



**Westminster**  
Seminary California



# **2022 Annual Security & Fire Safety Report**

*Including Statistical Data from 2019–2021*

# TABLE OF CONTENTS

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1. Prolegomena .....	4
A. Clery Geography .....	4
2. Statistical Data .....	6
A. Crime Statistics for Westminster Seminary California (2019-2021) .....	6
B. Fire Statistics for Residential Facilities (2019-2021) .....	7
3. Campus Safety & Security Procedures .....	8
A. Overview .....	8
B. Campus Security Authorities .....	8
C. Reporting Emergencies, Crimes, & Suspicious Activities .....	8
1. Emergencies.....	8
2. Non-Emergencies.....	9
D. Emergency Response and Evacuation.....	9
1. Imminent Threat to Campus Security.....	10
2. Evacuation of Buildings.....	10
3. Missing Student Policy.....	10
4. Timely Warnings.....	10
5. Non-Emergency Response.....	11
6. Sexual Offense or Other Crime between Two Seminary Community Members.....	11
7. Testing of Procedure .....	11
D. Campus Policies .....	11
E. Voluntary, Confidential Reporting Procedures.....	11
4. Policy against Sexual Misconduct .....	12
A. Applicable Federal Law .....	12
B. Policy.....	13
C. Sexual Misconduct Definitions .....	13
1. Sex Discrimination is:.....	13
2. Sexual Harassment is:.....	13
3. Sexual Assault/Sexual Violence is:.....	14
4. Non-Consensual Sexual Intercourse is:.....	14
5. Non-Consensual Sexual Contact is:.....	14
6. Sexual Exploitation.....	15
D. Statement on Consent .....	15

E. Statement on Force .....	16
F. Guidance on Reporting .....	16
G. Complaint Resolution Procedure .....	16
H. Title IX Coordinators .....	17
I. Mandatory Reporters .....	17
J. Non-Mandatory Reporters .....	17
K. Interim Protective Measures .....	17
L. Retaliation Prohibited.....	17
M. Investigation & Procedures.....	18
N. Additional Resources for Assistance.....	19
O. Awareness and Educational Programs.....	20
P. Information about the Sex Offender Registry.....	20
5. Fire Safety Report.....	21
A. Facility Descriptions: University Owned and Affiliated Residential Facilities.....	21
B. Safety and Security Policies for Westminster Village.....	21
C. Safety and Security Policies for Seminary Affiliated Properties.....	21
1. Safety and Security.....	21
2. Explosives/Flammables:.....	22
3. Tampering of Safety Equipment.....	22
4. Weapons.....	22
D. Procedures for Evacuations in Westminster Village .....	22
E. Fire Safety Education and Training Programs for Westminster Village .....	23
F. Reporting Procedures for On-Campus Residential Communities .....	23
G. Reporting Procedures for Off-Campus Seminary Affiliated Housing .....	23

# 1. PROLEGOMENA

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Located 40 miles north of San Diego in the foothills of the mountain range that separates the Pacific coast from the inland desert, Westminster Seminary California (Seminary or WSC) provides graduate-level theological training to its students. The campus sits on the eastern edge of the city of Escondido, and in 2018 the Seminary's on-campus student-housing complex, the Westminster Village, received its first residents.<sup>1</sup> The Seminary participates in Title IV funding under the *Higher Education Act of 1965* (HEA).

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (Clery Act) became part of the HEA following the rape and murder of college freshman Jeanne Clery in her dorm room in 1986. The Clery Act was enacted in the belief that awareness of crime could prevent campus victimization. According to the Clery Act, if an institution participates in the Title IV financial aid program, it needs to disclose crime statistics and security information and provide timely warnings of crimes that threaten the safety of the campus community.<sup>2</sup>

Statistics are compiled for crimes including murder, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, illegal weapons violations, hate crimes, dating violence, domestic violence, and stalking. Information is also gathered for any crimes the manifest evidence of a hate crime. Hate crimes are those crimes that manifest evidence that the victim was intentionally selected because of the victim's race, gender, religion, sexual orientation, ethnic/national origin, or disability. On March 7th, 2013, President Obama signed the *Violence Against Women Reauthorization Act of 2013* (VAWA), which amended the Clery Act and requires institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports.<sup>3</sup>

In addition, the Campus Fire Safety Right-to-Know Act of 2007 amends the HEA to require institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety policies, practices, and statistics.

As required by law, each year the Seminary provides statistical data to the U.S. Department of Education on those crimes that transpire on, or in the immediate vicinity of the campus and any properties under the Seminary's control. These crime statistics are then combined with fire statistics for student residential facilities and published along with the Seminary's Campus Safety Policy. The Seminary distributes the resulting Annual Campus Security & Fire Safety Report to the school community both online and through email. In compliance with the Clery Act, VAWA, and Campus Fire Safety Right-to-Know Act, this Annual Security & Fire Safety Report includes data from the three most recent calendar years.

