, the following Standards of Professional Conduct:

- Behaving honorably, professionally, and respectfully in all realms and aspects of pharmacy education and patient care.

- Acting with honesty and integrity in academic and professional activities. A student never represents the work of others as their own.
- Striving for professional competence.
- Fostering a positive environment for learning. A pharmacy student will not interfere with or undermine the other students' efforts to learn.
- Respecting the knowledge, skills and values of pharmacists, instructors, and other health care professionals.
- Respecting the autonomy and dignity of fellow students, instructors, staff, other health care professionals and patients.
- Seeking treatment for any personal impairment, including substance abuse, which could adversely impact patients, instructors, health care providers or other students.
- Promoting the good of every patient in a caring, compassionate and confidential manner.
- Protecting the confidentiality of any medical, personal, academic, financial or business information.
- Maintaining civil, courteous, respectful, polite and honest interactions with faculty, administration and preceptors.

Students must comply with the Standards of Professional Conduct. A student's behavior may result in a referral to a College of Pharmacy administrator if there are allegations of professional misconduct occurring in, but not limited to, any of the following settings:

- Educational activities (e.g. in the classroom, rotation, experiential assignments) provided by the University or College;
- Programming activities, events, ceremonies or professional networking functions during pharmacy or other professional meetings;
- Service activities promoted by the University, College or any student organizations affiliated with the University or College;
- Online activities: all College of Pharmacy student policies apply to social media. Inappropriate professional or personal behavior includes, but is not limited to, the following:
  - falsifying applications, forms or records prior to admission to the College of Pharmacy or while enrolled in the University's professional programs;
  - giving or receiving unauthorized aid on course work, examinations, presentation, or any other activities required for awarding the PharmD degree.
  - plagiarism (including any errors, omissions, misrepresentations, or falsifications of source material);
  - providing or receiving privileged information concerning exam content prior to test time to gain unfair advantage;
  - providing false information to a faculty, staff or preceptor;
  - lack of attendance at required didactic or experiential activities;
  - non-compliance with the email requirement (see Notice of Requirement to Check Student Email on a Daily Basis);
  - disruptive behavior in class, including unprofessional conduct during assessment reviews;

- inappropriate or disrespectful behavior toward fellow students, faculty, staff, preceptors, or staff/employees on or off campus;
- inappropriate or disrespectful interaction with patients;
- knowingly posting, publishing or circulating derogatory information concerning any member of the student body, University faculty, staff, or preceptor that materially or substantially disrupts classes or other University activities or is, in the discretion of the University, considered vulgar or indecent or otherwise not conducive to learning;
- misusing or misrepresenting the status of a pharmacy student;
- stealing, damaging, defacing, or unauthorized use of any University, student, staff, or University visitor's property;
- unprofessional dress, language, or conduct as defined by the College or the respective pharmacy practice sites;
- unauthorized use, copying, dissemination, or unauthorized removal from campus of any confidential or proprietary information of the University or any sensitive or confidential records of students or medical records of patients;
- violation of State or Federal law; or such other and further conduct as the Community would standardly consider unprofessional

## Violation of The Standards of Professional Conduct:

A defining quality of a profession is its ability to police itself. To that end, it is the duty and responsibility of each member of the academic community to use their professional judgment when addressing potential violations of the standards of professional conduct.

Additionally, the University and College recognize the responsibilities of pharmacy student organizations to police the professional conduct of the organization members. The College acknowledges that pharmacy student organizations have the right to require members to comply with additional codes of conduct beyond those enforced by the faculty and administration. Professional student organizations can act independently of the College to review and enforce professional codes of conduct. Therefore, members of a pharmacy student organization acting unprofessionally in any setting are subject to appropriate sanctions, within reasonable limits, that have been imposed by their respective student organization.

Step 1: Depending on the situation, the individual witnessing the violation may attempt either to resolve it on their own, or report the incident (as appropriate) to the classroom instructor, experiential rotation preceptor, or College/University administrator if the remedy is unsuccessful or if the violation is deemed serious. If there appears to be adequate cause, the individual receiving the report of alleged violation will communicate it to the appropriate administrative officer for further investigation (matters concerning academic affairs or unprofessional behavior at experiential rotations should be referred to the Assistant Dean of Academic Affairs and all other matters concerning professional behavior should be referred to the Assistant Dean for Admissions and Student Affairs, or designee).

Step 2: The appropriate administrator shall make a preliminary evaluation into the allegation(s) in order to determine if a sufficient basis exists to move forward with the allegation(s) as presented.

Step 3: If further investigation is deemed warranted, the administrator will inform the student of the allegation(s). The student must respond in writing within three (3) business days to the written allegations.

Step 3a: If the student agrees with the allegation(s) as presented, then the investigating administrator will determine the sanctions and will be responsible for monitoring the student's progress. The administrator may assign a designee to monitor the student's progress.



Step 3b: If the student fails to respond within three business days or does not agree to the allegation(s) as presented:

Step 4: The investigating administrator will refer the matter to the University Student Professionalism Board (hereafter noted as 'USPB') if the facts are in question.

Step 5: The investigating administrator will determine sanctions and will be responsible for monitoring the student's progress. The appropriate administrator may assign a designee to monitor the student's progress if the facts are not in question.

## Resolution of USPB Findings

The referring administrator will receive and review the USPB's report. It is the responsibility of the referring administrator to determine appropriate sanctions should the USPB determine that it is more likely than not that the charges made are true. The referring administrator will make a final determination as to the disposition of the matter, and will forward this decision to the Dean, the Vice President for Student Services, and the student within five (5) business days, or within an extension approved by the Chancellor following receipt of the USPB's report. Any proposed punitive action rising to the level of suspension or termination will be reviewed and approved by the Executive Subcommittee. The Executive Subcommittee consists of all college administrators with the exception of the Dean. Suspensions or terminations may be appealed as described in the Appeals sections of this Handbook.

## Consequences of Unsatisfactory Achievement of Professional Standards

A student who exhibits inappropriate professional or personal behavior may be placed on Probation for Professional or Personal Misconduct. Violations can also lead to suspension or termination from the program.

The Assistant Dean of Academic Affairs may place a student who exhibits inappropriate professional conduct in didactic or experiential settings on probation for professional or personal misconduct. The Assistant Dean for Admissions and Student Affairs, or designee, may place a student who exhibits inappropriate professional conduct in all other settings on probation for professional or personal misconduct. A student on probation is required to satisfy and comply with the terms and/or conditions of their probation. The appropriate administrative officer will acknowledge the student's placement on probation for professional or personal misconduct and will specify the terms of probation in a written document, including further disciplinary action to be taken should the terms of probation not be met within the specified time. This document will be delivered either by email to the student's University email address, certified mail or hand-delivered to the student.

