



Lincoln University Annual Security Report For 2019

Publication Date: September 28, 2019

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Introduction

This report is provided is intended to be in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), the Higher Education Opportunity Act (HEOA), and the Violence Against Women Reauthorization Act of 2013 (VAWA). VAWA has amended the Clery Act to require institutions to compile statistics, policies, procedures, and programs for incidents of domestic violence, dating violence, sexual assault, and stalking.

Lincoln University presents this report to the university community so that it can be used as a guide for exercising safe practices both on and off campus. The University has established a practice where this report is sent to every enrolled student through his or her lincolnucaf.edu e-mail. In addition, this interim report is sent to current faculty, administrators, and staff members through their Lincoln e-mail. Lincoln's Annual Security Report (ASR) can also be found on Lincoln's website at the following link: <http://lincolnuca.edu/admission/securityreport>.

Lincoln University is committed to having a culture that promotes safety and security for all members of the University community that includes students, staff, faculty, and visitors. This report is prepared by the Lincoln University administration.

This report will provide the Lincoln community with information on safety and security on each of the three buildings (main building, library, DI lab) that encompass the Oakland campus, and the non-campus student apartments at the Summerhouse Apartment Homes complex located in the city of Alameda. Inside you will find information on how to report a crime, suspicious activity, and safety hazards. You can obtain a hard copy of this report by contacting Lincoln's Administrative Vice-President at 1.510.628.8031 or via e-mail at mguerra@lincolnuca.edu.

Lincoln encourages you to read this information and think of how it can help you and the Lincoln community prevent and protect yourself against crime. For more information or questions regarding this document please contact the Administrative Vice-President's office. In addition, if you have suggestions or recommendations for improving the health and safety of our campus community, please do not hesitate to provide those suggestions or recommendations to the AVP's office. Thank you for taking time to review this information and helping to make the Lincoln University a safer community.

Reporting a Crime

To prevent crime and to have a safe environment on campus, the University encourages you to report all crime, suspicious activity, and hazard situations immediately. You can report these incidents to staff members stationed at the entrance to our three buildings who screen everyone who enters these buildings. They can be easily identified by their LU staff name tag. In addition, you can report these types of incidents to Student Services, the Registrar's Office, the Admission's Office, the Finance/Accounting office or any other administrative office. You can also report criminal activity directly to the Oakland police department (OPD). Call 9-1-1 for emergencies or dial 510-777-3333 for non-emergencies. OPD is responsible for all criminal investigations and law enforcement tasks pertaining to Lincoln because Lincoln is located within the Oakland city limits.

Lincoln University also has non-campus buildings under Lincoln's control as defined under the Clery Act. Rental of several apartments within the Summerhouse Apartments Homes complex is controlled by Lincoln's student services department. This privately-owned Summerhouse Apartment Homes complex is located at 1826 Poggi Street, Alameda, CA 94501. You can report all crime, suspicious activity, and hazard situations immediately to the Student Services department. You can also report criminal activity directly to the Alameda police department (APD). Call 9-1-1 for emergencies if you are calling from Summerhouse, and 510-747-7400 for non-emergencies. The Alameda police department is responsible for law enforcement services for activity within Summerhouse because it is located within the City of Alameda city limits.

EMERGENCY SERVICES for Oakland Campus

Oakland Police Department

455 7th Street, Oakland CA 94605

Emergency: 9-1-1

Non-Emergency: 510-777-3333

Website: <https://www.oaklandca.gov/departments/police>

Oakland Fire Department

1445 14th Street, Oakland, CA

Emergency: 9-1-1

Non-Emergency: 510-444-3322

Website: <https://www.oaklandca.gov/departments/fire>

EMERGENCY SERVICES For Summerhouse Apartment Complex ONLY

Alameda Police Department (for Summerhouse Apartment complex ONLY)

2263 Santa Clara Avenue, Alameda, CA 94501

Emergency: 9-1-1

Non-Emergency: 510-747-7400

Website: <https://alamedaca.gov/police>

Alameda Fire Department (for Summerhouse Apartment complex ONLY)

2263 Santa Clara Avenue, Alameda, CA 94501

Emergency: 9-1-1

Non-Emergency: 510-337-2100

Website: <https://alamedaca.gov/fire>

University Crime Log

34 CFR 668.46(f)(5) requires that the institution must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60-days available within two business days of a request for public inspection.

The Director of Student Services is responsible for maintaining a crime log that is available for public viewing in the student services office in accordance with 34 CFR 668.46(f)(5) in the main building on campus at 401 15th Street, on the first floor, in room 103.

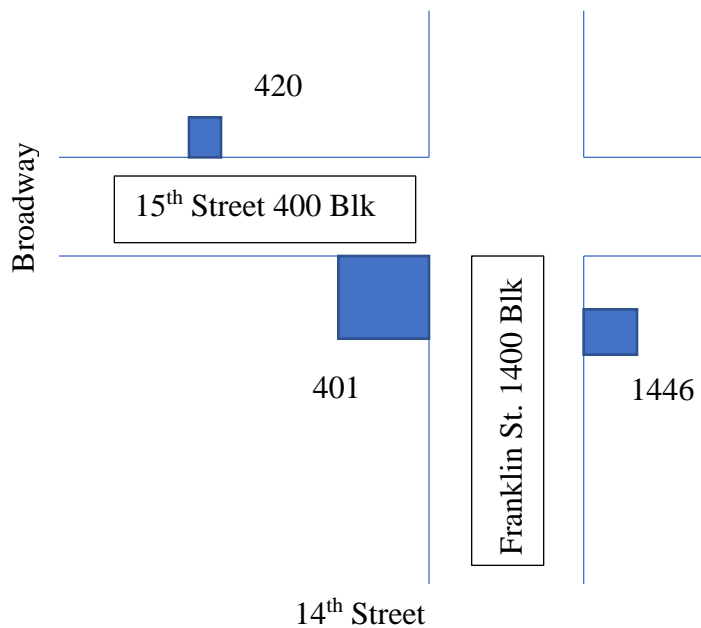
The crime log will document incidents or events reported by students, staff, or community members related to LU's campus, non-campus buildings designated under the Clery Act, and adjoining public space next to campus and non-campus structures as defined in the Clery Act.

Clery Act Geographic Reporting Boundaries

On-campus & Adjoining Public Areas:

Campus buildings: 401 15th Street, 420 15th Street, 1446 Franklin Street.

Public Access Areas: 400 Block (odd/even) 15th Street between Franklin and Broadway, 1400 Block (odd/even) between 15th Street and 14th Street.



Lincoln University does not have on-campus student housing.

Non-campus Buildings:

Summerhouse Apartment Homes Complex: 1826 Poggi Street, Alameda, CA 94501

Lincoln University leases individual apartments within the complex based on current student needs. As a result, the number of apartments can expand and contract each semester. For the time period of this report, Lincoln leased **one** apartment in each of the following buildings that are depicted in the map below: 435, 453, 473, 501, 523, and 529.



Campus Security Authorities

A student who is a victim of a crime may be more inclined to report it to someone other than the police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that the Clery Act refers to as Campus Security Authorities (CSA).

A CSA is an official of the university who has significant responsibility for student and campus activities. They are usually found in departments responsible for, but not limited to, student and

campus activities, safety/security, student conduct, housing, or human resources. This designation also includes any individual who has been specified by Lincoln University to receive and report offenses. CSAs are responsible for immediately reporting crimes and incidents that occur on the Lincoln University campus. However, keep in mind that these designated CSA staff members are not law enforcement like OPD. Our CSA staff members enforce Lincoln University policies, and will assist law enforcement when necessary.

At Lincoln University, CSAs include: The President, Administrative Vice-President, Provost, Director of Accreditation and Compliance, Dean of Students, Director of Student Services, and other department heads and supervisors.

Administrative Vice-President & Title IX Coordinator	Dr. Michael Guerra	Main Building, Room 301	510.628.8031 mguerra@lincolnuca.edu
Dean of Students	Dr. William Hess	Main Building, Room 302	510.628.8013 whess@lincolnuca.edu
Director of Student Services	Ms. Anna Maria Gower	Main Building Room 103	510.628.8034 agower@lincolnuca.edu
Provost	Dr. Marshall Burak	Main Building Room 307	510.254.4749 mburak@lincolnuca.edu
Assistant Provost	Dr. Alexander Anokhin	Main Building Room 401	510.628.8016 aanokhin@lincolnuca.edu
Director of Diagnostic Imaging Programs	Dr. Khatia Mania	DI Lab	510.238.9744 mania@lincolnuca.edu
Director of Accreditation Compliance & Quality Assurance	Dr. Harpal Dhillon	Main Building Room 307	510.254.3756 hdhillon@lincolnuca.edu
President	Dr. Mikhail Brodsky	Main Building Room 203	510.208.2803 president@lincolnuca.edu
Director of Financial Aid	Ms. Wendy Vasquez	Main Building Room 208	510.628.8011 wvasquez@lincolnuca.edu
Registrar	Ms. Maggie Hua	Main Building Room 106	510.628.8029 maggiehua@lincolnuca.edu
Director of Admissions & Records	Ms. Peggy Au	Main Building Room 102	510.628.8038 peggyau@lincolnuca.edu
Head Librarian	Ms. Nicole Marsh	Library	510.379.4053 librarian@lincolnuca.edu
Director of Computer Lab	Mr. Shakil Shrestha	Main Building, Computer Lab	510.628.8020 shakil@lincolnuca.edu
Director of DI Lab	Ms. Marina Kay	DI Lab	mkay@lincolnuca.edu

Reporting to the Oakland Police Department

Lincoln University is located within the City of Oakland and the Oakland police department (OPD) provides all law enforcement services to Lincoln University. Lincoln is located in OPD's operational Area-1, Beat 4x. OPD provides patrol, crime prevention, investigative, and emergency services to Lincoln and anyone on our campus. Police officers patrolling our area may be in uniform on-foot, on horseback, in patrol cars, on motorcycles, or on a bicycle.

In addition, Lincoln can address campus crime prevention and safety issues through the Oakland police department's Area-1 Neighborhood Community Police Council.