## A. Clery Geography

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<sup>1</sup> Eight, two-story apartment buildings contain 64 apartments ranging in size from 1-3 bedrooms. A ninth building is currently under construction.

<sup>2</sup> For guidance on the reporting requirements imposed by the Clery Act on institutions of higher education, see the "Clery Act Appendix for FSA Handbook" (<https://fsapartners.ed.gov/sites/default/files/attachments/2020-10/CleryAppendixFinal.pdf>), which supersedes the "The Handbook for Campus Safety and Security Reporting: 2016 Edition."

<sup>3</sup> The full text of the Clery Act and VAWA can be found in [79 FR 62751-62790](#) (34 CFR 668, Doc. No. 2014-24284).

Clery Geography is defined to include all buildings and property that are part of the institution's campus, the institution's non-campus buildings and property, and public property within or immediately adjacent to and accessible from the campus.<sup>4</sup> Within this report, these have been termed on-campus, non-campus, and public property, respectively.

According to the Clery Act, **on-campus** geography includes not only the chapel, office, library, student lounge, and classroom buildings, but also Westminster Village, as it is "within the same reasonably 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."<sup>5</sup> The report discloses separately the total crimes that occurred on campus, including crimes that occurred in student housing facilities, as well as the number of crimes that occurred in student housing as a subset of the total.

**Non-campus** buildings or property include:

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.<sup>6</sup>

There is no **public property** within the campus. Portions of the Bear Valley Parkway and Boyle Avenue thoroughfares lie adjacent to campus and have been included in the reported crime data, as falling within the following definition: "all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus."<sup>7</sup>

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<sup>4</sup> 34 CFR § 668.46 (a) *Clery Geography* (79 FR 62784).

<sup>5</sup> 34 CFR 668.46(a).

<sup>6</sup> 34 CFR 668.46(a).

<sup>7</sup> 34 CFR 668.46(a).

## 2. STATISTICAL DATA

### A. Crime Statistics for Westminster Seminary California (2019-2021)

OFFENSE	ON-CAMPUS STUDENT HOUSING			MAIN CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2021	2020	2019	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary / Larceny	0	0	0	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## B. Fire Statistics for Residential Facilities (2019-2021)

On-Campus Residential Facilities	Year	Total Fires	Cause of Fire	Fire Related Injuries	Fire Related Deaths	Fire Related Property Damage Value
<b>Building A (Bergsma)</b> 1661 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building B (Johnson)</b> 1649 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building C (Godfrey)</b> 1679 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building D (Jones)</b> 1673 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building E (Strimple)</b> 1625 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building F (Den Dulk)</b> 1655 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building G (Clowney )</b> 1643 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None
<b>Building H (Baugh)</b> 1637 Bear Valley Pkwy	2019	0	None	None	None	None
	2020	0	None	None	None	None
	2021	0	None	None	None	None

## 3. CAMPUS SAFETY & SECURITY PROCEDURES

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### A. Overview

The campus is secured with a coded, remote-access gate. A full and segmented electronic security system allows the library and the student lounge to remain open for use in the evenings and on Saturdays while the rest of the main campus is secured. The front parking lot, inner campus, and Village are well lit. The campus community is encouraged to use common sense safety measures, such as locking transportation vehicles and offices, not leaving valuables unattended, being aware of the locations of the fire extinguishers and well-marked emergency exits, and reporting suspicious activity.

### B. Campus Security Authorities

The Primary Emergency Officers (PEOs) of the Seminary are responsible for responding to reports of crime and other emergencies that threaten campus safety and security, assisting victims, and investigating alleged sexual offenses between two members of the WSC community. The Seminary's PEOs are:

- **Dr. Marcus MacArthur**, *Vice President for Administration*  
mmcarthur@wscal.edu | (760) 480-8474 x105
- **Dr. Ryan Glomsrud**, *Academic Dean*  
rglomsrud@wscal.edu | (760) 480-8474 x123
- **Rev. Chuck Tedrick**, *Dean of Students*  
ctedrick@wscal.edu | (760) 480-8474 x109

The Seminary's PEOs can also be reached during business hours by calling the Front Office at (760) 480-8474. For any emergencies that occur outside of business hours, whether on the main campus or in the Village, please first call 911 and then contact Dr. Marcus MacArthur at (714) 614-1502.

General campus maintenance and safety hazard prevention is also the responsibility of Dr. Marcus McArthur (mmcarthur@wscal.edu). Burned out or broken security lights or other campus hazards should be reported to the Front Office Assistant.

WSC does not employ campus police or security guards, and no member of the seminary community has law enforcement authority beyond that given to a private citizen. WSC depends on the Escondido Police Department to serve as the law enforcement authority on campus.

### C. Reporting Emergencies, Crimes, & Suspicious Activities

#### 1. Emergencies

For all emergencies, crimes in progress, and threats to life or property, whether on the main campus or in the Village, **dial 911** and provide our location:

1725 Bear Valley Parkway  
Escondido, 92027

If the emergency or crime occurs at or near student housing, provide the address of the apartment building. When calling emergency personnel, stay on the line until all requested information is provided. People at the scene of the incident will determine the basic incident facts (who, what, when, where, and how).