Should a student violate the terms of their probation, the appropriate administrator may recommend that the Dean suspend or terminate students who have not fulfilled the terms and conditions of their probation or who have additional incidents of unprofessional behavior while on professional probation.

## Suspension for professional or personal misconduct.

The College reserves the right to suspend a student at any time in order to safeguard patient safety, its standards of scholarship, professional standards of conduct, and/or orderly operation.

The Executive Subcommittee can place a student on suspension as a result of unprofessionalism by the student. Additionally, the Dean or Executive Subcommittee may suspend a student even before placement on probation and/or before the student's case has been reviewed by the USPB.

The Dean or Executive Subcommittee will notify the student of their suspension, including the terms and conditions of the suspension, in a reasonable timeframe. The decision shall be delivered to the student by hand, via email to the student's University email address or by certified mail. A student can be required to begin the suspension even if refusing to accept the hand-delivered notice of the suspension, neglecting to check their email, or refusing to sign the certified mail receipt. This decision will also include the length of time for which the suspension will be in force. During the imposed suspension, the student is prohibited from attending or participating in any instructional sessions (either in the classroom or on experiential rotations), or any College or University events that are not open to the general public.

Following the suspension period, the student must petition the Assistant Dean for Admissions and Student Affairs, or designee, in writing to allow return to classes. The Assistant Dean for Admissions and Student Affairs, or designee, shall consider the request and notify the student and the administrators, in writing, of the exact date and conditions under which their status is reinstated or the official termination date of the student.

#### Termination for professional or personal misconduct

The College reserves the right to terminate a student at any time in order to safeguard patient safety, its standards of scholarship, professional standard of conduct, and/or orderly operation. Actions that threaten or endanger, in any way, the personal safety and/or well-being of self or other, or which disrupt or interfere with the orderly operation of the College, are cause for immediate termination of the student. Professional or personal misconduct can also result in termination of the student's enrollment.

The Dean or Executive Subcommittee may terminate a student's enrollment at the College. Additionally, the Dean or Executive Subcommittee may terminate a student even before placement on probation and/or before the student's case has been reviewed by the USPB.

The Dean or Executive Subcommittee will notify the student of their termination in a reasonable timeframe. The decision shall be delivered to the student by hand, via email to the student's university email address or by certified mail and will be effective as of the date specified in the termination letter.

A student who is terminated may not be reinstated under any circumstances.

#### Appeals of Probation for Professional Misconduct Decisions

If a student feels they have been unfairly treated in a matter involving probation, that student may submit an appeal of that decision to the Dean. The written appeal must be submitted to the office of the Dean within five (5) business days of notification of probation. The Dean shall consider the appeal and render a decision. The Dean shall communicate this decision in writing to the student, and the College administrators. **The decision of the Dean shall be final, effective immediately.**

#### Appeals of Suspension or Termination Decisions

If a student feels they have been treated unfairly in a matter involving suspension or termination, an appeal of that decision may be made in writing to the Dean. The written appeal must be submitted to the office of the Dean within five (5) business days of notification of suspension or termination. The Dean shall consider the appeal and render a decision. The Dean shall communicate this decision in writing to the student and the College administrators. If the suspension or termination was imposed by the, the student may appeal directly to the Chancellor of the Henderson, Nevada campus, using the procedures below.

If the student is still dissatisfied, that student may submit an appeal of the Dean's decision in writing to the Chancellor of the Henderson, Nevada campus. The written appeal must be submitted to the office of the Chancellor of the Henderson, Nevada campus within five (5) business days of notification of the Dean's decision. The Chancellor of the Henderson, Nevada campus shall consider the appeal and render a decision. The Chancellor of the Henderson, Nevada campus shall communicate this decision in writing to the student and the Dean. **The decision of the Chancellor of the Henderson, Nevada campus shall be final, effective immediately.**

When the Dean concludes that it is more likely than not that the student does not pose a threat to the safety or wellbeing of the members of the University community, the student shall have the opportunity to continue to attend classes and participate in all sanctioned College activities until such time as any/all appeals are exhausted. The student is expected to behave in a professional manner during this time period. Any disruptions of class or University operations or any other unprofessional behavior may result in rescission of the student's opportunity to attend class and/or all sanctioned College activities.

# College of Graduate Studies – Policies and Processes for Academic and/or Professional Misconduct

## Standards of Professional Conduct

Upon accepting admission to the College, each student agrees to abide by basic standards of honesty and academic integrity which include, but are not limited to, the following Standards of Professional Conduct:

1. Conducting themselves honorably, professionally, and respectfully in all realms and aspects of student life.
2. Acting with honesty and integrity in academic and professional activities. A student never represents the work of others as their own.
3. Striving for professional competence.
4. Fostering a positive environment for learning. A graduate student will not interfere with or undermine the other students' efforts to learn.
5. Respecting the knowledge, skills and values of instructors, researchers, and others.
6. Respecting the autonomy and dignity of fellow students, instructors, staff, or others.
7. Seeking treatment for any personal impairment, including substance abuse, which could adversely impact patients, instructors, or other students.
8. Promoting the good of every research subject in a caring, compassionate and confidential manner.
9. Protecting the confidentiality of any medical, personal, academic, financial or business information.
10. Maintaining civil, courteous, respectful, polite and honest interactions with faculty, administration and mentors.

Students must comply with the Standards of Professional Conduct. A student's behavior may result in a referral to a College of Graduate Studies administrator if there are allegations of professional misconduct occurring in, but not limited to, any of the following settings:

1. Educational activities (e.g. in the classroom, rotation, experiential assignments, research activities) provided or facilitated by the University or College.
2. Programming activities, events, ceremonies or professional networking functions during graduate or other professional meetings.
3. Service activities promoted by the University, College or any student organizations affiliated with the University or College.
4. Online activities: all student policies apply to social media. Inappropriate professional or personal behavior includes, but is not limited to the following:
  1. Falsifying applications, forms or records prior to admission to the or while enrolled in the University's professional programs.
  2. Giving or receiving unauthorized aid on course work, examinations, presentation, or any other activities required for awarding the Master of Science degree.
  3. Plagiarism (including any errors, omissions, misrepresentations, or falsifications of source material).
  4. Providing or receiving privileged information concerning exam content prior to test time to gain unfair advantage.
  5. Providing false information to a faculty, staff or preceptor.