A person reporting a crime has the right to report the crime to the Oakland police department. If it is an emergency, dial 9-1-1. The 9-1-1 system has language translators than can provide assistance. If it is a non-emergency, please use the online crime reporting system at www.oaklandpolice.com and/or the non-emergency telephone number 510-777-3333 for assistance.

Reporting to the Alameda Police Department for Summerhouse Apartment Homes Complex Incidents

Lincoln University subleases several apartments in the Summerhouse Apartment Homes complex to students, which is located in the island city of Alameda in Alameda County. The city of Alameda is located 10-15 minutes driving time from Lincoln University. The Alameda police department (APD) provides all law enforcement services for the residents of Summerhouse that includes patrol, crime prevention, investigative, and emergency services.

A person reporting a crime at the Summerhouse complex has the right to report the crime to the Alameda police department. If it is an emergency, dial 9-1-1. The 9-1-1 system has language translators than can provide assistance. If it is a non-emergency, please use the non-emergency telephone number 510-747-7400 for assistance.

Victims of Violent Crime

When a violent crime is reported by a victim to a law enforcement organization in California, victims may be eligible for several types of assistance (i.e., financial, immigration, mental health, medical) through the California Victims of Violent Crime Board. There services can be found at: <https://victims.ca.gov/victims/>.

In addition, Lincoln's student services department is available to assist all victims (includes those crimes reported or not reported to law enforcement) with obtaining a victim's advocate, mental health, physical health, counseling, an immigration support services. Lincoln's student financial aid department will assist with any financial aid issues. The administrative vice-president (AVP) will contact victim of a violent crime and inform the victim of the available resources. Additionally, the (AVP) will work with the victim to ensure there are able to contact the applicable victim support services. The AVP will document those actions for reporting purposes.

Lincoln University is also committed to assisting victims of violent crime who may need assistance with class attendance, course work, temporary leaves of absence, or transportation as a result of his or her experience. As explained in the paragraph above, the AVP will contact a victim and work with him or her in developing their recovery plan.

Students Rights

All students have the right to contact and report issues to the Oakland police department, Alameda police department, or another related agency related to his or her issue. Any disclosures of abuse, assault, sexual assault, harassment, dating violence and stalking will be treated seriously and confidentially. Students have the right to choose to decide if they want to

disclose or not disclose a crime or violation and participate in a judicial or misconduct process free from pressure by Lincoln University. Lincoln University will treat all students with dignity and they will receive courteous and fair treatment, health care, and counseling services where available. Students are free from any suggestion that the reporting individual is at fault when these crimes and violations are committed or should have acted in a different manner to avoid such crimes or violations. Students should be asked to describe the event to as few institutional representatives as practical, and not be unnecessarily required to repeat a description of the incident. Students are also protected from retaliation by LU staff, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of Lincoln University. There is a presumption that the accused is not responsible for any policy violation until a finding or responsibility is made pursuant to LU policies and procedures. All students have access to at least one level of appeal of determination as stated in the LU catalog. Students also have the right to be accompanied by an advisor of his or her choice who may assist and advise a reporting individual, grievant, accused, or respondent throughout the investigation and disciplinary process including during all meetings and hearings. Students can also exercise their civil rights and practice of religion without interference by the investigation, criminal justice process, or judicial conduct process conducted by Lincoln University.

Confidential Reporting

If you are the victim of a crime and do not want the University to act or you do not want to involve the police, you may want to consider making a confidential report. The purpose of a confidential report is to maintain confidentiality, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution, and when they involve allegations of sexual harassment (including sexual violence) are made available to the University's Title IX Coordinator, which is Dr. Michael Guerra, Administrative Vice-President. **When considering confidential reporting understand that California law requires staff to report criminal felonies to law enforcement that are related to child abuse, elder abuse, murder, and certain sex crimes.**

Upon written request, Lincoln University will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution 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 treated as the alleged victim for purposes of this paragraph.

Restraining Orders

Lincoln University complies with all restraining, no-contact, protective orders, or similar orders issued by federal, state, or municipal courts. In addition, Lincoln staff will provide the necessary supporting information when a victim requests that we assist law enforcement with obtaining court restraining, protective, or similar type court orders; and it is legally permissible for Lincoln to provide such information.

Mandated Reporters

All members of the Lincoln University community are encouraged to report known or suspected child abuse or neglect, and elder abuse. Because of their work, some members are personally required by law to immediately or as soon as possible phone the police or child welfare authorities to report any reasonable suspicion of child abuse or neglect. Mandated reporters include administrators, employees, and instructors.

Crime Warnings

The Clery Act requires that a timely warning be issued for any Clery Act crime that occurs on or near campus that has been reported to campus security authorities or local police agencies and is considered by the institution to represent a serious or continuing threat to students and employees. For Lincoln University; the Director of Student Services, the Dean of Students, and the Administrative Vice-President are the primary staff members responsible for campus security issues relating to the safety and security of people. **Clery Act crimes include: murder; manslaughter; sex offenses; robbery; aggravated assault; burglary; arson; motor vehicle theft; domestic violence; dating violence; and stalking.** Warnings may be issued for other types of crimes as well, although these are not required by law. **Crimes reported to pastoral and licensed professional counselors are exempted from the timely warning requirements.**

The President of Lincoln University or his designee will determine what situations warrant the issuance of a timely warning (as soon as pertinent information is available to the University) so that members of the LU community can take steps to protect themselves. The determination will be made on a case-by-case basis. Factors to be considered include: the nature of the crime; the continuing danger to the campus community; and the possible risk of compromising law enforcement efforts.

Once the President or his designee decides to issue a timely warning, a message to the University community will be sent that includes the following information: information about the crime, the location, suspect information (if known), and recommended actions to be taken. The message will be transmitted electronically to all students and staff using University systems along with postings throughout campus, and by supervisors and faculty members orally providing the announcement in his or her classroom or work unit.

An example of a warning template includes:

1. "A brief summary of the type of incident that poses a serious or ongoing threat and the factors influencing campus safety or a description of a pattern (a suspect at large, egregious behavior, multiple events of a similar nature occurring, etc.)"
2. Prevention information related specifically to the type of incident.
3. Reminders on how to report any suspicious activity that could be related to this type of incident.
4. Assurance that any associated links to available resources are up to date and functioning.

Consequences of Misconduct

The University may impose disciplinary sanctions on employees and students that ranges from educational and rehabilitation efforts up to and including expulsion or termination of employment and referral for prosecution by the police for violations of the law. These laws impose legal penalties for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as student loans or immigration status) to incarceration (county, state or federal prison), and the forfeiture of personal and real property. All members of the Lincoln University of community have the right and responsibility to pursue his or her academic endeavors in a safe, effective, drug-free environment.

Reporting Missing Students

If any member of the University community believes a student has been missing, he or she should immediately notify student services at 510-628-8034 and/or the Oakland police department at 510-777-3333 or the Alameda police department at 510-747-7400. For purposes of this policy, a student is considered missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits, or routines.

General Emergency Procedures

Prior to an actual emergency, you should become familiar with the location of the emergency exits where you have classes or areas you visit while on campus. You should determine the nearest exit to your location, the safest route to follow, and alternate exits. Building evacuation routes are posted in campus buildings. Leave the immediate area, but remain available to emergency personnel. If time permits during an evacuation, secure your workplace and take personal items such as keys, purse, medication, and glasses. In case of fire or other dangerous conditions, evacuate immediately leaving personal items behind. If you have a physical disability and you need assistance evacuating, ask for help and/or have some report to responding emergency personnel that you require assistance. Faculty are encouraged to briefly review Lincoln's emergency procedures with their classes on the first day of class each semester.

The Summerhouse Apartment Homes complex has posted evacuation routes on each floor of each building that residents should become familiar with, and should drill on those procedures as often as necessary to remember what to do during an actual emergency.

Fire Safety and Prevention

Lincoln University publishes this fire safety report as part of its annual Clery Act Compliance. This report contains information regarding the fire safety practices and standards for Lincoln, including statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire. There were no reported real fires or reported false fire alarms during the last academic year (2018-19), and from August 2019 through September 2019.

Lincoln University takes fire safety seriously and has posted fire evacuation plans throughout Lincoln facilities that includes each floor, classroom, stairway, the elevator, and on emergency exit doors.

Smoking is prohibited in campus buildings. In accordance with California State law and Oakland city ordinances smoking is not permitted within 30 feet of entrance to any University building. Those found in violation may be subject to a \$250 fine of the Oakland police issue a citation.

All faculty, staff and students should recognize emergency situations as quickly as possible so preventive measures can be taken. Be familiar with the locations and operation of fire extinguishers near your office and/or classrooms. For fire extinguisher training please contact the Administrative Vice-President at mguerra@lincolnuca.edu.

Summerhouse Apartment Homes Complex

In compliance with California state law, all apartments in the complex have working smoke alarms, and many buildings have sprinkler systems. The fire safety systems are checked and maintained by the Summerhouse staff, and periodically inspected by the Alameda fire department.

As part of the leasing agreement, apartment residents and guests are not allowed to smoke inside their units.

Fire Safety Preparation:

Pre-planning:

- Identify and be familiar with your building/floor/classroom exits. Remember, in the case of a fire, elevators cannot be used.
- Identify a designated gathering site and inform faculty/staff/students in your assigned building/floor of the designated gathering site.
- Identify individuals with physical disabilities, permanently assigned in your area, who may need assistance evacuating.
- Inform faculty/staff/students that the policy of the University is that individuals must evacuate the building if a fire alarm is activated.
- Open flames are not permitted in the workplace.

Actions in the event of a fire emergency:

- Call 911. When calling 911 be prepared with as much information as possible such as:
- Location of the fire by floor and office/room.
- Identify any types of injuries of which you are aware and the type of help that is needed.
- Describe any additional details regarding the situation to the dispatcher.
- Regardless of the cause of a fire alarm, evacuate the building or area of the fire. Remember do not use the elevators.
- If possible, close doors – especially fire exit doors – to help contain the fire and smoke.
- Warn and help others on you way out of the building.

