

MARSHALL B. KETCHUM UNIVERSITY
Enrollment and Student Services

UNIVERSITY STUDENT HANDBOOK
2023 - 2024



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I. INTRODUCTION

The division of Enrollment and Student Services is pleased to present the **2023-24 University Student Handbook**. This handbook includes a compilation of University policies and other information pertinent to the student experience at Marshall B. Ketchum University (MBKU). Please refer to the University Catalog for academic and financial policies along with your respective Program Student Handbook for additional policies and more information. All students are members of the MBKU Student Association and are encouraged to participate in the variety of student led professional organizations and affinity groups/clubs on campus. For more information, please refer to the [Student Government Association \(SGA\) Handbook](#).

MBKU is an independent, private, non-profit, accredited educational institution. MBKU is home to the Southern California College of Optometry (SCCO), the School of PA Studies (SPAS) and College of Pharmacy (COP). SCCO awards a Doctor of Optometry, a joint Master of Science in Clinical Optometry, and a Master of Science in Vision Science degree. SPAS awards a Master of Medical Science degree and a PA Certificate. COP awards a Doctor of Pharmacy degree.

A. **Vision, Mission, Core Values & MBKU History**

OUR VISION

We seek to reimagine the future of health care education.

OUR MISSION

The mission of Marshall B. Ketchum University is to educate caring, inspired health care professionals who are prepared to deliver collaborative, patient-centric health care in an interprofessional environment.

OUR CORE VALUES

Marshall B. Ketchum University is guided by the values of:

Accountability: We are committed to honesty, fairness, and responsibility for our words and actions.

Caring: We strive to address the needs of the University community and others by nurturing a spirit of compassion.

Excellence: Consistent with our legacy, we are committed to achieving outcomes of the highest quality.

Innovation: We have the courage to dream and experiment with creative and unique ideas.

Respect: We value the unique talents and diversity of people, strive to work collaboratively, and honor the open exchange of ideas.

History

Marshall B. Ketchum University (MBKU) was established in April 2013 and is named after Dr. Marshall Bidwell Ketchum who founded the Los Angeles School of Ophthalmology and Optometry in 1904 that, decades later, evolved into the Southern California College of Optometry (SCCO).

The School of Physician Assistant Studies (SPAS) admitted the first class in 2014. In 2016, the College of Pharmacy (COP) admitted its first class. Both programs join SCCO in providing a unique opportunity for interprofessional health care education on our campus.

MBKU owns and operates two University Eye Centers at Ketchum Health, one located in Los Angeles and one in Anaheim (est. 2016). Ketchum Health Anaheim also houses the SPAS Family Medicine practice and the COP Pharmaceutical Sciences Research Laboratory.

B. **Use of the Handbook**

This Handbook is a reference piece for matriculated students used to supplement, not replace, the University Catalog and the individual Program Student Handbooks. During the year, as information or policies are developed, they will be distributed to all students via email as "Handbook Supplements."

The policies outlined in this Handbook give a general understanding of the rules and regulations governing MBKU and they are subject to revision without notification. MBKU assumes no

responsibility for errors in, misrepresentation of, or misinterpretation of these policies. Please read the information carefully and be sure to contact Enrollment and Student Services for clarification or more information.

MBKU reserves the right to change programs, policies and requirements published in this Handbook. The Handbook should not be regarded as a contract, but all MBKU students should be knowledgeable of the information therein.

Any suggestions for additional information to future Handbooks are welcomed, including suggestions or concerns about campus policies and procedures. Please contact Enrollment and Student Services at StudentAffairs@ketchum.edu.

C. Non-Discrimination Statement

MBKU is committed to providing an environment in which all individuals are treated with respect and professionalism. In accordance with applicable federal and state laws, it is University policy to prevent the unlawful discrimination against students, applicants for admission, employees, applicants for employment and patients requesting treatment on the basis of race, color, national origin, sex, disability, age or any other characteristic protected by applicable law. The University also prohibits sexual harassment and harassment on any of the above bases (refer to the [Prohibited Discrimination, Unlawful Harassment & Sexual Misconduct Policy](#)).

Inquiries regarding the University's equal opportunity policies should be directed to the Vice President for Enrollment and Student Services at StudentAffairs@ketchum.edu for students and the Vice President for Human Resources at HumanResources@ketchum.edu for employees.

For further information on notice of non-discrimination, please contact [The Office for Civil Rights](#) for the address and phone number of the office that serves your area, or by calling 1-800-421-3481.

II. UNIVERSITY POLICIES

A. Classroom Etiquette

The following addresses the expectations of everyone participating in direct educational experiences, either lectures, labs or clinical assignments, your faculty may have different expectations.

1. Electronic Devices

To preserve the integrity and decorum of the academic and patient care programs, the following guidelines are in effect at MBKU and affiliated clinical teaching programs.

a. Classrooms, laboratories, and Library

- All cell phones/electronic devices will be silenced as these noises are disruptive.
- Students and faculty should only respond to electronic messages between classes and labs.
- Unauthorized electronic devices may not be in any student's possession during any test-taking situation in class or laboratory.

b. Clinical Patient Care Facilities

- All cell phones/electronic devices will be silenced as these noises disrupt patient care and clinical education.
- No cell phones may be used by students in a clinical facility; faculty should use their offices when making such calls.