If the emergency occurs during business hours, please contact the Front Office Assistant at x100. The FOA will immediately contact the Primary Emergency Officers (PEO). A PEO will then coordinate an appropriate response with local authorities (police, fire department, medical personnel, etc.). If the emergency occurs outside of business hours, please contact the Vice President for Administration, Marcus MacArthur at (714) 614-1502.

## 2. Non-Emergencies

Criminal infractions that are not emergencies may be reported to the Escondido Police Department (Phone: 760-839-4722). For guidelines on calling Escondido PD, and for online reporting of certain types of crime, see <https://police.escondido.org>. After such activity has been reported to the police, please also report the incident in a timely manner to any of the PEOs. The Seminary also provides the possibility of confidential reporting and does not require reporting crimes to the local police. In other words, you may report a crime to the PEO's on a voluntary, confidential basis. These crimes will appear in the annual disclosure of crime statistics.

## D. Emergency Response and Evacuation

The Seminary's Primary Emergency Officers (PEOs, see section 3.B above) are responsible for responding to reports of crime and other emergencies that threaten campus safety and security, assisting victims, and investigating alleged sexual offenses between two members of the Seminary community. PEOs are registered with the local police and receive direct communication of local emergencies, crimes, etc.

When campus safety is threatened, the following policies and procedures will determine our response.

### **1. Imminent Threat to Campus Security**

WSC will issue an “emergency notification” to students, faculty, staff, and other adults who live in the Village via email and text (using Bildium and Populi) should the administration determine that a threat to personnel exists.

#### *A. When campus is open:*

1. In the event of an emergency situation during normal operating hours, whether class is in session or not, the front office assistant under the direction of one of the administrative officers shall utilize the “All Page” function of the phone system (dial 192) to notify all personnel on campus of the threat and recommended response.
2. An email shall be sent to the listserv, and a text message to students, faculty, staff, and Village residents (via Populi and Bildium), stating the nature of the emergency and advising further action.
3. After the close of the administrative offices during the academic year, this responsibility will shift to the circulation desk of the library.

#### *B. Outside of business hours:*

1. IT personnel shall alter the message on the main phone and post a notification on the Seminary’s website stating the emergency and advising further action.
2. An email shall be sent to the listserv, and a text message to students, faculty, staff, and Village residents (via Populi and Bildium), stating the nature of the emergency and advising further action.

### **2. Evacuation of Buildings**

In the event of a fire in one of the main-campus buildings, evacuate to either the back parking lot farthest from the main-campus buildings, or to the sidewalk outside of the front gates. Unless otherwise directed, do not attempt to drive off campus as this may prevent the timely response of emergency vehicles. For evacuation of apartments in the Village, please see the Westminster Village Handbook.

### **3. Missing Student Policy**

If a student has been missing for at least 24 hours, please notify one of the Seminary’s PEOs (see above). The PEO will immediately inform local law enforcement. If law enforcement determines that the student is missing, the PEO will notify the student’s emergency contact person, as indicated in Populi, within 24 hours of that determination.

### **4. Timely Warnings**

The Seminary will provide a timely warning to the Seminary community of any Clery Act crime, or other situation that in the judgment of the Seminary’s PEOs represents an ongoing threat to the safety of students, employees, or Village residents. Timely warnings are issued as soon as information is available and pertain to incidents that occur on the main campus or in the Village. Timely warnings are issued through the listserv or by text.

## 5. Non-Emergency Response

Report the security event to a PEO in a timely manner (if the event is reported to someone other than a PEO, that person is responsible for notifying the PEO). The PEO will then assist in contacting the police or medical authorities. A written report within 72 hours must be filled out for the Seminary, with assistance of the PEO.

## 6. Sexual Offense or Other Crime between Two Seminary Community Members

Criminal allegations of any kind will be investigated by the PEO with input from the Academic Dean. If the Dean is accused of the offense, the Seminary President will provide the input. A disciplinary proceeding will follow, both the accuser and the accused having the right to be present, and both the accuser and the accused will be notified of the outcome. An outcome of guilty will subject the offender to appropriate disciplinary and/or corrective measures commensurate with the seriousness of the offense and relevant circumstances, up to, and including, termination of employment and/or academic expulsion.

## 7. Testing of Procedure

Each year WSC shall review emergency response policies and procedures along with all notification systems.