- Activate the fire alarm system at the closed pull alarm.
- Go to your designated gathering site, which is the public street adjacent to the building unless circumstances require a change of location.

Do not do the following:

- Return to the building until an “all-clear” signal is given by Lincoln University Administrative Staff, the Oakland fire department or the Oakland police department.
- Use the elevator when evacuating.
- Leave your gathering site until you are accounted for by your supervisor or designated staff.
- Prop open fire exit doors.

Armed Person (Active Shooter)

Emergency Actions

- **Avoid The Threat.** Leave the building or immediate area, if safe to do so. Call 911 upon reaching a safe location.
- **Deny Access.** If you can’t leave the building, hide in a room where you can lock the door and turn off all of the lights. Try to place as many barriers — locked doors, rooms, hallways, etc. — between you and the perpetrator as possible.
 - Block the door with tables, chairs, copying machines, etc. if you have time even if you can lock the door.
 - Stay away from windows and out of the line of sight. Turn off all lights.
 - Remain quiet, turn off cellular phones and other items that may make a noise.
 - If safe to do so, alert other employees/students that an emergency is present, or imminent, and to quietly leave the area.
- **Defend Yourself.** If there are no other options, you have the legal right to defend yourself from an attacker.

Earthquake Preparedness

Earthquakes are an infrequent reality when living in Oakland, Alameda, and California. While we can’t predict when earthquakes will hit, we *can* take a number of precautions to stay safe in the event of a seismic event.

- Drop, Cover, and Hold On
- First, duck or drop down on the ground. Take cover under a table, desk or other furniture. If those are not available, use an interior wall and protect your head and arms.
- Avoid hanging objects, windows, mirrors, tall furniture.
- Hold on to sturdy furniture and move with it. Hold your position until the ground stops shaking.

- Once the shaking stops check everyone around you to see if they are safe, then proceed outside.
- Expect aftershocks. If you experience additional shaking; drop, cover, and hold on until the aftershocks stop.
- Wait for information from Lincoln University staff. Cell phones may not be functioning correctly so you may also receive information on AM radio stations: KCBA 740, KNBR 680, or KGO 810.

Chemical Spills

Emergency Actions

In Public Areas Near Lincoln University or Summerhouse:

- **First priority is First Aid.** Any spill that results in personal exposure should be treated immediately.
- **Eyes or Skin contact:** If chemical is a liquid, assist the person to a sink/eyewash and flush the eyes or affected skin areas with water thoroughly and continuously for a minimum of 15 minutes. If chemical is a solid, brush chemical off skin gently. Remove contaminated clothing. Contact 911.
- **Inhalation:** Get the person to fresh air. Perform CPR as needed. Contact 911.
- When appropriate, **evacuate** staff and students from danger.
- **Evaluate** the severity of the spill:
- **Identify** the chemical spilled, the quantity, and the location of the spill.
- Regardless of the quantity, immediately report the following types of spills to 911):
 - Flammable, toxic, corrosive, unknown
 - Compressed gas releases
 - Leaking containers
 - Radioactive materials

Emergency Preparedness Communication

The university is taking appropriate actions to ensure our campus is prepared to provide as safe and normal an environment as possible in these uncertain times. There are three web sites with valuable information:

<http://www.ready.gov>

<http://www.redcross.org>

<http://www.knowwhat2do.com/>

Communication during an emergency is critical, and there are things we ask each of you to do to assist Lincoln University:

- **When on campus, call 911 in case of emergency.**
- **Update your local and emergency contact information on file with LU.** We will only be able to contact your spouse or other family member in an emergency if this information is current.

- **Call home to let your family know you are safe.** We expect campus phone lines could be overrun with incoming calls once an emergency occurs in our area or on campus. You can help keep phone lines open and campus operating as normally as possible by calling home and telling your family you are safe.
- **Communicate a designated meeting place to your family.** If you choose to leave campus in an emergency, make sure your family knows where you will go if you are not heading home (a colleague’s home, for instance) and how they can reach you there.

Should any emergency situation require a change in campus operations, that information will be communicated to you through our emergency alert protocol. See the Lincoln University catalog for details.

Lightning

- When a thunderstorm threatens go inside immediately for protection.
- When indoors, stay away from windows, water, sinks, and faucets.
- If you are in a hard-topped car, stay there.
- If you are caught outside, stay away from any object that could act as a natural lightning rod, such as tall trees.
- Stay clear of open fields, open water or small isolated sheds. If you are caught in an open area, crouch low to the ground; do not lie flat on the ground.
- Get away from fences, poles and other metal objects.

Access to the Library, DI Lab, and Main Building

Lincoln University maintains private property status. However, access to the University grounds and administrative buildings (during business hours) is generally not restricted after being checked-in by staff.

Crime Statistics

The procedures for preparing this annual disclosure of crime statistics included reporting statistics to the University community obtained from the Oakland Police Department (OPD) for the campus. For the non-campus buildings where Lincoln subleases apartments to students at the Summerhouse Apartment Homes complex in Alameda, the crime data is provided by the Alameda police department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. Crime statistics include not only penal code violations, but vehicle code and welfare and institutions codes as well.

The Oakland police department reported crime statistics were obtained through a public records request to the Oakland police department records division. As you will see from the data, one OPD event may have multiple victims so the multiple entries in the tables are not in error. In addition, the reporting format for OPD has been slightly modified for different years, which was modified by OPD not Lincoln. Lincoln University requested crime statistics for the following geographic locations that encompass our campus and for public part of the street that are considered “on campus” for our reporting purposes:

- 401 15th Street, Oakland CA 94612, Main Campus Building;
- 420 15th Street, Oakland CA 94612, the Library;
- 1446 Franklin Street, Oakland CA 94612, DI Lab;
- 400 Block (odd and even) of 15th Street, Oakland CA 94612;
- 1400 Block (odd and even) of Franklin Street, Oakland CA 94612.

Lincoln University has also requested crime statistics from the Alameda police department for non-campus buildings that are under LU's control per the Clery Act. With guidance from the staff at the ED campus security survey office, Lincoln requests crime data for any leased apartments at Summerhouse and not for the whole summerhouse complex and surrounding public areas. This category is included because LU leases several apartments at the Summerhouse Apartment Homes complex in Alameda, and then subleases them to students. However, please note that Lincoln's arrangement is the same as any other lease. We lease apartments that are available at the time when need them. Summerhouse does not set aside or reserve a block of apartments for us. The apartment number and location can vary depending on the occupancy at Summer house. As a result, the crime data is based on a specific apartment number that may not be the same every year. As a result, Lincoln University requested crime statistics for the following geographic locations that encompass the non-campus buildings and the surrounding public streets. (for privacy concerns the actual apartment number is not disclosed in this report):

- Summerhouse Apartment Homes Complex: 1826 Poggi Street, Alameda, CA 94501
 - Apartment buildings: 435, 453, 473, 501, 523, and 529.

In addition, the following crime data includes the FBI's Uniform Crime Reporting (UCR) classification for compiling state, regional, and national reported crime statistics. The following data tables will also be separated into the following categories that are required by the Clery Act:

1. **Criminal Offenses:** Criminal Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.
2. **Hate Crimes:** Any of the above mentioned categories, Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property that were motivated by bias.
3. **Violence Against Women Act (VAWA) Offenses:** Any incidents of domestic Violence, Dating Violence, Stalking. Sexual Assault falls under VAWA, but for Clery purposes it is reported in the Criminal Offenses category above.
4. **Arrests and Referrals for Disciplinary Action:** For possessing or carrying weapons, law violations, drug abuse violations, and liquor law violations.

If an offense falls under more than one category, it must be reported in both categories.

The following four tables will present tabulated incidents from 2017-2019 (Jan-Jul 2019) in the four above mentioned Clery categories (Individual apartment crime data for Summerhouse for 2017 was not included).

Table A: Clery Act Reportable Criminal Offenses 2017-2019 (Jan-July 2019)

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
HOMICIDE	2017	0		0
	2018	0	0	1
	2019	0	0	0
SEXUAL ASSAULT	2017	0		0
	2018	0	0	0
	2019	0	0	0
ROBBERY	2017	0		2
	2018	0	0	0
	2019	0	0	2
AGGRAVATED ASSAULT	2017	0		2
	2018	0	0	2
	2019	0	0	1
BURGLARY	2017	0		8
	2018	0	0	1
	2019	0	0	1
MOTOR VEHICLE THEFT	2017	0		2
	2018	0	0	5
	2019	0	0	1
ARSON	2017	0		0
	2018	0	0	0
	2019	0	0	0

Table B: Clery Act Reportable Hate Crimes 2017-2019 (Jan-Jul 2019)

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
LARCENY-THEFT	2017	0		0
	2018	0	0	0
	2019	0	0	0
SIMPLE ASSAULT	2017	0		0
	2018	0	0	0
	2019	0	0	0
INTIMIDATION	2017	0		0
	2018	0	0	0
	2019	0	0	0
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY	2017	0		0
	2018	0	0	0
	2019	0	0	0

Table C: Cleary Act Reportable Violence Against Women’s Act Offenses 2017-2019

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
SEXUAL ASSAULT (ALSO FALLS UNDER CRIMINAL OFFENSES)	2017	0		0
	2018	0	0	0
	2019	0	0	0
DOMESTIC VIOLENCE	2017	0		0
	2018	2	0	0
	2019	0	0	0
DATING VIOLENCE	2017	0		0
	2018	2	0	2
	2019	0	0	0
STALKING	2017	0		0
	2018	0	0	0
	2019	0	0	0

Table D: Clery Act Reportable Arrests and Referrals for Disciplinary Action 2017-2019 (Jan-Jul 2019)