2. Food & Drink

The University understands students spend many hours on campus. While it is preferred that eating and drinking occur in designated common areas, we also understand that eating and drinking while in class and during studying is inevitable. We ask that trash is disposed of properly and consideration of others is a priority. Not only may items spill and destroy or ruin the property of others such as notes, electronic devices, clothing, etc., but certain fragrances may create an uncomfortable experience for those with allergies or those who are sensitive to odors. Please choose snacks/foods (and perfumes/colognes) wisely.

Please refrain from eating or drinking in the laboratory, and clinical facilities, as it has the potential to damage equipment and be disruptive to the educational experience of others.

Beverages may be consumed; however, we ask that spill-proof containers are used. Items such as medications, both prescribed and over the counter, may be consumed on an as-needed basis.

B. Computer Use Policy

The purpose of this policy is to promote the use of the University's and student's computing resources in an efficient, ethical, and lawful manner and to provide an overview of the uses of University computing resources. It is intended as an addition to existing University policies concerning academic honesty, intellectual property, use of copyrighted materials, the usage of facilities and policies prohibiting harassment, unlawful discrimination, sexual misconduct, and other unprofessional conduct.

Additional relevant computer/email/Wi-Fi use documents are found on the [technology tab](#) of the [portal](#).

1. Appropriate Use

The University's computer resources support its instructional, research and administrative activities. Appropriate use should always be legal, ethical, reflect academic honesty, reflect community standards, and show restraint in the consumption of shared resources. Use should demonstrate respect for intellectual property, ownership of data, system security mechanisms and individual rights and freedoms.

Access to the University's computing facilities is a privilege and the University reserves the right to limit, restrict, or extend computing privileges and access to its resources.

The student's computer resources should meet the University standards described in the Recommended Computer Standards for Students document found on this [Portal link](#). Laptops or mobile devices should have strong passwords and/or complex unlocking patterns to access the device. Security patches announced by device manufacturers should be installed immediately after each release. Anti-virus/Anti-malware software should be installed and regularly updated. Patient data must never be stored on a student's personal computing devices.

2. Confidentiality & Privacy

In general, the University treats information stored on computers as private. However, there is no expectation of privacy or confidentiality for documents and messages stored on University-owned equipment. Email and data stored on the University's network of computers may be accessed by the University for a variety of business-related purposes. To the greatest extent possible, individuals' privacy should be preserved. Users of electronic mail systems should be aware that, in addition to being subject to authorized access, electronic mail in its present form may not be secured and may be vulnerable to unauthorized access and modification by third parties.

3. Prohibited Use

Examples of misuse include, but are not limited to:

- using an unauthorized computer;
- installing personal software on University computer systems;
- obtaining a password for an account without the consent of the account owner;
- using the campus network to gain unauthorized access to any system(s);
- knowingly performing an act which may interfere with normal computer operations;
- knowingly running or installing a program intended to damage the system;
- attempting to circumvent data protection schemes or uncover security loopholes;
- violating terms of licensing agreements or other laws;
- using email, social media, or other networks to harass others;
- masking the identity of an account or machine;
- posting anything on the internet that violates existing laws or the Student Code of Conduct; AND/OR
- attempting to monitor or tamper with another user's files.

Every time a site on the internet is accessed or communication happens via e-mail, your e-mail address, which identifies the University, is recorded. Using any computer system in any way to discredit the University or compromise University confidential or proprietary information is prohibited.

All violations or alleged violations by students should be referred to the relevant Program Conduct Officer for adjudication. Additionally, misuse can be prosecuted under applicable law.

4. E-mail & Communications Policy

MBKU and its Programs maintain a direct and open line of communication with all students to ensure access to information. MBKU provides a University email account for all students upon enrollment. This address is used by all entities on campus for communicating with students. Students are expected to review and respond to email daily. Email sent to University accounts are assumed to be read. Students sending email on University business should use their provided University email account. Personal communications using MBKU email systems should be kept at a minimum.

The email address naming convention is the following:

- a. **Employees:** <first initial of first name><full last name>@ketchum.edu (Jane Smith would be jsmith@ketchum.edu). When a conflict occurs, additional characters of the first name will be used (and then middle name, if necessary).
- b. **Students:** <full first name><full last name>.<SCCO/SPAS/COP><2 digit graduating year>@ketchum.edu (Jane Smith in OD class of 2025 would be jan smith.SCCO25@ketchum.edu). This format will begin with the fall 2021 incoming students. Previous students do not have program designation OR have program short-hand designation (OD/PA/PH).
 - If two students have the same name and are in the same program and graduating class, their middle initial will be added to both addresses:
 - JaneAsmith.SCCO25@ketchum.edu and JaneLsmith.SCCO25@ketchum.edu
 - If two students have the same FULL NAME and are in the same program and graduating class, the students will be asked if they have a nickname. The nickname will be used in place of the first name and listed on the MBKU Directory.