6. Lack of attendance at required didactic or experiential activities.
7. Non-compliance with the email requirement
8. Disruptive behavior in class, including unprofessional conduct during assessment reviews.
9. Inappropriate or disrespectful behavior toward fellow students, faculty, staff, preceptors, or staff/employees on or off campus.
10. Inappropriate or disrespectful interaction with faculty, staff, or mentors.
11. Knowingly posting, publishing or circulating derogatory information concerning any member of the student body, University faculty, staff, or mentor that materially or substantially disrupts classes or other University activities or is, in the discretion of the University, considered vulgar or indecent or otherwise not conducive to learning.
12. Misusing or misrepresenting one's status as a graduate student.
13. Stealing, damaging, defacing, or unauthorized use of any University, student, staff, or University visitor's property.
14. Unprofessional dress, language, or conduct as defined by the College.
15. Unauthorized use, copying, dissemination, or unauthorized removal from campus of any confidential or proprietary information of the University or any sensitive or confidential records.
16. Such other and further conduct as the research community would standardly consider unprofessional.
17. Violation of State or Federal law

## Violation of the Standards of Professional Conduct

A defining quality of a profession is its ability to police itself. To that end, it is the duty and responsibility of each member of the academic community to use their professional judgment when addressing potential violations of the standards of professional conduct.

Additionally, the University and College recognize the responsibilities of student organizations to police the professional conduct of their own members. The College acknowledges that student organizations have the right to require their members to comply with additional codes of conduct beyond those enforced by the faculty and administration. Professional student organizations can act independently of the College to review and enforce their own professional codes of conduct. Therefore, members of a graduate student organization acting unprofessionally in any setting are subject to appropriate sanctions, within reasonable limits, that have been imposed by their respective student organization. If the appropriate administrator cannot resolve the violation directly with the student, the following process will apply.

Step 1: Depending on the situation, the individual witnessing the violation may either attempt to resolve it on their own or report the incident (as appropriate) to the classroom instructor, faculty advisor, or College/University administrator if the remedy is unsuccessful or if the violation is deemed serious. If there appears to be adequate cause, the individual receiving the report of alleged violation will communicate it to the appropriate administrative officer for further investigation.

Step 2: The Program Director or designee shall make a preliminary evaluation into the allegation(s) in order to determine if a sufficient basis exists to move forward with the allegation(s) as presented.

Step 3: If further investigation is deemed warranted, the administrator will inform the student of the allegation(s). The student must respond in writing within three (3) business days to the written allegations.

Step 3a: If the student agrees with the allegation(s) as presented, then the investigating administrator will determine the sanctions and will be responsible for monitoring the student's progress. The administrator may assign a designee to monitor the student's progress.

Step 3b: If the student fails to respond within three business days or does not agree to the allegation(s) as presented:

Step 4: The investigating administrator will refer the matter to the University Student Professionalism Board (hereafter noted as 'USPB') if the facts are in question. For additional information about the USPB process, please see the University catalog or <http://www.roseman.edu/students/registrar/university-policies/>.

Step 5: The investigating administrator will determine sanctions and will be responsible for monitoring the student's progress. The appropriate administrator may assign a designee to monitor the student's progress if the facts are not in question.

## Resolution of USPB Findings

The referring administrator will receive and review the USPB's report. It is the responsibility of the referring administrator to determine appropriate sanctions should the USPB determine that it is more likely than not that the charges made are true. The referring administrator will make a final determination as to the disposition of the matter, and will forward this decision to the Dean, the Vice President for Student Affairs, and the student within five (5) business days, or within an extension approved by the Vice President for Student Affairs following receipt of the USPB's report. Any proposed punitive action rising to the level of suspension or termination will be reviewed and approved by the Graduate Council. Suspensions or terminations may be appealed as described in the Appeals sections of this Handbook.

If a student feels that an assessment has been evaluated unfairly or in error, they should submit a written account of their reasons for believing this to the Program Director using Canvas. Any graded assignment may be appealed. The written appeal must be submitted through the link provided on Canvas by 5:00 pm on the fifth business day from the day of the reassessment or, for non-assessment assignments, score release of the remediation assignment. The Program Director reserves the right to extend the deadline for submission if situations arise that warrant such need.

## Appeals of Probation Decisions

If a student feels they have been treated unfairly in a matter involving probation, they may appeal that decision to the Dean of the College of Graduate Studies. The written appeal must be submitted to the office of the Dean of the College of Graduate Studies within five (5) business days of notification of probation. The Dean of the College of Graduate Studies shall consider the appeal and render their decision. The Dean of the College of Graduate Studies shall communicate this decision in writing to the student, and the College administrative officers. The decision of the Dean of the College of Graduate Studies shall be final, effective immediately.

## Appeals of Suspension or Termination Decisions

If a student feels they have been treated unfairly in a matter involving suspension or termination, they may appeal that decision in writing to the Dean. The written appeal must be submitted to the office of the Dean within five (5) business days of notification of suspension or termination. The Dean shall consider the appeal and render their decision. The Dean shall communicate this decision in writing to the student and the College administrative officers. If the suspension or termination was imposed by the Dean of the College of Graduate Studies, the student may appeal directly to the Graduate Council, using the procedures below.

If the student is still dissatisfied, they may appeal the Dean's decision in writing to the Graduate Council. The written appeal must be submitted within five (5) business days of notification of the Dean's decision. The Graduate Council, acting without the dean, shall consider the appeal and render their decision. The Graduate Council shall communicate this decision in writing to the student and the Dean. The decision of the Graduate Council shall be final, effective immediately.

When the Dean concludes that it is more likely than not that the student does not pose a threat to the safety or well-being of the members of the University community, the student shall have the opportunity to continue to attend classes and participate in all sanctioned College activities until such time as any/all appeals are exhausted. The student is expected to behave in a professional manner during this time period. Any disruptions of class or University operations or any other unprofessional behavior may result in rescission of the student's opportunity to attend class and/or all sanctioned College activities.

## University Student Professionalism Board (USPB) POLICY

**The College/Program will complete an initial inquiry and determine if the problem can be resolved before it is forwarded to University Student Professionalism Board (USPB).**

Step 1: An individual witnessing a Roseman student committing a perceived violation of academic or professional misconduct reports this allegation to the academic administrator specified in a College/Program's Student Handbook. A member of a non-academic unit referring an alleged professionalism violation to an academic administrator will also notify her/his supervisor and the Vice President of Student Services (VPSS). The designated academic administrator meets with the student to discuss the alleged violation.

Step 2: If the appropriate administrator from the College/Program identifies academic and/or professional misconduct that the student does not accept responsibility for, the administrator will refer the matter to the VPSS or designee. The VPSS or designee will refer the matter to the University Student Professionalism Board (USPB).

### **I. Purpose and Scope of the USPB**

The purpose of the USPB is to make a determination of the findings of fact when a student contests an allegation of academic or professional misconduct. The USPB will not recommend or impose sanctions.

### **II. Composition and Terms of Service**

The Board consists of six (6) members: three faculty members, two students and the VPSS who will serve as an ex-officio member.

The Faculty Senate will elect three (3) faculty members to serve on the USPB. The three (3) faculty members serving on the USPB must represent different college/programs. The term will begin on July 1 each year and will last for three years. A faculty member may seek reelection to the Board.