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DISCIPLINARY REFERRALS - WEAPONS POSSESSION	2017	0		0
	2018	0	0	0
	2019	0	0	0
ARRESTS- WEAPONS POSSESSION	2017	0		0
	2018	0	0	0
	2019	0	0	0
DISCIPLINARY REFERRALS - LAW VIOLATIONS	2017	0		0
	2018	0	0	0
	2019	0	0	0
ARRESTS – LAW VIOLATION	2017	0		0
	2018	0	0	0
	2019	1	0	0
DISCIPLINARY REFERRALS - DRUG ABUSE VIOLATIONS	2017	0		0
	2018	0	0	0
	2019	0	0	0
ARRESTS – DRUG ABUSE VIOLATIONS	2017	0		0
	2018	0	0	0
	2019	0	0	0
DISCIPLINARY REFERRALS - LIQUOR LAW VIOLATIONS	2017	0		0
	2018	0	0	0
	2019	0	0	0
ARRESTS – LIQUOR LAW VIOLATIONS	2017	0		0
	2018	0	0	0
	2019	0	0	0

Crimes Reported Directly to Student Services 2017-2019 (Jan-July 2019)

Table 28: 2017-2019 Crimes reported directly to LU Student Services

Clery Hierarchical Categorization (page 13)	Nature (classification)	Case Number	Date/Time Reported	Date/Time Occurred	General Location OC = Off-Campus NC = Non-Campus Buildings under Lincoln's control (Summerhouse Apartments)
Criminal Offenses	Motor Vehicle Theft		02/14/2017 13:00	02/14/2017 10:00	NC
Criminal Offenses	Brandishing a Firearm		10/23/2018 14:00	10/23/2018 14:00	OC
Criminal Offenses & Women Against Violence Act	Domestic Violence	17-0037344	07/17/2017 14:20	07/17/2017 14:00	Main Campus
Criminal Offenses & Women Against Violence Act	Domestic Violence	17-054731	10/18/2017 14:30	10/18/2017 1430	DI Lab
Liquor Law Violations	Liquor Law Violation		02/28/2017 11:40	02/27/2017 23:45	NC
Non-Clery Reportable Offense	Robbery	17-0501001	4/01/2017 02:15	04/01/2017 02:00	Fremont, CA (OC)
Non-Clery Reportable Offense	Mental Illness	17-017438	4/4/2017 11:19	07/17/2017 11:19	Main Campus
Non-Clery Reportable Offense	Robbery	17-0501001	4/30/2017 23:35	04/30/2017 22:30	Fremont, CA (OC)
Non-Clery Reportable Offense	Domestic Violence		9/18/2017 9:00	9/10/2017 18:00	Oakland, CA (OC)
Non-Clery Reportable Offense	Battery	19-040772	8/9/2019 15:36	8/9/2019 15:36	Main Campus

Note: "NC" categorized incidents listed in Table 28 above were not referred for disciplinary action because LU did not understand that this geographic area was covered by the Clery Act.

Based on this data, Lincoln University wants to remind students that they attend school in an urban environment, and they should be aware of their surroundings at all times.

Community Crime Prevention

When considering Lincoln University's crime prevention efforts, we know the Lincoln University campus encompasses one four-story building where nearly all of the students attend their classes, and two smaller buildings that house the DI laboratory and one classroom and the library plus two classrooms. This fact along with having less than 600 total students and approximately 100 full-time and part-time faculty and staff members is also a factor to consider. Keeping this in mind, crime prevention at Lincoln is a community effort involving students, faculty, and staff who provide the sets of eyes and ears for detecting and reporting suspicious activity or emergency situations.

Lincoln's crime prevention efforts include having staff members screening everyone who comes into the three buildings from the entrance. In addition, many parts of the buildings are alarmed and have video surveillance recording. Also, the exit doors in the buildings do not allow the doors to be opened from the outside or street side. Additionally, staff workers periodically walk through the facilities checking for actual or potential safety issues and suspicious activity. This

includes conducting a room-by-room check when the last class ends in the evening. While all of Lincoln's crime prevention efforts work toward preventing crime, keep in mind that Lincoln University does not have a separate or designated campus security unit or department. Our staff members are not trained or licensed as private security officers. As such, all non-emergency or non-life-threatening incidents that would be reported to a campus security department should be reported to any Lincoln University staff member. Any emergency, potentially life-threatening, or violence/physical acts or threats against a person should be reported directly to the Oakland police department using 9-1-1.

As part of Lincoln's community crime prevention efforts, the Administrative Vice-President solicited input and comments from key organizational stakeholders in preparing this report, which included: Dean of Students Dr. Bill Hess, Director of Student Services Anna Maria Gower, the Faculty Association President, and the Lincoln University Student Association President. The Dean of Students conducts an annual safety and security review with the above-mentioned staff members and submit the group's findings or recommendations in August.

As part of Lincoln's critical incident and crime prevention planning this year, the administrative vice-president initiated a multi-stage pilot security, safety and prevention training program. The first stage which involved two-parts was completed on September 12, 2019. In part-one of this stage, the Dean of Students completed his crime prevention committee work as indicated in the above paragraph, and the administrative vice-president completed his training needs assessment survey which was part-two. For this survey, the administrative vice-president conducted unannounced table-top exercises for students and instructors in classrooms, for staff in their work areas, and for students who were in the student lounge. For these exercises, individuals, groups or a class were presented with hypothetical critical incidents, and they were asked to describe what they would do in that particular situation. For example, if there was a fire on the third floor, an earthquake, or an active shooter in the lobby or in a stairwell. There responses involve assessing the situation, decisions to evacuate or shelter in place, and communicating with others. The AVP then documented their responses and compared them to Lincoln's emergency procedures for specific events as described in this report. After analyzing the data from stage one, a training program for students, faculty, and staff will be developed and provided by the end of the fall 2019 semester. The effectiveness of the training will be assessed on how well everyone does what they were trained to do during a fire drill and an active shooter drill either at the end of the fall 2019 semester or during the spring 2020 semester.

Student services has also presented short sexual harassment prevention awareness sessions for students and staff several times so they can fit in attendance during their work and class schedules.

Downtown Oakland Business District Association Ambassadors

Lincoln University is an active member of the Downtown Oakland Business District that is a designated Community Benefit District. This association has an Ambassador program that is available to anyone free of charge, which is described as: "The Safety and Maintenance Ambassador Program is the flagship program of the Downtown Oakland and Lake Merritt-Uptown Community Benefit Districts. Our program consists of 25 full-time, highly visible

Ambassadors that circulate throughout Downtown Oakland providing essential security, maintenance and hospitality services. Our staff works daily to improve our neighborhood by creating a cleaner, safer and more hospitable downtown for all to enjoy.” According to their website, their safety activities involve the following:

- Patrol on foot and bicycle
- Provide a high level of pedestrian engagement
- Provide a reassuring presence to reinforce positive perceptions of the neighborhood
- Provide safety escorts to tenants, residents and visitors
- Deter and proactively address low level quality of life crimes
- Document activities and track chronic issues for strategic follow up
- Build productive and collaborative relationships with local property owners, businesses, security personnel, and the Oakland Police Department to create a safer and more hospitable downtown

Lincoln University encourages all community members to program the Ambassador telephone number listed below into their phones, and/or obtain information about their program and contact information through their website at <http://downtownoakland.org/SERVICES>. The information is also available on Lincoln’s student information bulletin boards on campus and directly from student services. Their services can be used during their business hours for escorts to your vehicle that is parked within the district and to/from public transportation so do not hesitate to call for their services. Their hours and contact information are below:

The Safety and Hospitality Ambassador Program

Hours of Operation: Monday-Friday 7:00 am-10:00 pm, Saturday 12:00 pm-12:30 am
For Ambassador assistance, call 510-898-8592

Crime Prevention Suggestions

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

6. Make sure your cell phone is with you and charged and that you have cab money. Don't allow yourself to be isolated with someone you don't trust or someone you don't know
7. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
8. 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 to find out a way out of a bad situation.
9. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. 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.
11. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
12. Watch out for your friends, and vice versa. If a friend seems out of it, is way 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.
13. If you suspect you or a friend has been drugged, contact a law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
15. 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 feels right to you and what you are comfortable with.
16. 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.
17. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason for you 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 you need to be, etc.

18. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

19. If you and/or the other person have been drinking, you can say that you would rather wait until both of you have your full judgment before doing anything you may regret later.

Importance of Preserving Evidence

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal exam, *victims of rape or assault should not*: Bathe, change clothes, Douche, Use the toilet (if possible), Smoke, or Clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that the evidence may be preserved. If victims do not opt for forensic evidence collection, health care provider can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Victims of stalking should *save* evidence such as: Any letters, Notes, Emails, Phone calls, Videos, Photos, Texts, Social media postings (Facebook, Twitter, etc.), Computer screenshots, Voicemails, or any other form of evidence that would be helpful.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult.

If a victim chooses not to make a criminal complaint regarding an incident, the or she nevertheless should consider speaking with the University's Administrative Vice President, or other law enforcement agency to preserve evidence in the event that the victim changes his or her mind at a later date.

QUICK FACTS

A *Sexual Assault Forensic Examination (SAFE)* will preserve evidence in case the student decides to pursue criminal charges and may be done up to 84 hours after an assault.

Don't urinate before going to the hospital. Date rape drugs leave your body quickly. Rohypnol stays in the body for several hours, and can be detected in the urine up to 72 hours after taking it. GHB leaves the body in 12 hours. Take

from <http://www.womenshealth.gov/publications/our-publications/fact-sheet/date-rape-drugs.html#h>

If a student is sexually assaulted, preserving any available evidence, including the results of SAFE, blood tests for "date rape" drugs, and/or testing urine, allows the student to leave open the option of criminal prosecution in the future without obligating the student to make an immediate decision.

Some kinds of evidence may only be collected within a short period of time after an assault, delaying action to preserve evidence immediately after an assault may reduce the chances for a successful criminal prosecution in the future.

While submitting to a SAFE medical exam, and/or other testing may be emotionally traumatic in the immediate aftermath of an assault, some local hospitals have specially trained clinicians who are experienced in helping survivors through the process.

Dating Violence

Dating violence is controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in straight or gay relationships. It can include verbal, emotional, physical, or sexual abuse, or a combination.

Physical abuse may include: Shoving, punching, slapping, pinching, hitting, kicking, hair pulling, strangling, etc.