## D. Campus Policies

- **Firearms.** Only licensed law enforcement officials are permitted to possess firearms on campus.
- **Tobacco.** Smoking is prohibited inside buildings owned or leased by the Seminary.
- **Alcohol.** Alcoholic beverages and their consumption are prohibited on campus.
- **Drugs.** Please refer to the Student Handbook or the Faculty Handbook for WSC's Substance Abuse Policy and its Drug and Alcohol Abuse Prevention Program. The Seminary will cooperate fully with local police in prosecuting offenders who possess, use, or sell illicit drugs on campus.
- **Sexuality.** Westminster Seminary California believes that sexual union must be reserved for marriage, which is the covenant union between one man and one woman, and that sexual abstinence is required for the unmarried. The Seminary believes premarital, extramarital, and homosexual forms of explicit sexual conduct to be inconsistent with the teaching of Scripture. Consequently, the Seminary expects all members of its community—students, faculty, administrators/managers, staff, and trustees—to abstain from what it holds to be unbiblical sexual practices.

Appropriate disciplinary action will also be taken by the Seminary for any violations of policy.

## E. Voluntary, Confidential Reporting Procedures

Pastoral and professional counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Readers are directed to sections 4.J, 4.N, and 4.O for more information regarding pastoral and professional counselors and other resources.

## **4. POLICY AGAINST SEXUAL MISCONDUCT**

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### **A. Applicable Federal Law**

As an educational institution receiving federal financial assistance, Westminster Seminary California (“Seminary”) recognizes its legal obligations to Title IX, the Campus Sexual Violence Elimination Act, and the Clery Act. The Seminary’s Policy against Sexual Misconduct addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), a federal law prohibiting discrimination based on gender in federally funded education programs and activities. Title IX states:

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity[.]<sup>8</sup>

This includes admissions, recruitment, financial aid, academic programs or activities, athletics, housing, and employment. Title IX also protects men and women from unlawful sexual harassment in school programs and activities. Under Title IX, discrimination on the basis of sex can include sex discrimination, sexual harassment, sexual assault, sexual violence, and sexual exploitation (as those terms are defined below). Title IX prohibits sex discrimination in both the educational and employment settings.

The Seminary is also subject to the requirements of the Campus Sexual Violence Elimination Act, or Campus SaVE Act (SaVE), a 2013 amendment to the federal Jeanne Clery Act. The SaVE Act addresses sexual violence in the form of sexual assault, domestic violence, dating violence, and stalking. For the purpose of this policy and the Seminary’s handling of such matters, “Title IX” includes the concerns of the Campus SaVE Act.

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<sup>8</sup> 34 CFR § 106.31(a)

## B. Policy

At Westminster Seminary California we believe that men and women of God are suited for Christian service by moral character as well as by academic achievement and spiritual gifts. Among their qualifications should be compassion for individual persons, sensitivity to the needs of the communities of which they are a part, a commitment to justice, a burden that the whole of God's will be obeyed on earth, personal integrity, a desire for moral growth, and mutual accountability. Students and employees at Westminster Seminary California are expected to exhibit these moral characteristics.

The behavioral standards of Westminster Seminary California are guided by an understanding of Scripture and a commitment to its authority regarding all matters of Christian faith and living. These moral standards encompass every area of life, but prevailing confusion about specific areas leads the community to speak clearly about them. Enrollment in or employment by Westminster Seminary California includes a commitment by each individual to adhere to all of the Seminary's published policies and ethical and behavioral standards.<sup>9</sup>

Consequently, Westminster Seminary California is committed to providing a learning, working, living, and community environment free of discrimination on the basis of sex, which includes all forms of sexual misconduct. Sexual misconduct includes sex discrimination, sexual harassment, sexual assault, and all forms of sexual violence. Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex. The Seminary considers sexual misconduct in any form to be a serious violation of the Christ-like conduct expected from all members of its community.

This policy applies to any on-campus conduct and any off-campus conduct that affects the learning experience of students or working experience of employees or the campus climate. This policy applies to all Seminary students, faculty, administrators, and staff, to other members of the Seminary community, and to contractors, consultants, and vendors doing business or providing services to the Seminary. Violation of the policy against sexual misconduct will result in disciplinary actions, which could include, but is not limited to, probationary status, academic suspension or expulsion, or employment suspension or termination. Seminary discipline is in addition to penalties that may be imposed by state or federal law, which could include imprisonment or financial fines.

## C. Sexual Misconduct Definitions

### 1. Sex Discrimination is:

- a. Making a distinction in favor of, or against, a person on the basis of sex rather than on individual merit;
- b. In an educational setting, making a distinction on the basis of sex that deprives a person of the ability to participate in or benefit from the Seminary's education program or activities.

### 2. Sexual Harassment is:

Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct based on sex or of a sexual nature, up to and including sexual assault, constitute sexual harassment when one or more of the following apply:

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<sup>9</sup> These policies are published in the respective Faculty, Staff, and Student Handbooks.

- a. submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other Seminary activity;
- b. submission to or rejection of such conduct by an individual is used as a basis for evaluation in making any academic or employment decision affecting that individual;
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in instructional, employment-related, or other Seminary activity; or
- d. such conduct has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment from the standpoint of a reasonable person of the same sex as the individual affected.

Examples of sexual harassment include, but are not limited to, unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's gender, sexuality or sexual experience. Sexual harassment may consist of repeated actions or may even arise from a single incident if sufficiently extreme. The complainant and the respondent (the person alleged to have committed the misconduct) may be of either gender and need not be of different genders.