The President of the Faculty Senate will appoint the Chair from the three faculty members elected to the Board, and the President of the Faculty Senate or designee will appoint faculty member alternate(s) to the Board.

Each Campus's University Student Government Association (SGA) will elect two (2) students from each campus to serve on the Board. The students must be from different academic programs. The term will begin on July 1 and last for one (1) year. A student may seek reelection to the Board. When a student board member is unable to participate in a hearing, the student member's Campus SGA President or designee will appoint an alternate. Students from the South Jordan campus will hear cases involving students from the Henderson campus. Students from the Henderson campus will hear cases involving students from the South Jordan campus.

If any member of the USPB is unable to attend a hearing or decides not to participate in a hearing because a conflict of interest in a particular case exists, said member shall notify the VPSS Chair. The VPSS or designee is responsible for contacting the President of the Faculty Senate or designee to replace a faculty member of the USPB and/or SGA President or designee to replace a student member of the USPB.

### **III. Procedure for Hearings Regarding Alleged Violations of a College/Program's Standards of Professional Conduct**

1. The VPSS or designee will inform the accused student in writing about the date and time of the hearing, the charges and offer to review the USPB process with the student at least five (5) business days before the start of the hearing.
2. Except as provided below, the hearing will be closed to all individuals not directly involved.

3. The student may petition the USBP to allow a non-administrative faculty member to serve in an advisory capacity during the hearing. This faculty member must consent to serve as the student's advisor. This petition must be sent to the VPSS or designee via e-mail at least three (3) business days prior to the hearing and must identify the faculty member who consented to attend the meeting. A faculty member involved in the incident and/or who has been called as a witness is prohibited from serving in this role during the hearing. The role of a faculty member who agrees to assist a student called before the Board is limited to advising the student during the hearing, and is therefore accordingly not allowed to make statements or question witnesses on behalf of the student. The student can ask the Chair of the Board for a break to meet with the faculty advisor outside of the Board's presence. The faculty advisor will meet with the student and review the student's request for advice. The total amount of time for the faculty advisor to meet privately with the student during the hearing shall not exceed thirty minutes.
4. The student may testify and present evidence and witnesses on his/her behalf. All documentation (including written affidavits) and names of witnesses the student intends to present (either in person or linked to the hearing via telephone or videoconference) need to be provided to the VPSS or designee via email at least three (3) business days prior to the hearing. Failure to do so will prevent said evidence and witness testimony from being considered by the Board. Requests to reschedule a hearing because a student is unable to attend the hearing must be made in writing to the VPSS or designee before the start of the hearing. The VPSS will only grant requests to reschedule the hearing when there are extra-ordinary circumstances.
5. A representative from the student's academic program has the right to attend the hearing. This representative has the right to make opening and closing remarks, testify, and present evidence and witnesses supporting the academic program's allegation(s). All documentation (including written affidavits) and names of witnesses the academic program intends to present (either in person or linked to the hearing via telephone or videoconference) need to be provided to the VPSS or designee via email at least three (3) business days prior to the hearing.
6. The VPSS or designee will provide all documentation (including written affidavits) and names of witnesses that have been scheduled to testify during the hearing to the student, the designated representative of the academic program and Board members at least one (1) business day prior to the start of the hearing.
7. All witnesses scheduled to testify during the hearing are subject to questioning by the student, the Board members, and a representative from the student's academic program. If a witness is unable to attend the hearing, the hearing **will not** be rescheduled. Therefore, the student and the academic program should submit written statements from witnesses scheduled to testify during the hearing.
8. Board members and a representative from the student's academic program have the right to ask the student questions. However, the student may exercise her/his right to decline to answer questions.
9. Upon conclusion of the hearing and consideration of the evidence presented, the USBP, by a majority vote, **will determine whether it is more likely than not** that the charges are true based upon the evidence presented.
10. When the USBP determines by majority vote that **it is more likely than not** that the charges are true, the Chair reserves the right to summarize the Board's position on the case.

The USBP shall forward its majority decision with respect to findings of fact to the academic administrators designated by the College/Program, the VPSS and to the student within (five) 5 business days of the hearing. The College/Program is responsible for imposing sanctions, if any, on the student.

A request for an extension of the Board's five (5) day deadline to report to the academic administrators must be submitted in writing by the Chair of the USBP to the Chancellor responsible for supervising the student's Dean/Program Director. The Chair will also notify the accused that the Board has requested an extension. The designated Chancellor's decision to grant or deny the extension is final.

#### *Deadlines and Request to Extend Deadline*

The representative of the academic program and the student may request that the VPSS or designee consider a request to extend a deadline. To request a deadline extension, the party requesting the deadline must:

- submit a written request to extend the deadline to the VPSS before the deadline,
- the rationale for the extension, **and**
- propose a new date and time for the deadline

If the VPSS or designee grants a request to extend a deadline, the extension will be granted to both parties.

## How to Report Sex Discrimination, How to Report Sexual Harassment, and How Roseman University Title IX Personnel Will Respond from title IX policy

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

The University's Title IX policy may apply to reports and formal complaints by employees against students and other employees, and also may apply to third-party complaints against students.

When the Title IX Coordinator receives a report of sexual discrimination, the Title IX Coordinator must promptly contact (within at least three (3) business days) the complainant to:

- discuss the availability of supportive measures as defined by Title IX policy,
- consider the complainant's wishes with respect to supportive measures,
- inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and
- explain to the complainant the process for filing a formal complaint.

Filing a formal complaint is not required for a complainant to receive supportive measures. Complainants will have the opportunity to express what they would like in the form of supportive measures, and the Title IX Coordinator will take into account the complainant's wishes in determining which supportive measures to offer. The process for offering supportive measures after considering the complainant's wishes is an interactive process that is not unlike the interactive process that the American with Disabilities Act (ADA) requires. The Title IX Coordinator retains the discretion to tailor supportive measures to a party's unique circumstances and may not foresee or anticipate all possible supportive measures.

The Title IX Coordinator will not disclose the complainant's identity to the respondent during the process of selecting and implementing supportive measures for the complainant.



The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The Title IX Coordinator serves as the point of contact for a complainant and/or respondent receiving supportive measures to relieve the burden on that party of navigating paperwork or other administrative requirements within the University's system.

The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Roseman University to provide the supportive measures.

Roseman University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

## Title IX Reporting and Procedures

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### How to File a Formal Complaint of Sexual Harassment and How Roseman University Title IX Personnel Will Respond

#### Introduction

A *formal complaint* is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator. A formal complaint is a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in a Roseman University education program or activity.

The Department of Education's final regulations do not mandate circumstances where a Title IX Coordinator is required to sign a formal complaint; rather, the final regulations leave a Title IX Coordinator with discretion to sign a formal complaint. If the Title IX Coordinator signs a formal complaint against the wishes of the complainant, the Title IX Coordinator does so with the acknowledgement that it is likely it will be difficult to obtain evidence from the complainant that is directly related to the allegations in a formal complaint.