Sexual abuse may include: Unwanted touching and kissing, forcing you to have sex, not letting you use birth control, forcing you to do other sexual things.

Anyone can be a victim of dating violence. Both men and women are victims, but men and women can abuse their partners in different ways. Women are more likely to yell, threaten to hurt themselves, pinch, slap, scratch, or kick. Men injure girls more and are more likely to punch their partner and force them to participate in unwanted sexual activity. Some victims experience physical violence only occasionally; others, more often.

If You Are a Victim of Dating Violence, You Might...

- Think it is your fault.
- Feel confused, angry, sad, lonely, depressed.
- Feel threatened or humiliated.
- Feel anxious.
- Not know what might happen next.
- Feel like you can't talk to friends and family.
- Be afraid of being seriously hurt.
- Feel protective of your boyfriend or girlfriend.

Get Help

Being a victim of dating violence is not your fault. Nothing you say, wear, or do gives anyone the right to hurt you.

- If you think you are in an abusive relationship, get help immediately. Don't keep your concerns to yourself. If you think you are in an abusive relationship, get help immediately. Don't keep your concerns to yourself.
- Talk to someone you trust like a parent, teacher, school principal, counselor, or nurse.
- If you choose to tell, you should know that some adults are mandated reporters. This means they are legally required to report neglect or abuse to someone else, such as the police or child protective services. You can ask people if they are mandated reporters and then decide what you want to do. Some examples of mandated reporters are teachers, counselors, doctors, social workers, and in some cases, coaches or activity leaders. If you want help deciding whom to talk to, call a crisis line in your area. You might also want to talk to a trusted family member, a friend's parent, an adult neighbor or friend, an older sibling or cousin, or other experienced person who you trust.
- If you think you are in an abusive relationship, get help immediately. Don't keep your concerns to yourself.
- Talk to someone you trust like a parent, teacher, school principal, counselor, or nurse.
- If you choose to tell, you should know that some adults are mandated reporters. This means they are legally required to report neglect or abuse to someone else, such as the police or child protective services. You can ask people if they are mandated reporters and then decide what you want to do. Some examples of mandated reporters are teachers, counselors, doctors, social workers, and in some cases, coaches or activity leaders. If you want help deciding whom to talk to, call a crisis line in your area. You might also want to talk to a trusted family member, a friend's parent, an adult neighbor or friend, an older sibling or cousin, or other experienced person who you trust.

Help Yourself

Think about ways you can be safer. This means thinking about what to do, where to go for help, and who to call ahead of time.

- Where can you go for help?
- Who can you call?
- Who will help you?
- How will you escape a violent situation?

Here are other precautions you can take:

- Let friends or family know when you are afraid or need help.
- When you go out, say where you are going and when you'll be back.
- In an emergency, call 911 or your local police department.
- Memorize important phone numbers, such as the people to contact or places to go in an emergency.
- Keep spare change, calling cards, or a cell phone handy for immediate access to communication.
- Go out in a group or with other couples.

- Have money available for transportation if you need to take a taxi, bus, or subway to escape.

Help Someone Else

If you know someone who might be in an abusive relationship, you can help.

- Tell the person that you are worried.
- Be a good listener.
- Offer your friendship and support.
- Ask how you can help.
- Encourage your friend to seek help.
- Educate yourself about dating violence and healthy relationships.
- Avoid any confrontations with the abuser. This could be dangerous for you and your friend.

Hate Crimes

The University strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of its community. The Hate Crime statistics are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving intimidation; destruction, damage, or vandalism of property; larceny; simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the Annual Security Report.

Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. **The assault will be classified as a hate/bias crime if proven that the offender was motivated to commit the offense because of his/her bias against the victim's race, ethnicity, national origin, religion, sexual orientation, gender, gender identity, or disability.**

Stalking

Repeated conduct directed at a student or staff member (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress is misconduct and in many instances a crime.

The University will impose disciplinary sanctions on employees and students that ranges from educational and rehabilitation efforts up to and including expulsion or termination of employment and referral for prosecution by the police for violations of the law concerning hate crimes, stalking, etc. These laws impose legal penalties for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as student loans or immigration status) to incarceration (county, state or federal prison), and the forfeiture of personal and real property. All members of the Lincoln University of community have the right and responsibility to pursue his or her academic endeavors in a safe, effective, drug-free environment.

Sex Offender Advisement – Megan’s Law

The California Attorney General’s office maintains a database of registered sex offenders by community, which can be found at: www.meganslaw.ca.gov .

Individuals can also view information about registered sex offenders in your Zip Code at the **Oakland Police Department, 455 7th Street, Room 313**. Information includes name and aliases, a photograph (if available), physical description including scars and tattoos, offenses committed by the registrant and the last registered county and Zip Code of the offender (offenders' addresses are not included).

Alcohol & Drug-Free Prevention Policy

Lincoln University complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Campuses Act Final Regulations of 1990. Lincoln has a standard of conduct that prohibits the unlawful possession, use, or distribution of unlawful drugs and alcohol by students and employees on Lincoln University property (Main Campus, DI Lab, or Library), non-campus buildings under Lincoln’s control, or a part of campus related University activities. The Lincoln University Alcohol and Drug Prevention policy can be found at this link: <http://lincolnuca.edu/admission/alcoholdrugfree#%2Fadmission%2Falcoholdrugfree>

The University will impose disciplinary sanctions on employees and students that ranges from educational and rehabilitation efforts up to and including expulsion or termination of employment and referral for prosecution by the police for violations of the law. These laws impose legal penalties for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as student loans or immigration status) to incarceration (county, state or federal prison), and the forfeiture of personal and real property. All members of the Lincoln University of community have the right and responsibility to pursue his or her academic endeavors in a safe, effective, drug-free environment. For those Title IV students receiving federal financial aid, a student must not have been convicted of an offense involving the possession or sale of illegal drugs that occurred while the student was enrolled and receiving Title IV aid.

Lincoln University’s Alcohol Policy

(<http://lincolnuca.edu/admission/alcoholdrugfree#%2Fadmission%2Falcoholdrugfree>) adheres to local, State, and Federal laws regarding the purchase, sale and consumption of alcohol, including

those prohibiting the consumption of alcoholic beverages by persons under the age of 21 on campus and at University-sponsored events. Abuse of alcohol and drugs can have a significant negative impact on one's professional, academic, personal, and family life. Students, staff and faculty work collaboratively in developing educational programs that will encourage responsible adult behavior. The practice of students accepting responsibility for compliance with federal and state laws with Lincoln University's Alcohol and Drug Policies nurtures mature adult behavior.

Medical Marijuana Policy

The Lincoln University does not permit the use of marijuana for any purpose on university property even if the use meets the qualifications of the California Compassionate Use Act, Proposition 215. Therefore, even students who qualify under Proposition 215 to use marijuana for medical purposes are not permitted to possess, store, provide, or use the marijuana on University-owned or controlled property, or during a University-sanctioned activity regardless of the location.

Lincoln University Prohibited Conduct Relating to Drugs

The following conduct as it relates to drugs is prohibited on Lincoln University property, non-campus buildings controlled by Lincoln University, or at University sanctioned events, wherever they may occur. The same conduct, though occurring off University premises and not at University events, may nonetheless be subject to University sanctions when it adversely affects the University, its educational mission or its community and may result in the initiation of the student conduct process in accordance with the Student Conduct system:

- Use, possession, manufacturing, distribution, or sale of marijuana, heroin, narcotics, or any other controlled substance that is prohibited by law. Possession of, intentionally or recklessly inhaling or ingesting substances (including but not limited to bath salts, salvia, K2/spice, nitrous oxide, glue, paint) that will alter a student's mental state is also prohibited.
- The attempted sale, distribution, or manufacture of any controlled substance, illegal drug, and/or drug paraphernalia on University property or at official University functions.
- Use of a prescription drug if the prescription was not issued to the student, or the distribution or sale of a prescription drug to a person to whom the prescription was not originally issued.
- Use or possession of equipment, products, or material that is used or intended for use in manufacturing, growing, using, or distributing any drug or controlled substance, including but not limited to bongs, pipes, vaporizers, grinders, scales.
- Being present while others are using or are in possession of illegal drugs.
- The medically unsupervised use of drugs that may involve medical or psychological hazards to individuals on University property or at official University functions that is unlawful or otherwise prohibited, limited, or restricted by University policies or regulations, or may lead to interference with the rights and privileges of others.

Federal, California, and City of Oakland Law – Legal Sanctions

The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or alcohol are regulated by a number of federal, state and local laws. These laws impose legal sanctions for both misdemeanor and felony convictions. Criminal penalties for convictions can range from fines and probation to denial or revocation of federal benefits (such as student loans) to imprisonment and forfeiture of personal and real property. Following is a list of some of the laws pertaining to the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol. The information provided below is illustrative, not exhaustive.

Generally, it is a criminal offense:

- To illegally manufacture, sell, distribute, or possess controlled substances (those listed in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812)) (21 U.S.C. 828, 841, 844, 859, 860);
- To unlawfully possess or possess for sale controlled substances (those listed in Cal. Health & Safety Code 11054, 11055, 11056, 11057, 11058);
- To possess, cultivate, sell or possess for sale marijuana (Cal. Health & Safety Codes 11357, 11358, 11359);
- To use or be under the influence of a controlled substance (Cal. Health & Safety Code 11550); • To transport, sell, or distribute marijuana to a minor or to use a minor to transport, sell, or distribute marijuana (Cal. Health & Safety Code 11361);
- To possess, furnish or manufacture drug paraphernalia (Cal. Health & Safety Code 11362, et seq.);
- To provide any alcoholic beverage to a person under 21 or to any obviously intoxicated person (Cal. Bus. & Prof. Code 25658; 25602);
- To be under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others (Cal. Penal Code 647(f));
- For persons under 21 to have any container of alcohol in any public place or any place open to the public (Cal. Bus. & Prof. Code 25662);
- To operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (Cal. Veh. Code 23152);
- For any person under the age of 21 to operate a motor vehicle with a blood alcohol level of .05% or higher (Cal. Veh. Code 23140);
- To have an open container of alcohol in a motor vehicle and for persons under 21 to drive a vehicle carrying alcohol or to possess alcohol while in a motor vehicle (Cal. Veh. Code 23223; 23224);
- To have in one's possession or to use false evidence of age and identity to purchase alcohol (Cal. Bus. & Prof. Code 25661);
- For any person under age 21 to purchase alcohol (Cal. Bus. & Prof. Code 25658.5).
- To be in possession within the Oakland City limits of an open container, which is a violation of Municipal Code 9.08.190, and can result in a fine.