### **3. Sexual Assault/Sexual Violence is:**

A particular type of sexual harassment that includes non-consensual sexual contact, non-consensual sexual intercourse, rape, or other physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual assault/sexual violence includes, but is not limited to, physical assaults of a sexual nature, such as rape, sexual assault, sexual battery, domestic violence, dating violence, stalking, or attempts to commit these acts.<sup>10</sup>

### **4. Non-Consensual Sexual Intercourse is:**

- a. any sexual penetration or intercourse (anal, oral, or vaginal),
- b. however slight,
- c. with any object,
- d. by a person upon another person,
- e. that is without consent and/or by force.

**Note:** "Sexual intercourse" includes vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

### **5. Non-Consensual Sexual Contact is:**

- a. any intentional sexual touching,
- b. however slight,
- c. with any object,
- d. by a person upon another person

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<sup>10</sup> The harassing conduct based on sex or gender must also be sufficiently severe, pervasive or persistent, or objectively offensive to be considered sexual harassment.

- e. that is without consent and/or by force.

**Note:** “Sexual contact” includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact of a sexual manner, including the nonconsensual touching of a person’s intimate parts, or the clothes covering the immediate area of those parts, or forcing a person to touch another’s intimate parts.

## 6. Sexual Exploitation

Refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact.

Examples of sexual exploitation include, but are not limited to:

- a. Invasion of sexual privacy,
- b. Prostituting another student,
- c. Non-consensual recording, broadcasting sexual activity, including redistribution of pictures, video, or audio,
- d. Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex),
- e. Engaging in voyeurism,
- f. Knowingly exposing another to an STD or HIV,
- g. Exposing one’s genitals in non-consensual circumstances or inducing another to expose their genitals,
- h. Sexually based stalking and/or bullying, including cyber-stalking and/or cyber-bullying, may also be forms of sexual exploitation.

## D. Statement on Consent<sup>11</sup>

- 1) Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid there must be a clear expression in words or actions that the other individual agreed to that specific sexual conduct.
- 2) A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs, including so-called “date rape” drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.
- 3) Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or

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<sup>11</sup> [California Penal Code 261.6](#) defines consent “to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.... A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution.”

how” of their sexual interaction). This policy also covers a person whose incapacity results from a mental or developmental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs.

- 4) Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Silence or the absence of resistance alone is not consent.
- 5) A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.
- 6) A minor below the age of consent according to state law cannot consent to sexual activity. This means that sexual contact by an adult with a person below the age of consent is a crime as well as a violation of this policy, even if the minor appeared to have wanted to engage in the act.

## **E. Statement on Force**

- 1) Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent (“Have sex with me or I’ll hit you. Okay, don’t hit me; I’ll do what you want.”)
- 2) Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

In some situations, such as date rape, the victim may fear being blamed or disciplined if he or she has violated any community standards, for example, if he or she had been drinking on campus. However, the Office of the Title IX Administrator is committed to sensitive and fair handling of such situations with healing, safety of others, and justice as primary concerns. There will be accountability for sexual assault or misconduct, not the violation of community standards, in particular alcohol, on the part of the victim. The seriousness of sexual misconduct is the greater concern, and the Seminary does not want the circumstances (i.e., drug or alcohol use) to inhibit the reporting of sexual misconduct.

## **F. Guidance on Reporting**

Westminster Seminary California encourages those who have experienced any form of sex discrimination/sexual misconduct to report the incident promptly, to seek all available assistance, and to pursue Seminary conduct violation charges and criminal prosecution of the offender. WSC takes complaints very seriously and will work with victims to ensure their safety as much as possible and to remedy the situation. The Seminary will fully cooperate with the police in any related investigation and reserves the right to commence its internal complaint resolution procedures prior to the completion of any police investigation.

Complaints may be filed with a Title IX Coordinator or any Seminary employee identified as a mandatory reporter. All sexual misconduct complaints made to mandatory reporters will be reported to a Title IX Coordinator.

## **G. Complaint Resolution Procedure**

All incidents of sex discrimination, including sexual misconduct or retaliation, should be reported. The Title IX Coordinator will provide for the adequate, reliable, and impartial investigation of all complaints.

## H. Title IX Coordinators

Mark MacVey, *Senior Enrollment Specialist*  
mmacvey@wscal.edu | (760) 480-8474 x106

Richard W. Bishop, *Registrar & Director of Institutional Research*  
rbishop@wscal.edu | (760) 480-8474 x108

The Title IX Coordinators are the individuals designated with responsibility for providing education and training about discrimination, harassment, and sexual misconduct to the Seminary community and for receiving and investigating reports and complaints of discrimination, harassment, and sexual misconduct in accordance with this policy. The Title IX Coordinator is authorized to designate other appropriately trained individuals to receive and investigate reports and complaints of discrimination, harassment, and sexual misconduct as deemed appropriate at his/her sole discretion. Questions about Title IX can be directed to the Title IX Coordinator or to the Office of Civil Rights of the U.S. Department of Education (<http://www2.ed.gov/about/offices/list/ocr/index.html>).