When a Title IX Coordinator believes that with or without the complainant's desire to participate in a grievance process, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator has the discretion to initiate a grievance process. The Department of Education and Roseman University desires to respect a complainant's autonomy as much as possible and thus, if a grievance process is initiated against the wishes of the complainant, that decision should be reached thoughtfully and intentionally by the Title IX Coordinator, not as an automatic result that occurs any time the University's Title IX Coordinator has notice that a complainant was allegedly victimized by sexual harassment. The Department of Education explained in the discussion of the final regulations that if a Title IX Coordinator were to receive

multiple reports of sexual harassment against the same respondent, as part of a non-deliberately indifferent response the Title IX Coordinator may sign a formal complaint to initiate a grievance process against the respondent, even where no person who alleges to be the victim wishes to file a formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. Even if a Title IX Coordinator has signed a formal complaint, the complainant is not obligated to participate in the ensuing grievance process and need not appear at a live hearing or be cross-examined.

Nothing in the Department of Education's final regulations precludes a Title IX Coordinator from assisting a complainant from filling out a document intended to serve as a formal complaint; however, the University's Title IX Coordinator will take care not to offer such assistance to pressure the complainant to file a formal complaint as opposed to simply assisting the complainant administratively to carry out the complainant's desired intent to file a formal complaint. No person may intimidate, threaten, or coerce any person for the purpose of interfering with a person's rights under Title IX, which includes the right *not* to participate in a grievance process.

The 'Notice of Allegations' provides the respondent with the information required to participate in the University's Title IX grievance process.

## Investigation of Allegations in a Formal Complaint

Where a complainant has chosen to file a formal complaint, or the Title IX Coordinator has decided to sign a formal complaint, the Title IX Investigator *must* investigate those allegations; determinations about the merits of the allegations must be reached only by following the fair, impartial grievance process designed to reach accurate outcomes. The University's policy provides for discretionary dismissals on specified grounds (see 'Dismissal of Formal Complaint' section below), but those grounds do not include a Title IX personnel's premature determination that allegations lack merit.

## Supportive Measures and Administrative Leave for Non-Student Employees

The Title IX Coordinator is responsible for assuring that complainants and respondents receive supportive measures, when appropriate. Please see the 'Definition' section for the University's description of the range of possible supportive measures that the University's Title IX Coordinator could make available to complainants and respondents.

Title IX policy does not preclude administration from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with Title IX policy. This may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

## Dismissal of a Formal Complaint

Title IX Coordinator will dismiss the formal complaint with regard to that conduct for the purposes of sexual harassment under Title IX if:

- the conduct alleged in a formal complaint would not constitute sexual harassment as defined by the University's Title IX policy even if proved, or
- did not occur in the University's educational programs or activities, or
- did not occur against a person in the United States.

However, such a dismissal does not preclude action under another provision of a student's academic program's code of conduct or the University's employee/faculty code of conduct.

The Title IX Coordinator may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the University; or
- specific circumstances prevent the Title IX Investigator from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

The Title IX Coordinator will, upon dismissal required or permitted by the University's Title IX policy, promptly send, i.e., within five (5) business days, written notice of the dismissal and the reason(s) therefor simultaneously to the complainant and the respondent. The complainant and respondent have the right to appeal the Title IX Coordinator's decision to dismiss the formal complaint to the Title IX Appeals Decision-maker within five (5) business days after the Title IX Coordinator sent the written notice of dismissal.

#### Notice of the Right to Delay or Extend Time Frame for the Formal Complaint Process for Good Cause

The Title IX Coordinator has the right to call for a temporary delay of the formal complaint process or the limited extension of time frames for the formal complaint process for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action.

## Roseman University's Grievance Procedures and Process

### Introduction

Roseman University's Title IX grievance procedures and grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process that complies with this Title IX policy before the university imposes any disciplinary sanctions or actions that are not supportive measures against a respondent. The University's grievance procedures and grievance process make the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The Department of Education's final regulations require a university with actual knowledge of sexual harassment in an education program or activity of the University against a person in the United States to respond promptly in a manner that is not deliberately indifferent, irrespective of whether the complainant and respondent are students or employees.

Individuals designated by the University as the Title IX Coordinator, a Title IX Investigator, a Title IX Decision-maker, and a Title IX Appeals Decision-maker have been trained to serve in these roles. These individuals have been trained on the Title IX definition of sexual harassment, the scope of the university's education program or activity, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The materials used to train the Title IX Coordinator, Title IX Investigators, Title IX Decision-makers, and Title IX Appeals Decision-makers do not rely on sex

stereotypes and these materials comply with the requirement that the training content must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Title IX personnel will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The Department of Education's final regulations do not prescribe any particular administrative "chain of reporting" restrictions or declare any such administrative arrangements to be *per se* conflicts of interest.

A Title IX Investigator has also been trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence and that complies with the University's Title policy.

A Title IX Decision-maker is also trained on any technology that is used at a live hearing, issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in the University's Title IX policies. The Title IX Decision-maker is required to objectively evaluate all relevant evidence – including both inculpatory and exculpatory evidence – and will not make credibility determinations based on a person's status as a complainant, respondent, or witness before making a determination of responsibility.

University Title IX personnel, a complainant and a respondent do not have the right to depose parties or witnesses, nor to invoke a court system's subpoena powers to compel parties or witnesses to appear at hearings, which are common features of procedural rules governing litigation and criminal proceedings.

The University has the right to control what Title IX Advisors are allowed to do during the University's Title IX grievance process. The University prohibits a Roseman employee or student who is serving as a complainant's or a respondent's advisor from attending a Title IX interview initiated by a complainant or respondent (but not a Title IX interview initiated by a Title IX Investigator or Title IX Decision-maker). The University also prohibits a Roseman employee or student who is serving as a complainant's or a respondent's advisor from independently conducting Title IX interviews with any party or witness, including contacting a party or witness to obtain information related to a Title IX case.

The University prohibits parties from photographing sensitive material such as photographs with nudity or disseminating such evidence to the public.

The Department of Education noted in the discussion of the final regulations that if there is a direct conflict between requirements of FERPA and requirements of Title IX, such that enforcement of FERPA would interfere with the primary purpose of Title IX to eliminate sex-based discrimination in schools, the requirements of Title IX override any conflicting FERPA provisions.

The Department of Education noted in the discussion of the final regulations regarding Title VII that:

- Title VII imposes different obligations with respect to sexual harassment, including a different definition, and employers that are subject to both Title VII and Title IX will need to comply with both sets of obligations,
- Nothing in these final regulations shall be read in derogation of an individual's rights, including an employee's rights, under Title VII,
- Nothing in these final regulations precludes an employer from complying with Title VII and that employers must fulfill both their obligations under Title VII and Title IX, and
- There is no inherent conflict between Title VII and Title IX.