Alcohol & Drug Influence Symptoms and Behavior

Alcohol

Short Term: affects moods, dulls the senses and impairs coordination, memory, reflexes, judgment, behavioral changes, self-destructive urges, irritation of the esophagus and stomach (nausea), death.

Long Term: central nervous system damage, memory loss, cancer of the mouth, stomach ulcers, inflammation/cancer of the liver, high blood pressure, irregular heartbeat, angina, heart attack, malnutrition.

Amphetamines (speed, meth, ice, dex, Ritalin, uppers)

Short Term: increased breathing and heart rate, high blood pressure, increased alertness and energy, impaired judgment, impulsiveness, death.

Long Term: severe anxiety, chronic sleeplessness, malnutrition, heart problems, agitation.

Cocaine (coke, nose, rock, blow, crack)

Short Term: anxiety, delusions, headache, nausea, impaired judgment, death.

Long Term: loss of appetite, dehydration, constipation, impotence, nose and nostril damage, heart problems, psychosis.

Designer Drugs (MDMA, X, ecstasy, cat, AMF, TMF, MPPP)

Short Term: euphoria, dizziness, nausea, sweating, increased blood pressure, extreme wakefulness, hyperactivity, loss of appetite, death.

Long Term: aggression, depression, mood and sleep changes.

Hallucinogens (LSD, acid, shrooms, special K)

Short Term: impaired coordination, increased heart rate and temperature, nausea, detachment, fatigue, hallucinations, paranoia, mental confusion.

Long Term: generally unknown, flashbacks, depression.

Inhalants (nitrous oxide, whip-its, paint, glue)

Short Term: irregular heart rate, depressed respiratory rate, nose and eye irritation, nausea, vomiting, spasms, headache, suffocations, death.

Long Term: brain damage, tremors, poor coordination, speech problems, lung, liver and kidney damage, chromosomal abnormalities.

Marijuana (pot, weed, dope, ganja, chronic, purp, grapes, kush, ents, etc.)

Short Term: reddening of eyes, dry mouth, increased heart rate and body temperature, hunger, dizziness, drowsiness.

Long Term: upper respiratory problems, lung damage, lower immune system responses, memory loss, concentration impairment.

Opiates (Heroin, smack, morphine, black tar)

Short Term: pain relief, mental confusion, drowsiness, nausea, constipation, muscle constriction, low blood pressure and heart rate, respiratory arrest, death.

Long Term: chronic constipation, vision impairments, hallucinations.

Sedatives (Blues, roofies, GHB, seconal, reds, barbs)

Short Term: dizziness, lethargy, drowsiness, lack of coordination, nausea, death.

Long Term: chronic fatigue, vertigo, reduced sex drive, visual disturbances.

Tobacco

Short Term: increased heart rate and blood pressure, adrenaline production, muscle relaxation, relief of tobacco withdrawal.

Long Term: lung problems, chronic cough, blockage of blood vessels, chronic respiratory infections and problems, reduced fertility, death.

At the beginning of the Lincoln University's academic year in August (August to July), the University notifies employees and students of their responsibility to adhere to the alcohol and drugs policy. In addition, Lincoln requires new students to attend a new student orientation session at the start of their academic program where they are informed of Lincoln's alcohol and drug-free policy and their personal responsibility to behave within this policy. Lincoln also provides new employees with training on complying with this policy.

The Office of the Dean of Students is tasked with administrative oversight and enforcement of this policy at the student level under the Administrative Division. This includes education, prevention, and enforcement activities. Additionally, the Director of Student Services maintains a record of all reported drug and alcohol related incidents that occur on campus or at off-campus activities.

A biennial review is conducted to determine its effectiveness and implement changes to the program if necessary and ensure that the disciplinary sanctions listed are consistently enforced. For further information, please contact the Administrative Vice-President through Lincoln University's general number at (510) 628-8010 or visit the Administrative Vice-President's office on the main campus.

While not listed in the policy itself, the Dean of Students initiates and complete the review during the month of August. This process includes at least one meeting where representatives from faculty, students, and staff participate. The Dean of Students is responsible for preparing a summary of the meeting, who attended, and any actionable items. This report is sent to the Administrative Vice-President.

Mental Health & Alcohol-Drug Abuse Prevention Services

Lincoln University takes the mental health of our students and staff very seriously, and offers confidential resources for them. As a reminder, mental health services are usually part of your student health insurance plan so you should contact your health care provider. Lincoln's student services staff are not trained mental health care providers, but they are excellent listeners and you are encouraged to drop-in to talk about anything that is bothering you. They can help you obtain services that you may need. In addition, substance abuse is a serious health issue, and Lincoln staff are here to work with you to obtain alcohol-drug related substance abuse or addiction help.

Contact student services for assistance. Lincoln has identified several ethical and useful self-help sites that are available:

Moodjuice - <http://www.moodjuice.scot.nhs.uk> : can help you think about emotional problems and help work toward resolving them. Emotional problems are often body's and mind's way of indicating something needs to be changed.

MyCompass - <https://www.mycompass.org.au>: A personal self-help program that you can use on your mobile phone, computer and/or tablet. You can learn new ways to deal with feelings, thoughts, and behavior.

Anxiety Links:

Social Anxiety - <https://www.verywellmind.com/social-anxiety-disorder-4157220>

<https://www.anxiety.org/>

<http://www.freedomfromfear.org/>

<https://adaa.org>

<http://anxietynetwork.com>

Attention Deficit:

<https://www.adhdadulthood.com/>

<http://www.advance.com>

Culture Shock:

<http://www.k-state.edu/counseling/topics/life/culture.html#Customs>

Eating Disorders and Healthy Body Image

<https://www.foodaddicts.org>

<https://www.bulimia.com>

Depression:

<https://www.7cups.com/depression-help-online/>

<https://themighty.com/2016/10/how-to-be-friends-with-someone-whos-depressed/>

<https://metanoia.org/suicide/samaritans.htm>

<https://www.verywellmind.com/depression-4157261>

https://secure2.convio.net/dabsa/site/SPageServer/?jsessionid=00000000.app20101a?NONCE_TOKEN=8F64E1F35EE1EB773D7417BD4828EDA4&pagename=home&cvridirect=true

Alcohol & Drugs:

<https://www.drugwatch.com>

<https://www.marijuana-anonymous.org>

<http://www.norcalna.org>

www.niaaa.nih.gov

www.nida.nih.gov

www.samhsa.gov

Alcoholics Anonymous (AA) – www.eastbayaa.org

Moderation Management – www.moderation.org

Secular Organizations for Sobriety – www.sossobriety.org

SMART Recovery – www.smartrecovery.org

Women for Sobriety – www.womenforsobriety.org

General Mental Health:

Debtors Anonymous - <https://www.debtorsanonymous.org>

College Gambling - <http://www.collegegambling.org>

Raise Issues of Mental Health on College Campuses and Dialogue - <http://www.halfofus.com>

Relaxation Exercises - https://www.hws.edu/studentlife/counseling_relax.aspx

Grief:

<http://activelymovingforward.org>

Health and Wellness:

Centers for Disease & Control -

https://www.cdc.gov/az/a.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Faz%2Findex.html

Mental Health & Support - <https://www.healthyplace.com>

Learning Disabilities:

National Center for Learning Disabilities - <https://www.nclld.org>

LD Online - <http://www.ldonline.org>

Relationships & Sexual Abuse:

Letting go of a high maintenance/abusive relationship - <http://counseling.cofc.edu/counseling/relatends.pdf>

Co-Dependents Anonymous - <http://coda.org>

Anti-Sexual Abuse Organization - <https://www.rainn.org>

Sexual Orientation:

Parents, Families and Friends of Lesbians and Gays - <http://www.pflagsf.org>

Stress:

Strategies for Surviving Class - <http://today.cofc.edu/2014/08/14/strategies-surviving-first-day-classes-aug-19/>

Text Anxiety:

Managing Test Anxiety - <https://powertochange.com/students/academics/anxiety/>

Suicide Prevention:

National Suicide Prevention Lifeline - <https://suicidepreventionlifeline.org/talk-to-someone-now/>

CrisisChat - <https://suicidepreventionlifeline.org/talk-to-someone-now/>

Programs and Facts - <https://www.jedfoundation.org>

Yellow Ribbon Suicide Prevention - <https://yellowribbon.org>

Veterans:

<https://www.swords-to-plowshares.org>

Smoking:

<https://www.verywellmind.com/nicotine-use-4157297>

<http://www.lung.org/about-us/local-associations/california.html>

<https://www.cdc.gov/tobacco/>

<https://smokefree.gov>

Lincoln also has a link for mental health resources for students at the following link:

<http://lincolnuca.edu/admission/index#/admission/mentalhealth>.

Lincoln University Sexual Harassment Prevention Policy

It is the policy of Lincoln University to keep the Lincoln community as a place of work and study free from sexual harassment. Sexual harassment is prohibited on campus, in non-campus buildings controlled by the university, and in all University programs. The University does not tolerate sexual harassment and will take immediate action against any University employees, officers, and students who violate this policy. This policy is applicable regardless of the complainant's or respondent's sexual orientation, sex, gender identity, gender expression, age, race, nationality, class status, hierarchical position within the university community, ability or religion. This form of discrimination may also contribute to the creation of a hostile work or academic environment based on sex and thus constitute or contribute to sexual harassment. Harassment that may not be sexual, but still contributes to a hostile work or academic environment, may also violate Lincoln University's other non-discrimination policies.