## I. Mandatory Reporters

All staff and faculty are mandatory reporters, including community coordinators. A mandatory reporter must report all allegations of sexual misconduct to a Title IX Coordinator.

## J. Non-Mandatory Reporters

Students, faculty, and staff may wish to seek confidential assistance in dealing with a Title IX violation. The Seminary has identified the following employees who will maintain confidentiality under the professional license or professional ethics necessary for performing their employed role at the Seminary:

Rev. Chuck Tedrick, *Dean of Students*  
ctedrick@wscal.edu | (760) 480-8474 x109

## K. Interim Protective Measures

The Seminary reserves the right to suspend or place on immediate administrative leave any member of the campus community accused of violating this policy, or to take any other interim measures the Seminary deems appropriate, pending the outcome of an investigation and/or disciplinary proceedings. Such interim measures can include, but are not limited to, placing an employee on paid or unpaid administrative leave, removing a student from campus housing and/or current classes, modifying course schedules, and issuing a “no contact” order, among many other remedies.

## L. Retaliation Prohibited

Fear of retaliation should not hinder the reporting of an alleged violation(s) of sexual misconduct. The Seminary strictly prohibits retaliation against a member of the Westminster community who opposes the practices prohibited by this policy against sexual misconduct, who brings forth a complaint, against whom a complaint is brought, or who otherwise is a participant in a complaint resolution process. Such prohibited retaliatory conduct

includes, but is not limited to, reducing a student's grade, decreasing an employee's pay, or downgrading a person's performance evaluation. Retaliatory conduct will be considered a violation of Seminary policy, and anyone who violates this policy against retaliation will be independently disciplined by the Seminary, up to and including possible termination of student status (expulsion) and/or termination from employment.

This policy against retaliation applies to all members of the Seminary community, including students, authorized student organizations, faculty, administrators/managers, staff-level employees, and trustees. This policy may also be applicable to complaints deemed to have been submitted without merit and for a retaliatory purpose.

## **M. Investigation & Procedures**

The Grievance Policy & Procedure will be followed with the following additional provisions:

1. The investigation of a sexual misconduct allegation may proceed whether or not a related criminal matter is pending.
2. In accordance with federal regulations, Westminster will complete investigations within a 60-day time period.
3. Both parties will be provided periodic updates during the complaint resolution process.
4. Both parties will be advised in writing of the outcome of a complaint, at the same time, once a decision has been reached. This written notification will also indicate the process for appeal, and when such findings become final.
5. Allegations of sexual assault will not be resolved by mediation.
6. The standard used to determine whether this policy has been violated is whether it is more likely than not that the respondent violated this policy. This is often referred to as a "Preponderance of Evidence" standard.
7. Both parties may have an advisor of their choice present during the investigation process.
8. Possible sanctions in cases of sexual misconduct include one or more of the following: verbal warning, written reprimand, probation, counseling, suspension, dismissal.
9. The accuser or the accused may appeal the result of an institutional disciplinary hearing in cases of sexual misconduct to the Dean of Students; if the Dean of Students is the accuser or the accused, another member of the Executive Council will receive the appeal; if the result of that appeal is unsatisfactory, a further appeal may be made to the President, whose decision shall be final.

As time passes, evidence of a sexual violence incident may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, prosecution or obtaining a protective order related to the incident more difficult. Adult victims who wish to have physical evidence collected pursuant to a sexual assault incident, but do not wish to have law enforcement investigate the incident, may have this evidence collected at one of the adult Sexual Assault Response Team (SART) facilities in San Diego County. There is no cost to the victim for this service. Adult victims may present by a variety of methods including: a phone call to a sexual assault / domestic violence hotline; a phone call to 911; or by a report to a medical professional or facility. To ensure consistent quality of care and proper collection of evidence in all cases, these individuals will be referred to the San Diego County DV Hotline (888-385-4657).

Individuals will be counseled on their options for reporting of the incident and directed to a SART facility for an exam and collection of physical evidence. Patients who chose the non-investigative reporting option will be

responsible for their own transportation to the SART facility if they do not want law enforcement involvement. The evidence will be kept by the appropriate law enforcement agency for a period of 18 months from the date of the exam. Should the patient later decide to proceed with a criminal justice system investigation, the SART facility will notify the law enforcement agency with jurisdiction of the incident and the appropriate advocacy agency. The victim will be notified that they will be contacted by law enforcement and examination of physical evidence may proceed at this time. Should the patient/victim not initiate an investigative report during this time period the evidence will be destroyed per agency guidelines.

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, a representative from the University will help guide the victim through the available options and support and provide a written explanation of their rights. The California Victim's Bill of Rights (Marsy's Law) provides certain enumerated rights to justice and due process to crime victims. "Victim" as used in the California Constitution is defined as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The California Victims' Bill of Rights can be viewed at: [http://oag.ca.gov/victimservices/content/bill\\_of\\_rights](http://oag.ca.gov/victimservices/content/bill_of_rights).