## Notice of Allegations and Initial Interview

The written notice of allegations identifying the parties to a sexual harassment incident is required only after a formal complaint has been filed by a complainant or signed by a Title IX Coordinator.

The Title IX Coordinator will provide the written 'Notice of Allegations' to the parties who are known within five (5) business days of the Title IX Coordinator's receipt of a formal complaint. Please see 'Notice of Allegations' in the 'Definitions' section for the information that will be provided to each party.

The Title IX Investigator or Title IX Coordinator will provide written notice to a complainant, respondent and witness that they have at least three (3) business days to prepare a response before the initial interview with the Title IX Investigator.

A complainant and respondent have the right to have an advisor of their choice attend Title IX interviews. However, an individual designated as having the status of 'witness' for the purpose of a specific Title IX Investigation, does not have the right to an advisor. An advisor is not allowed to make oral statements, ask questions, or raise objections during a Title IX interview. However, an advisor may request that the Title IX Investigator grant a reasonably brief break to provide advice to their advisee.

If, in the course of an investigation, a Title IX Investigator decides to investigate allegations about the complainant or respondent that are not included in the Title IX Coordinator's initial Notice of Allegations, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

## Investigation of a Formal Complaint

The Department of Education's final regulations do not require a university to obtain evidence within a specific time frame.

When investigating a formal complaint and throughout the grievance process, the University's Title IX personnel must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University's Title IX personnel and not on the parties provided that the university cannot 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 acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Title IX personnel obtain that party's voluntary, written consent to do so for a Title IX grievance process;
2. Provide an equal opportunity for the complainant and respondent to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
3. Not restrict the ability of either the complainant or respondent to discuss allegations under investigation or to gather and present relevant evidence;

4. Provide the complainant and respondent with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the University has the right to establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
  5. Provide, to a complainant, respondent, advisor and/or witness whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- The Title IX Coordinator or Title IX Investigator will provide a party with at least three (3) business days written notice of Title IX meetings and Title IX investigative interviews so the party has time to prepare;
  - The Title IX Coordinator or Title IX Investigator will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The parties will have the opportunity to argue that evidence directly related to the allegations is in fact relevant.
  - Roseman University holds that providing the parties this equal opportunity for review and inspection at least five (5) business days prior to a good faith estimate of the date of the conclusion of the investigation is a reasonable timeframe to allow each party to meaningfully respond to the evidence.
  - At least five (5) business days prior to a good faith estimate of the date of the completion of the investigative report, the Title IX Coordinator or Title IX Investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or hard copy, and the parties will have at least ten (10) business days to submit a written response, which the Title IX Investigator will consider prior to the completion of the investigative report. The University must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross examination.
  - The Title IX Coordinator or Title IX Investigator will send the Title IX investigative report at least ten (10) business days prior to a hearing to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response.
  - The Title IX Coordinator reserves the right to send written notice of the hearing date, time, location participants, and purpose at the same time as the Title IX Investigative Report. Therefore, as long as the Title IX Coordinator or Title IX Investigator has sent the Title IX Investigative Report at least ten (10) business days prior to a hearing to the complainant and respondent, the Title IX Coordinator can provide written notice of the hearing within at least five (5) of the ten (10) business days the parties have to review the investigative report.

## Permissible Evidence Allowed in an Investigation and Hearing of a Formal Complaint

The Department of Education's final regulations require the University to gather and evaluate relevant evidence with the understanding that this includes both inculpatory and exculpatory evidence, and the final regulations deem questions and evidence about a complainant's prior sexual behavior to be irrelevant with two exceptions and preclude use of any information protected by a legally recognized privilege (e.g., attorney-client).

The Title IX Investigator may make police investigation files available to the complainant and respondent. If some of the evidence in the police investigation files is directly related to the allegations raised in a formal complaint, then the Title IX Investigator must provide that evidence to the complainant and respondent for their inspection and review.

Social media profiles, assuming that these social media profiles are lawfully obtained, may be included as part of the investigation.

The University's Title IX policy does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The Department of Education notes in the discussion of the final regulations that answers provided by a respondent in response to questioning by anyone acting on behalf of the University who questions a respondent (whether a student or employee) about a reported sexual harassment incident, in the absence of a formal complaint, may not be used as part of an investigation or grievance process if a formal complaint is later filed by the complainant or signed by the Title IX Coordinator.

The University's Title IX grievance process does not allow for the admission of evidence obtained illegally. If any Title IX personnel know that a recording is unlawfully created under State law, then the Title IX personnel must not share a copy of such unlawful recording. The Department of Education does not require a university to disseminate any evidence that was illegally or unlawfully obtained.

## Hearing

### Introduction

The Department of Education's final regulations require that the University's grievance process provides for a live hearing. Title IX hearings may be conducted with all parties physically present in the same geographic location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

Title IX hearings are not open to the public. Only individuals determined by the Title IX Coordinator as being necessary to conduct the hearing will be granted access. A person assisting a party with a disability, or a language interpreter, may accompany a party to the hearing, in addition to the party's advisor, because the presence of a person assisting a party with a disability at the hearing is required by law and/or necessary to conduct the hearing.

At the request of either party, the Title IX Coordinator must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Title IX decision-maker and parties to simultaneously see and hear the party or the witness answering questions.

The Title IX Decision-maker presides over this hearing and has the right to impose reasonable rules of conduct and decorum on all parties participating in the hearing, including reasonable time limits. The Title IX Decision-maker shall not allow the complainant, the respondent, and witnesses to be subjected to insulting treatment, including inappropriate comments, during the hearing. The Title IX Decision-maker has discretion to adopt rules governing the conduct of hearings that could, for example, include rules about the timing and length of breaks requested by parties or advisors and rules forbidding participants from disturbing the hearing by loudly conferring with each other. However, the parties have the right to reasonably consult with their advisor during a hearing.

The complainant and the respondent have the right, but are not required, to make opening and closing statements during the hearing. The Title IX Decision-maker has the right to establish and enforce rules for time limits, relevance, and civility for opening and closing remarks. Advisors are not allowed to make opening and closing statements on a complainant's or respondent's behalf.

The complainant and the respondent have the right to directly raise an objection to the relevance of evidence introduced during the hearing (i.e., they don't have to ask their advisor to raise an objection on their behalf). An advisor does not have the right to make objections on a complainant's or respondent's behalf. After a Title IX Decision-maker rules on a complainant's or respondent's objection to the relevance of evidence during the hearing, the Title IX Decision-maker's ruling shall be final. However, a complainant and/or respondent has the right to cite this decision if a party chooses to file an appeal with the Title IX Appeals Decision-maker.