The University is committed to protecting victims of sexual harassment, sexual assault, and any form of gender-based harassment; and will not retaliate against individuals because they report sexual harassment or take part in the investigation of sexual harassment complaints. If the University learns that any employee or student has engaged in retaliation, that individual will be disciplined. The University, however, may act against individuals who make intentionally false sexual harassment complaints

Members of the Lincoln University community, guests and visitors have the right to be free from sexual and gender-based violence and harassment. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The University believes in a zero-tolerance policy for sexual misconduct. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

Students who believe they have been subjected to sexual misconduct are encouraged to report these incidents. When an allegation of misconduct is brought to an appropriate University

official, the University will respond promptly, equitably and thoroughly to stop the discriminatory behavior, remedy its effects, and prevent its recurrence.

This policy is intended to define University expectations and to establish a mechanism for determining when those expectations have been violated. Consistent with its commitment to addressing sexual misconduct, the University complies with Title IX of the Higher Education Amendments of 1972, which prohibits discrimination based on sex or gender in education programs or activities. Sexual misconduct, as defined in this policy, constitutes sex and/or gender discrimination prohibited by Title IX and other applicable federal and state laws.

Student Services has also offered short presentations on preventing and reporting sexual harassment for students and staff at the main campus.

Annual Security Report Preparation and Publication Procedures

Lincoln University has established a procedure for gathering data and preparing the annual security report, which is a team effort. The Administrative Vice-President leads a team that has representatives from the Office of the President, the Provost's Office, the Lincoln University Student Association, the Lincoln University Faculty Association, and includes the Dean of Students, the Director of Student Services. This team is tasked with helping to collect and interpret the data to help organize and publish a report beginning in August and finishing in October with the publication of the ASR by October 1st. The Administrative Vice-President's Office is responsible for producing and distributing the report. Crime data is obtained through a public records request to the Oakland police department.

Facilities Security & Maintenance

All members of the campus community are encouraged to promptly report facilities and equipment issues to any administrator. The entrances to all campus buildings have a receptionist on-duty during normal business hours who is tasked with controlling entry. Visitors to campus are required to provide identification, company identification and sign-in. In addition, staff periodically conduct walk throughs of campus buildings throughout the day to identify suspicious activity or health and safety hazards. They also ensure the doors are locked at the end of the business day.

Lincoln University

Title IX Sexual Misconduct, Sexual Harassment and Sexual Violence Prevention Policy

Designated Title IX Officer & Coordinator: Dr. Michael A. Guerra, Administrative Vice-President

Deputy Title IX Coordinator: Dr. William Hess, Dean of Students

Deputy Title IX Coordinator: Dr. Marshall Burak, Provost

Introduction

It is the policy of Lincoln University to keep the Lincoln community as a place of work and study free from sexual harassment. Sexual harassment is prohibited on campus, in non-campus buildings controlled by the university, and in all University programs. The University does not tolerate sexual harassment and will take immediate action against any University employees, officers, and students who violate this policy. This policy is applicable regardless of the complainant's or respondent's sexual orientation, sex, gender identity, gender expression, age, race, nationality, class status, hierarchical position within the university community, ability or religion. This form of discrimination may also contribute to the creation of a hostile work or academic environment based on sex and thus constitute or contribute to sexual harassment. Harassment that may not be sexual, but still contributes to a hostile work or academic environment, may also violate Lincoln University's other non-discrimination policies.

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Students who believe they have been subjected to sexual misconduct are encouraged to report these incidents. When an allegation of misconduct is brought to an appropriate University official, the University will respond promptly, equitably and thoroughly to stop the discriminatory behavior, remedy its effects, and prevent its recurrence.

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Duty to Report: Any employee who knows or has reason to know of allegations or acts that violate this policy shall promptly inform the Title IX Coordinator. These Employees are required to disclose all information including names of the Parties, **even where the person has requested that his/her name remain confidential.** The Title IX Coordinator will determine whether confidentiality is appropriate given the circumstances of each such incident.

Conduct that is Prohibited

1. Sexual Violence:

- **Sexual Assault - Penetration:** Without the consent of the Complainant, penetration, no matter how slight, of the vagina, anus, or mouth by a penis; or the vagina or anus by any body part or object.
- **Sexual Assault - Contact:** Without the consent of the Complainant, touching an intimate body part (genitals, anus, groin, breast, or buttocks (unclothed or clothed)). Note: As this definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence. The Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment.

Note: Sexual Assault--Penetration and Sexual Assault - Contact are aggravated when it includes the following: Overcoming the will of Complainant by force, threat of force, or duress (hardship, direct or implied). In addition, deliberately causing a person to be incapacitated (through drugs or alcohol) is considered aggravated along with intentionally taking advantage of the other person's incapacitation (including voluntary intoxication). Also, recording, photographing, transmitting, or distributing intimate or sexual images without the prior knowledge and consent of the parties involved is considered aggravated.

- 2. Relationship Violence:** Dating Violence: Conduct by a person who is or has been in a romantic or intimate relationship with the Complainant that intentionally, or recklessly, causes bodily injury to the Complainant or places the Complainant in reasonable fear of serious bodily injury. The nature of the relationship between the Complainant and Respondent is determined by the length, type, and frequency of interaction between them.
- 3. Domestic Violence:** Conduct by a current or former spouse or intimate partner of the Complainant; or a person with whom the Complainant shares a child in common, that intentionally, or recklessly, causes bodily injury to the Complainant or another, or places the Complainant or another in reasonable fear of serious bodily injury.
- 4. Stalking:** Repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a

sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress.

5. **Sexual Harassment:** Is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal or physical conduct of a sexual nature when.
 - Quid Pro Quo: a person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program.
 - Sexual harassment may include incidents between any members of the University community, including faculty, other academic appointees, staff, student employees, students, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients).
6. **Hostile Environment:** such conduct is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs and services of Lincoln University and creates an environment that a reasonable person would find to be intimidating, offensive or bullying behavior. This also applies to hierarchical relationships (i.e., student – faculty member) and between peers; and between individuals of any gender or gender identity.

University Procedure

Lincoln University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct to protect the rights and personal safety of the students and the University community. Such measures include, but are not limited to: modification of student housing arrangements and class schedule, interim suspension from campus pending a conduct proceeding, suspension or expulsion from extracurricular activities through student services, and reporting the matter to the Oakland police department.

Not all forms of sexual misconduct will be deemed to be equally serious offenses, and Lincoln University reserves the right to impose different sanctions when a student is found to have violated this policy, ranging from verbal warning to expulsion, depending on the severity of the offense. Lincoln University will consider the concerns and rights of the complainant, the respondent, and the University.

Confidentiality and Reporting

Depending on their roles at Lincoln University, staff have varying reporting responsibilities and abilities to maintain confidentiality. To make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless one has requested information to be

shared. Other resources exist for one to report crimes and policy violations and these resources will act when one reports an alleged violation to them.

If a victim of sexual misconduct would like the details of an incident to be kept confidential, she or he may speak with credentialed on-campus counselors, off-campus rape crisis counselors, domestic violence resources, private agencies, and/or members of the clergy/chaplains who will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor.

Reporting Options:

Complainants are encouraged to speak to Lincoln University representatives and administrators, such as trusted faculty and staff, program directors or administrators, Lincoln's Title IX Coordinator, Deputy Title IX Coordinators, the Dean of Students, the Provost, and the Oakland police department to make reports of incidents of sexual misconduct. Complainants have the right, and can expect, to have complaints taken seriously by the Lincoln University when reported, and to have those incidents investigated and properly resolved through these procedures. Reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigators, witnesses and the accused student/respondent. The circle of people with this knowledge will be kept as tight as possible to preserve a complainant's rights and privacy.

Timeline for Making Reports:

There is no time limit for reporting, but Lincoln University encourages reports of prohibited misconduct to be made as soon as possible. All incidents should be reported as soon as possible even if significant time has passed. The sooner the report is made the better the University will be able to respond, investigate, and provide an appropriate remedy with discipline is appropriate.

Initial Assessment of a Report

The Title IX Officer will make an initial assessment of the report as soon as possible after receiving the report to determine whether the report in its face value alleges an act of prohibited conduct, and such conduct has a sufficient nexus with Lincoln University for it to intervene. The Title IX Officer may consult with deputy Title IX officers, appropriate academic officers for faculty and other academic appointees' complaints, and with Human Resources. In the event the Title IX Coordinator is the subject of the complaint or has a conflict of interest, a Deputy Title IX Coordinator will assume the Coordinator's role.

The Title IX Officer, in coordination with the relevant staff shall make an immediate assessment concerning the health and safety of the individual and the campus community, implement temporary remedies immediately necessary (including no contact orders), and provide to the Complainant a written explanation of rights and reporting options (including the right to make reports to the police), and available campus and community resources.

Lincoln University administrators in compliance with federal law must issue timely warnings and/or emergency notifications for incidents reported to them that pose a serious or ongoing threat to the campus community. The University will make every effort to ensure that a victim's name and other personally identifying information is not disclosed, while still providing enough information for community members to make decisions considering the potential danger.

Definitions of a Complainant and Respondent:

- Complainant: Any person who files a report of sexual violence or sexual harassment or other prohibited behavior or retaliation or any person who has been the alleged subject of such Prohibited Conduct or retaliation.
- Respondent: A person alleged to have engaged in Prohibited Conduct and about whom a report of sexual violence, sexual harassment, other prohibited behavior, or retaliation is made.

Consent

Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of both persons an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not alone constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The Respondent's belief that the Complainant consented shall not provide a valid excuse where: The Respondent's belief arose from the Respondent's own intoxication or recklessness; The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or the Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was: asleep or unconscious; due to the influence of drugs, alcohol, or medication, unable to understand the fact, nature, or extent of the sexual activity; or unable to communicate due to a mental or physical condition.

Retaliation

Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of prohibited conduct or participation in the investigation, report, remedial, or disciplinary processes provided for in this Policy.