## N. Additional Resources for Assistance

### Government Authorities and Support Centers:

- National Domestic Violence Hotline (800) 799-7233 ([ndvh@ndvh.org](mailto:ndvh@ndvh.org))
  - [www.thehotline.org](http://www.thehotline.org)
- San Diego Center for Community Solutions 24-Hour Countywide Crisis Line (888) 385-4657
- San Diego Center for Community Solutions Rape Crisis Center (888) 272-5777
- North County Women's Resource Center (760) 757-3500
- Rape Abuse Incest National Network (for the Department of Defense community) (877) 995-5247
- San Diego District Attorney's Office (619) 531-4040
  - San Diego DA hotlines: <https://www.sdca.org/office/contact/hotlines>
- San Diego Police Department (619) 531-2000
- San Diego Sheriff's Department (858) 565-5200
- San Diego Stalking Strike Force (619) 515-8900
- California Victims Resource Center (800) 842-8467
  - <https://1800victims.org/>

### Spiritual Support and Counseling Resources:

WSC students are encouraged to become members in the local church. The session/consistory may be able to provide additional information to supplement the resources listed below.

- Local Churches: [https://wscal.edu/media/docs/WSC\\_localChurches\\_2020.pdf](https://wscal.edu/media/docs/WSC_localChurches_2020.pdf)
- The Christian Counseling & Education Foundation (CCEF)  
<https://www.ccef.org/>

- The Institute for Biblical Counseling & Discipleship (IBCD)  
<https://ibcd.org/about-us/>  
 info@ibcd.org | (608) 492-4223
- The Biblical Counseling Coalition  
<https://www.biblicalcounselingcoalition.org/counselor-search/>

## O. Awareness and Educational Programs

To promote awareness of the incidence of sex offenses and to guide responses if a sex offense does occur, the Seminary provides materials and administrative responses through the departments of Student Life, Human Resources, and the Office of the Title IX Administrator.

During orientation programs, incoming students, faculty, and staff are provided with the locations of information, including the Student Handbook, Staff & Faculty Handbook, which describe Seminary policies and procedures for dealing with reports of sexual misconduct, including sexual assault, sexual violence, and sexual harassment. These procedures are presented in the Seminary's Behavioral Standards. Additional training and awareness programs and campaigns will also be provided.

The Seminary believes that our community should not only seek to prevent injustices but to pursue purity and love for our neighbors. True change comes by the work of the Holy Spirit through the Gospel of Jesus Christ. For this reason, all members of the community are encouraged to participate in the weekly chapel programs and prayer groups.

## P. Information about the Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to inform the campus community about where to consult the state sex offender registry. The act also requires registered sex offenders to provide to appropriate state officials notice of each institution of higher education in that state at which the offender is employed, carries on a vocation, or is a student.

Main California Site – Megan's Law  
<https://oag.ca.gov/sex-offender-reg>  
<http://www.meganslaw.ca.gov/>  
 California Department of Justice  
 Attn: Public Inquiry Unit  
 P.O. Box 944255  
 Sacramento, CA 94244-2550  
 (916) 210-6276  
[meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov)

Note that people registered on the Megan's Law website may not access it, and the information contained there is only to be used to protect at-risk persons. Such information may not be used in decisions about loans, housing, employment, education, etc. See [https://www.meganslaw.ca.gov/About\\_Penalties.aspx](https://www.meganslaw.ca.gov/About_Penalties.aspx)

## 5. FIRE SAFETY REPORT

### A. Facility Descriptions: University Owned and Affiliated Residential Facilities

All on-campus residential facilities were built in accordance with California Building codes and meet the standards/regulations according to the California Fire Code. At the time of writing this report, the Seminary was in the process of upgrading its fire alarm system to be compatible with 5G technology.

Seminary Housing Facility Fire Safety Systems								
On-Campus Residential Facilities*	Units	Smoke Detection	Heat Detection	Pull Stations	Sprinkler Systems	Fire Extinguishers	Automatic Emergency Dispatch Notification	Evacuation Drills Per Calendar Year
<b>Building A (Bergsma)</b> 1661 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building B (Johnson)</b> 1649 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building C (Godfrey)</b> 1679 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building D (Jones)</b> 1673 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building E (Strimple)</b> 1625 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building F (Den Dulk)</b> 1655 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building G (Clowney)</b> 1643 Bear Valley Pkwy	8	X	X	X	X	X	X	0
<b>Building H (Machen)</b> 1637 Bear Valley Pkwy	8	X	X	X	X	X	X	0

### B. Safety and Security Policies for Westminster Village

Student Housing and Residential Education policies are referenced in the Lease Agreement and are described in detail in a document titled “Westminster Village Handbook.” All residents receive an electronic or print copy of the handbook and are held accountable for knowing and following the policies and regulations. Additional copies are available from the Housing Manager

### C. Safety and Security Policies for Seminary Affiliated Properties

#### 1. Safety and Security

Unless otherwise provided by law, conducting any kind of business in your dwelling or in the community is prohibited—except that any lawful business conducted “at home; by computer, mail, or telephone is

permissible if customers, clients, patients, or other business associates do not come to your dwelling for business purposes. We may regulate: (1) the use of patios, balconies, and porches; (2) the conduct of furniture movers and delivery persons; and (3) recreational activities in common areas.” You will be liable for damage caused by you or any guests or occupants.