A party cannot "fire" an assigned advisor during the hearing, but if the party correctly asserts that the assigned advisor is refusing to "conduct cross-examination on the party's behalf" then the Title IX Coordinator or Title IX Decision-maker is obligated to provide the party an advisor to perform that function, whether that means counseling the assigned advisor to perform that role, or stopping the hearing to assign a different advisor.

Title IX requires the University to create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. However, the Department of Education's final regulations do not obligate the University to send the parties a copy of the recording or transcript.

## Cross Examination

- Cross-examination at the live hearing must be conducted directly, orally, and in real time by an advisor acting on the complainant's and a respondent's behalf and never by a complainant or respondent personally, notwithstanding the right of the Title IX Decision-maker to use discretion to otherwise restrict the extent to which advisors may participate in the proceedings. The requirement for a party's advisor to conduct cross-examination on a party's behalf need not be more extensive than simply relaying the party's desired questions to be asked of other parties and witnesses.
- At the live hearing, the Title IX Decision-maker(s) must permit each party's advisor to ask the other party, any witnesses (and a Title IX Investigator can be called as a witness), all relevant questions and relevant follow-up questions, including those challenging credibility. If a party does not have an advisor present at the live hearing, the Title IX Coordinator or the Title IX Decision-maker must provide without fee or charge to that party, an advisor of the



University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

- A party's advisor may appear and conduct cross-examination even when the party whom they are advising does not appear. Similarly, where one party does not appear and that party's advisor of choice does not appear, a Title IX personnel-provided advisor must still cross-examine the other, appearing party "on behalf of" the non-appearing party, resulting in consideration of the appearing party's statements but not the non-appearing party's statements (without any inference being drawn based on the non-appearance). Because the statements of the appearing party were tested via cross-examination, a fair, reliable outcome can result in such a situation.
- The Title IX Decision-maker may adopt rules of order or decorum to forbid badgering a complainant, respondent or witness, and may fairly deem repetition of the same question to be irrelevant. When the manner in which an advisor attempts to ask the question is harassing, intimidating, or abusive (for example, the advisor yells, screams, or physically "leans in" to the complainant's, respondent's witness's personal space), the Title IX Decision-maker may appropriately, evenhandedly enforce rules of decorum that require relevant questions to be asked in a respectful, non-abusive manner.
- If a complainant's or respondent's advisor of choice refuses to comply with a Title IX Decision-maker's rules of decorum (for example, by insisting on yelling at the other party), the Title IX Decision-maker may require that party to use a different advisor. Similarly, if an advisor that the Title IX Coordinator provides refuses to comply with a Title IX Decision-maker's rules of decorum, the Title IX Coordinator may provide that party with a different advisor to conduct cross-examination on behalf of that party.
- Only relevant cross examination and other questions may be asked of a party or witness. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- Before a complainant, respondent, or witness answers a cross-examination or other question, the Title IX decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The requirement for an explanation does not require the decision-maker to give a lengthy or complicated explanation; it is sufficient, for example, for the decision-maker to explain that a question is irrelevant because the question calls for prior sexual behavior information without meeting one of the two exceptions, or because the question asks about a detail that is not probative of any material fact concerning the allegations. No lengthy or complicated exposition is required to satisfy this provision.
- A complainant, respondent or advisor does not have the right to object to the Title IX Decision-maker's determination of the relevance of a question during the hearing. However, a complainant and/or respondent has the right to cite this decision if a party chooses to file an appeal with the Title IX Appeals Decision-maker.

*Rules and Guidance a Title IX Decision-maker Will Adhere to When Making a Determination of Responsibility*

- The Title IX Decision-maker will use the preponderance of evidence (more likely than not) standard when making a determination of responsibility. The Title IX Decision-maker will apply the preponderance of evidence standard for

formal complaints against students as well as for formal complaints against employees, including faculty, and will apply the same standard of evidence to all formal complaints of sexual harassment.

**Note: the following rule for Title IX Decision-makers that was published in the August 3, 2020 policy was revised by the Department of Education on August 24, 2021:**

- ~~If a party or witness does not submit to cross-examination at the live hearing, the Title IX decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.~~ However, if a party refuses to answer cross-examination questions but video evidence exists showing the underlying incident, the Title IX Decision-maker may still consider the available evidence and make a determination. ~~If a party or witness makes a statement in the video, then the Title IX Decision-maker may not rely on the statement of that party or witness in reaching a determination regarding responsibility.~~ The Title IX Decision-maker may consider video evidence that does not constitute statements or to the extent that the video contains non-statement evidence.

Per an email from the U.S. Department of Education <ed.gov@public.govdelivery.com>

Sent: Tuesday, August 24, 2021 1:44 PM

Subject: Update on Court Ruling about the Department of Education's Title IX Regulations

The Department of Education noted that on July 28, 2021 a federal district court in Massachusetts issued a decision in *Victim Rights Law Center et al. v. Cardona*, No. 1:20-cv-11104, 2021 WL 3185743 (D. Mass. July 28, 2021). The Department's email explained that:

In accordance with the court's order, the Department will immediately cease enforcement of the part of § 106.45(b)(6)(i) regarding the prohibition against statements not subject to cross-examination. Postsecondary institutions are no longer subject to this portion of the provision.

In practical terms, a decision-maker at a postsecondary institution may now consider statements made by parties or witnesses that are otherwise permitted under the regulations, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility in a Title IX grievance process.

For example, a decision-maker at a postsecondary institution may now consider statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties leading up to the alleged sexual harassment, and statements about the alleged sexual harassment that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing. A decision-maker at a postsecondary institution may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

Any statements in an OCR document about the vacated part of § 106.45(b)(6)(i) should not be relied upon.

- The credibility of any party, as well as ultimate conclusions about responsibility for sexual harassment, must not be prejudged and must be based on objective evaluation of the relevant evidence in a particular case.

- The Department of Education’s final regulations do not require that any party, including a complainant, must recall details with certain levels of specificity; rather, a party’s answers to cross-examination questions can and should be evaluated by a Title IX Decision-maker in context, including taking into account that a party may experience stress while trying to answer questions.

## Hearing Outcome

The Title IX Decision-maker will submit the formal ‘Written Determination’ of the hearing’s results to the Complainant, the Respondent and the Title IX Coordinator simultaneously within five (5) business days after the Decision-maker has adjourned the hearing. The Title IX Decision-maker has the right to extend this deadline for good cause upon written notice to the Respondent and Complainant.