Jurisdiction of Lincoln University

The University has jurisdiction over alleged violations of this policy that occur on University property (such as offices, classrooms, common areas), non-campus buildings controlled by the university, or if connected to University activities, programs, or events. In addition, the University may exercise jurisdiction over conduct that occurs off-campus that affects the learning or working environment; or that would violate other conduct policies should it have occurred on campus.

Notifications

The Title IX Officer is responsible for ensuring the following notifications are made in a timely manner.

1. Individuals making reports shall be informed about:
 - a. confidentiality of reports, including when reports cannot be kept confidential.
 - b. the range of possible outcomes of the report, including health and safety measures, remedies, and disciplinary actions that may be taken against the Respondent, and information about the procedures leading to such outcomes.
2. If the report results in a formal investigation, after the conclusion of the investigation, the Complainant and Respondent will be simultaneously informed in writing of:
 - a. the outcome of the investigation and its rationale;
 - b. any available appeal rights and procedures; and
 - c. how to obtain a copy of the Investigation Report, which may be redacted as necessary to protect privacy rights.
3. If the matter results in a disciplinary proceeding, after that proceeding the Complainant and the Respondent will be simultaneously informed in writing of:
 - a. the outcome of the disciplinary proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed, and the rationale for the results;
 - b. any available appeal rights and procedures; and
 - c. any subsequent change to the results and when results will become final. The Complainant will be sent a notice documenting any individual remedies offered to the Complainant, and other steps taken to eliminate the effects of the violation. The Respondent will be informed of no contact orders affecting them, but should not be notified of other individual remedies offered or provided to the Complainant.

Overview of Resolution Processes

Reports of prohibited conduct may be addressed through alternative resolution, formal investigation or, a separate employee grievance or complaint process.

After a preliminary assessment of the facts, and, if useful, in consultation with other offices depending on whether the Complainant and Respondent are faculty, other academic appointees,

staff, student employees, or students, the Title IX Officer may initiate an Alternative Resolution process, which may include:

- mediation (except in cases of sexual violence);
- separating the parties;
- providing for safety;
- referring the parties to counseling;
- referral for disciplinary action;
- a settlement agreement;
- conducting targeted preventive educational and training programs; and
- conducting a follow-up review to ensure that the resolution has been implemented effectively.

Alternative Resolution may be especially useful when: a report is made by a third party or anonymously; a Formal Investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious violations. The Complainant has the right to request a Formal Investigation at any time, but the Title IX Officer has final authority for determining whether to initiate a Formal Investigation. Both the Complainant and Respondent may be accompanied by an advisor throughout the process.

If Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may initiate a Formal Investigation in coordination with other offices, depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, or students. A Complainant's request for an investigation will be considered but is not determinative.

If the Complainant requests that no investigation occur, the Title IX Officer shall determine whether the allegations nonetheless require an investigation to mitigate a potential risk to the campus community. If proceeding with an investigation without the participation of a Complainant, the Title IX Officer shall attempt to maintain the identity of the Complainant confidential from the Respondent or inform the Complainant that such confidentiality cannot be maintained. If determining not to proceed with an investigation, the Title IX Officer shall inform the Complainant that the ability to provide remedies may be limited, but the Title IX Officer shall nonetheless afford such remedies as are consistent with maintaining confidentiality and the absence of an administrative finding.

When the Title IX Officer determines to conduct a Formal Investigation, the Complainant and Respondent will be provided with a written summary of the allegations, the procedures that will be followed, resources available to them, and a copy of the Policy.

The investigation shall be completed promptly, typically within 60 business days of its initiation, unless extended by the Title IX Officer for good cause followed by written notice to the Complainant and Respondent of the reason for the extension and the projected new timeline. If the alleged conduct is also the subject of a criminal investigation, the Title IX Office will coordinate its investigation with the police but must nonetheless act promptly without delaying its investigation until the conclusion of the criminal investigation.

The investigation generally includes interviews with the Complainant, the Respondent, and witnesses, if available, and a review of documents as appropriate. Disclosure of facts to persons interviewed shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be advised to maintain confidentiality when essential to protect the integrity of the investigation.

The Complainant or Respondent may have an advisor present when personally interviewed and at any related meeting. Other support persons may be allowed under other policies. Other witnesses may have an advisor present at the discretion of the investigator or as required by University policy or collective bargaining agreement.

In cases where the investigation contemplates issues of academic merit or academic freedom, the investigator shall consult with the appropriate academic officer for relevant academic judgment.

During or upon the completion of investigation, the investigators will meet with the Title IX Coordinator. Based on that meeting, the Title IX Coordinator will decide on whether there is reasonable cause to proceed with the complaint. If the Title IX Coordinator decides that no policy violation has occurred or that the preponderance of evidence does not support a finding of a policy violation, then the process will end unless the Title IX Coordinator is convinced by new evidence to re- open the investigation. This decision lies in the sole discretion of the Title IX Coordinator. If there is reasonable cause, the Title IX Coordinator will direct the investigation to continue, or if there is a preponderance of evidence of a violation, then the Title IX Coordinator may recommend conflict resolution, a resolution without a hearing or a formal hearing, based on the below criteria.

Procedures for handling reported incidents are fully described below. Deliberately false and/or malicious accusations of harassment, as opposed to complaints which, even if erroneous, are made in good faith, are serious offenses and will be subject to appropriate disciplinary action.

The standard for determining a violation of the Title IX Policy is that of a "*preponderance of the evidence*" - meaning it is more likely than not that a violation occurred.

Grievance/Complaint Procedures for Employees

Instead of, or in addition to, reporting to the Title IX Officer or other responsible employee, a University employee who believes they have been subjected to prohibited conduct may file a grievance or complaint. That grievance or complaint must meet all the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure listed in Appendix I: University Complaint Resolution and Grievance Procedures. Any such grievance or complaint will be forwarded to the Title IX Officer for processing under this Policy, and the grievance or complaint procedure will be held in abeyance pending resolution under this Policy. After completion of the process under this Policy, the grievance or complaint may be reactivated but only as a means of appeal.

The Investigation Report

If a Formal Investigation is conducted, the investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the Complainant and Respondent, a summary of the evidence, an explanation why any proffered evidence was not investigated, and findings of fact and an analysis of whether a violation has occurred. When both parties are students, the report will include a recommendation to the Student Conduct Officer regarding whether there are any policy violations. For all other matters the report will include an analysis and determination by the investigator of whether this Policy has been violated. The investigator will apply the preponderance of evidence standard.

If the Report finds prohibited conduct in violation of this policy, the University shall take prompt and effective steps reasonably calculated to stop the violation, prevent its recurrence, and, as appropriate, remedy its effects. To the extent that the remedy has not already been provided, the Title IX Officer, in consultation with appropriate administrators, will oversee the implementation of this remedy.

The Title IX Officer shall forward the investigation report (with attachments and any necessary redactions) to the appropriate administrator responsible for discipline. The specific procedures for imposing discipline depend upon the nature of the Respondent's relationship to the University (student, faculty, other academic appointee, staff, or third party). If there is a question about the Respondent's relationship to the University, the Title IX Officer should indicate which role predominated when the Respondent engaged in the prohibited conduct. When a Respondent is both a student and an employee (such as a student worker, assistant to the instructor, or teaching assistant), the Respondent may be subject to both the sanctions applicable to students and to employees.

Any member of the University community who is found to have engaged in prohibited conduct may be subject to disciplinary action, up to and including dismissal in accordance with the applicable University disciplinary procedure or other policy.

Title IX Officer Tasks and Responsibilities

The responsibilities of the Title IX Officer include, but may not be limited to, the following duties:

1. Coordinate compliance with Title IX, including investigations, reports and remedies.
2. Coordinate with other responsible units to ensure that local sexual violence and sexual harassment prevention education and training programs are offered and provided, as required by the policy.
3. Provide educational materials to promote compliance with the policy and familiarity with City of Oakland, City of Alameda, and State of California reporting procedures.
4. Provide training for University employees who are responsible for reporting or responding to reports of prohibited conduct.

5. Provide prompt and equitable response to reports of prohibited conduct per the policy.
6. Maintain records of reports of prohibited conduct at campus locations, as well as any actions taken in response to reports, including records of investigations, resolutions, and disciplinary action, in accordance with University records management policies.
7. Identify and address any patterns or systemic problems that arise during the review of prohibited conduct reports.
8. Post on the Lincoln University website the names and contact information of the Title IX Officer and of additional designated, trained, sexual harassment or sexual violence advisors.
9. Designate deputies or persons who can offer confidential consultations, without reporting the incident to the Title IX Officer, to any member of the University community seeking information, or advice about making a report of prohibited conduct. Each location
10. Provide mandatory annual training and education, about prohibited conduct and how such conduct can be reported, to all students, faculty, other academic appointees, and staff in accordance with applicable State and federal law, and University policies.
11. Offer primary prevention programs and awareness campaigns to the University community to promote ongoing awareness of sexual violence, including preventing dating violence, domestic violence, sexual assault, and stalking. These campaigns will include, but are not limited to, education about the definition of consent, consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships while also encouraging a safe environment for bystanders to intervene in a potential case of dating violence, domestic violence, sexual assault, or stalking.
12. Follow University established and approved processes for investigation, adjudication, and sanctioning.
13. Provide comprehensive, regular training with a trauma-informed perspective for individuals responsible for responding to reports of prohibited conduct.
14. Distribute and post to students, faculty, other academic appointees and staff, by such means as the university catalog, websites, student information boards and student orientation sessions.

Lincoln University Notice of Non-Discrimination & Contact Information For the Title IX Coordinator

Lincoln University is committed to providing a working and educational environment that is free from discrimination and harassment. Lincoln University prohibits harassment and discrimination on the basis of gender, gender identity, gender expression, ethnic origin, disability, genetic information, covered veteran status, sexual orientation, age, race, color, or religion, and any other basis protected by federal, state, and local laws on-campus and in any LU programs or activities. Inquiries about Lincoln University's policies and compliance with Title IX should be directed to:

Dr. Michael A. Guerra
Administrative Vice-President & Title IX Coordinator
Lincoln University
401 15th Street
Oakland, CA 945612
1.51.628.8031
mguerra@lincolnuca.edu