## **2. Explosives/Flammables:**

You, your occupants, or guests may not anywhere in the community: use candles or use kerosene lamps or kerosene heaters without our prior written approval; cook on balconies or outside; or solicit business or contributions.

## **3. Tampering of Safety Equipment**

Any tampering of fire or life safety systems, including but not limited to: fire alarm equipment, sprinkler systems, exit signage, fire extinguisher or items that are a federal felony crime will result in eviction and criminal prosecution. Tampering of security cameras or security equipment will also result in eviction and criminal prosecution. Violations may result in the notification of the WSC Housing Committee and cause for eviction.

## **4. Weapons**

Firearms, ammunition, fireworks, explosives, highly flammable material, weapons, projectile devices, guns or knives, or any material or instrument which poses a risk of damage or injury is strictly prohibited and a violation of law. Violations may result in the notification of WSC Housing Committee and cause for eviction. Definitions (in all cases include, but are not limited to the following):

- **Firearms:** Any gun, rifle, pistol or handgun designed to fire bullets, BBs, pellets or shots (including paint balls or darts) regardless of the propellant used.
- **Weapons:** Any instrument of combat possessed or carried for the purpose of inflicting or threatening of bodily injury, including a blackjack, slingshot, billy club, sand club, sandbag, or metal knuckles.
- **Knives:** Dirks, daggers, ice picks, pocketknives, or knives having a fixed blade longer than 2 1/2 inches (California penal Code 626.10). This does not apply to the lawful use of cutlery and other eating implements used in food preparation or consumption.

## **D. Procedures for Evacuations in Westminster Village**

Each apartment is outfitted with fire sprinklers in the ceiling that will activate in the case of a fire. Please also note the location of fire extinguishers in each building. If you have any questions related to proper use of a fire extinguisher, contact the Housing Manager. If a fire alarm goes off due to smoke not related to a fire, open windows in order to dissipate the smoke. Useful resources for fire preparedness are available online at [www.nfpa.org](http://www.nfpa.org), [www.redcross.org](http://www.redcross.org), and [www.usfa.dhs.gov](http://www.usfa.dhs.gov).

- 1) In the event of a fire, exit the building immediately. Do not attempt to save possessions. If smoke, heat, or flames block your exit route, close yourself in a room with an exterior window, place a towel under the door, and open the window. If exiting through the window is not possible, call 911 immediately and tell the dispatcher where you are located. If necessary, crawl under smoke to a safe exit from the building while covering your mouth.
- 2) Once outside, assemble to an open area, such as a parking lot in Westminster Village or main campus if possible. Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles.

- 3) Do not touch the fire sprinklers under any circumstances. Besides being essential for your safety, the sprinklers, if improperly used, can cause extensive damage for which you may be liable.

## E. Fire Safety Education and Training Programs for Westminster Village

1. Professional and student staff fire safety training is done annually. This training includes:
  - Response protocols including notification procedures
  - Evacuation procedures for each individual hall.
  - Fire system descriptions for each individual hall.
  - Documentation of incidents.
2. Residential student training:
  - Westminster Village has a mandatory meeting in Commons for all residents where students and their families are made aware of the evacuation procedures for the student apartments.
  - Important safety information is included in the document entitled “Westminster Village Handbook”. Each student and his or her family receives an electronic or hard copy of this booklet on move-in day, and it is available on the Westminster Village website.

The safety of our residents has been taken into consideration and maintaining the integrity of our systems is managed with the assistances of all residents. Residents tampering with any part of any system in any manner will be reviewed for immediate eviction, judicial, and legal action. Please be advised that all repairs made necessary due to tampering with fire alarm equipment will be charged to the resident. Further, in accordance with section 148.4(a) (1) of the Penal code, tampering with a fire alarm or life safety system may be considered a felony. If you notice a problem with the fire alarm system, please don't hesitate to contact the Housing Manager.

## F. Reporting Procedures for On-Campus Residential Communities

Once a fire has been extinguished, all instances of fires in on-campus residential apartments are recorded on the internal Fire Alarm Report Form and reported to:

**Marcus McArthur**  
Vice President of Administration  
760-480-8474  
mmcarthur@wscal.edu

**James Burdette**  
Housing Manager  
619-402-5712  
jamesburdette@gmail.com

## G. Reporting Procedures for Off-Campus Seminary Affiliated Housing

All instances of fire in Seminary managed properties are reported to the same parties as on-campus facilities.