- A determination of non-responsibility does not necessarily mean that the complainant’s allegations were false or unfounded but rather could mean that there was not sufficient evidence to find the respondent responsible.
- A determination of non-responsibility is only with regard to that conduct for the purposes of sexual harassment under Title IX; such a determination or dismissal does not preclude action under another provision of the student’s academic program’s code of conduct or employee/faculty code of conduct.
- The Title IX Decision-maker is responsible for determining remedies, disciplinary measures and sanctions on a respondent when the Title IX Decision-maker has determined that the respondent is responsible for violating the University’s Title IX policy. Please see the ‘Definition’ section for the University’s description of the range of possible disciplinary remedies and sanctions that could be imposed on a respondent and remedies that could be provided to complainants.
- The determination regarding responsibility becomes final either on:
  1. the date that the Title IX Appeals Decision-maker simultaneously provided the parties with the written decision describing the result of the appeal and the rationale for the result, if an appeal is filed,
  - or*
  2. if an appeal is not filed, the date on which an appeal would no longer be considered timely.
- The Clery Act requires, and FERPA permits, the University to inform the complainant of the institution’s final determination and any disciplinary sanctions imposed on the respondent in sexual violence cases (as opposed to other forms of sexual harassment covered by Title IX), not just those sanctions that directly relate to the complainant. The victim will know whether the perpetrator was expelled, or whether the perpetrator was suspended for a period of time, as such information will inevitably impact the victim.
- The Title IX Coordinator is responsible for the effective implementation of any remedies.

- The Title IX Coordinator has the right to keep supportive measures in place even after a determination that a respondent is not responsible, so complainants do not necessarily need to be left in constant contact with the respondent, regardless of the result of the University's grievance process.
- The Department of Education noted in the discussion of the final regulations that it declines to require a university to offer remedies for respondents in situations where a complainant is found to have brought a false allegation. The Department of Education's final regulations are focused on sexual harassment allegations, including remedies for victims of sexual harassment, and not on remedies for other kinds of misconduct. A materially false statement may but does not always constitute discrimination on the basis of sex. The Title IX Coordinator would need to examine the content, purpose, and intent of the materially false statement as well as the circumstances under which the statement was made to determine whether the statement constitutes sex discrimination.

## Right to Call for Temporary Delay or Extension

Right to Call for Temporary Delay or Extension of Time Frames for Notice of Allegation, Investigation, Grievance Process, Including Hearing and Written Determination, for Good Cause

The Title IX Coordinator, the Title IX Investigator and the Title IX Decision-maker each has the right to call for a temporary delay of the University's Title IX notice of allegations, investigation and grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reason(s) for the action.

A complainant's or respondent's request to extend any deadline must be made in writing to the Title IX Coordinator (or designee). The Title IX Coordinator (or designee) will only grant a complainant's and/or respondent's request to extend a deadline for good cause and if granting the request does not unreasonably extend the total duration of the University's Title IX grievance process. In order for the Title IX Coordinator (or designee) to consider a request to extend a deadline, the complainant and/or respondent must:

- submit a written request to extend the deadline to the Title IX Coordinator (or designee) on or before the deadline,
- the written request must include the rationale for the extension, and
- the written request must propose a new date and time for the deadline.

If the Title IX Coordinator (or designee) grants a request to extend a deadline, the Title IX Coordinator will notify each party in writing that an extension will be granted to both parties and state the reason(s) why the decision was made for good cause.

Unless a deadline extension has been approved in writing by the Title IX Coordinator (or designee), a complainant, respondent or anyone acting on their behalf, is not allowed to submit information received after the deadline to the Title IX Investigator and/or Title IX Decision-maker. The Title IX Decision-maker will disregard evidence that was submitted after an approved deadline.

## Appeals Process

The Complainant and Respondent have a right to submit a written appeal of the Title IX Coordinator's decision to dismiss a formal complaint or the Title IX Decision-maker's determination of responsibility to the Title IX Appeals Decision-maker. The complainant and/or respondent must submit a written appeal to the Title IX Appeals Decision-maker within five (5) business days after the Title IX Coordinator provided the parties with written notification to dismiss the formal complaint or the Title IX Decision-maker provided each party with the Written Determination. The Title IX Appeals Decision-maker will consider a

temporary delay or limited extension of time frames in the appeals process for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action.

The Title IX Appeals Decision-maker will only consider appeals for any of the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The severity of the sanctions shall not be subject to appeal for either party.

The Title IX Appeals Decision-maker will render a decision on any appeals within fifteen (15) business days of the Appeals Decision-maker's receipt of a party's written appeal. The Title IX Appeals Decision-maker may allow for a temporary delay or limited extension of time frames in the sharing the appeals decision with both parties for good cause with written notice to the complainant and the respondent of the delay or extension and the reason(s) for the delay or extension of the decision. The Title IX Appeals Decision-maker's decision shall be final.

A Title IX Appeals Decision-maker's decision to grant an appeal that results in a final determination that a respondent was not responsible for violating the University's Title IX policy, does not necessarily mean that the complainant's allegations were false or unfounded. Rather, the Title IX Appeals Decision-maker's decision could mean that there was a procedure irregularity, that the Appeals Decision-maker received new evidence not reasonably available at the time of the Title IX Decision-maker's determination, there was conflict of interest, and/or there was bias that had an impact on the Title IX Decision-maker's determination.

## Emergency Removal

A respondent, including an employee-respondent, may be removed from the University's education program or activity on an emergency basis for reasons related to a Title IX issue(s). Respondents who are employees receive the same due process protections with respect to emergency removals (i.e., post-removal notice and opportunity to challenge the removal) as student-respondents.

An emergency removal of a respondent for the purposes of a Roseman University Title IX-related reason(s) requires the University to undertake an individualized safety and risk analysis, determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and to provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

A respondent who has been removed on an emergency basis, can appeal this decision by submitting a written appeal to the University's Title IX Appeals Decision-maker within three (3) business days from the time the Title IX Coordinator (or designee) informed the respondent, either orally or in writing (whichever notice was submitted first) about the emergency removal. The

Department of Education noted in the discussion of the final regulations that it does not prescribe cross-examination as a necessary procedure during the post-removal opportunity to challenge the emergency removal. A Title IX Appeals Decision-maker will provide a written response to the respondent's written appeal within five (5) business days from the receipt of the written appeal. The decision of the Title IX Appeals Decision-maker shall be final.

The emergency removal of a respondent does not involve a Title IX Coordinator's or Title IX Appeals Decision-maker's determination that the respondent committed sexual harassment as alleged by the complainant, and information about the emergency removal is not necessarily directly related to the complainant. Thus, FERPA (or other privacy laws) may restrict the university's discretion to disclose information relating to the emergency removal.

An emergency removal may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

## Retaliation

Please see the term 'Retaliation' in the 'Definition' section. Threatening to publicize or make a written determination public for the purpose of retaliation, however, is strictly prohibited under the University's Title IX policy per the Department of Education's final regulations. Complaints alleging retaliation may be filed and adjudicated according to the Roseman University's grievance procedures for sex discrimination, which includes sexual harassment.