- Student email groups are available to facilitate group conversations. The format of student email groups are as follows:
 - <SCCO/SPAS/COP>classof<graduating year>
 - (Ex: SCCOclassof2025@ketchum.edu for the graduating class of 2025 for SCCO)
 - The following email naming convention applies to MBKU’s Non-Degree, Eulji, and MSVS programs.
 - COP Non-degree: <full first name><full last name>.ND@ketchum.edu
 - Eulji International: <full first name><full last name>.EULJI@ketchum.edu
 - MS in Vision Science: <full first name><full last name>.MSVS@ketchum.edu
5. Reporting a Cyber Incident
- The following cyber security incidents should be reported to ITSupport@ketchum.edu as quickly as possible so that the University may take appropriate action to minimize any negative impact.

Types of Incidents

- Clicking on a phishing email
- If you suspect your computer has been infected with malware
- Unauthorized disclosure of ePHI (Personal Health Information) whether accidentally or not

The University counts on all of us to “Say something if you see something” that appears to be a cyber security incident.

All students should immediately change the temporary password to a personalized password. Due to the importance of passwords in safeguarding University information, strong complex passwords are required. A strong complex password has the following characteristics: at least 8 characters long, with upper- and lowercase alpha characters mixed with symbols and numbers. Please keep in mind your email password expires every 12 months. It is recommended you change it before it expires to avoid loss of access to your account. Your email password is also your Moodle, Library Resource, and Wi-Fi password.

All electronic messages maintained on MBKU platforms are the property of MBKU. Users should not have an expectation of privacy. Access may be denied when there is a substantiated reason to believe that violations of policy or law have occurred or, in time-sensitive cases, when required to meet critical operational needs. The administrators of the University e-mail facility may, within certain limits, block mail including external, unsolicited, bulk e-mail or “spam.”

Users should not assume the privacy of their e-mail. Users are advised not to send confidential University communications via e-mail. E-mail may be subject to disclosure under law. Backup copies may be retained for periods of time even if the user has deleted the message from the account. During routine system maintenance, troubleshooting and mail delivery problem resolution, network or systems staff may inadvertently see the content of e-mail messages.

Students should set up a signature line in their email. Students may not describe themselves as a candidate for their degree. The term “candidate” is reserved for students who have completed all their coursework, apart from their dissertation. The following is an example of a signature line for student use:

First Name Last Name

Optometric Intern / PA-S / Student Pharmacist

Class of 20##

Southern California College of Optometry/School of PA Studies/College of Pharmacy

Marshall B. Ketchum University

Student email addresses will be kept indefinitely, even after graduation. It will become a forwarding only email address that directs to a designated external email account. Students must maintain an active external email address and update MBKU whenever that changes. Please see the [address update instructions](#) located on the portal. After graduation, contact University Advancement/Alumni Relations to update the external email address. The email group for each

class year (i.e., SCCOclassof2025@ketchum.edu) will also be kept indefinitely to facilitate future communications.

Creation of non-individual email addresses (aka shared mailboxes or distribution lists) needs to be approved by the Director of IT. Additionally, there are use restrictions on certain distribution groups. The following groups are restricted to the President's Executive Council (PEC), department heads and specific designees for official University business only:

- Everyone (includes students, employees, residents)
- All Employees
- Admin
- Ketchum Health (includes Employees and Residents of Ketchum Health)
- Clinic (includes Ketchum Health and UECLA)
- All Faculty
- All Staff

Unacceptable Usage of Emails:

- Emails containing confidential information such as social security numbers and credit card information.
- Sending or forwarding emails with any libelous, defamatory, offensive, racist, or obscene remarks.
- Copying and sending written material that is subject to copyright protection without permission.
- Knowingly sending an attachment that contains a virus.
- Sending unsolicited email messages.
- Forging or attempting to forge email messages.
- Disguising or attempting to disguise your identity when sending email.
- Sending email messages using another person's email account without their consent.
- Copying a message or attachment belonging to another user without permission of the originator.
- Sending chain letters or junk emails. Mass emails require approval from IT.

6. Social Media Standards

MBKU has created these social media guidelines to assist students in making professional decisions. The permanence and written nature of online postings cause them to be subject to high levels of scrutiny. Therefore, postings within social media platforms are subject to the same standards of professionalism as any other personal or professional interaction and is treated as if made in a public forum. This is the case for students, faculty, staff and all other MBKU constituents.

The following are MBKU expectations regarding social media participation. While not all-inclusive, it is expected that students use the highest integrity and judgment when engaging in any communication.

- a. Monitor other people's statements/photos, etc. that may be viewed under your name. If others are displaying unprofessional behavior, consider changing your restrictions to avoid those statements, etc. from being affiliated with you.
- b. Inappropriate postings may be considered as violations of the [Student Code of Conduct](#).
- c. Always avoid giving medical advice on social media, as this may result in a violation of HIPAA and may cause danger to others.
- d. Never discuss specific patient information online, even if all identifying information is excluded. It is possible that someone could recognize the patient to which you are referring based upon the context.
- e. Under no circumstances should photos of patients or photos depicting the body parts of patients be displayed online. Once you post, the actions of others could lead to legal or professional consequences.
- f. To maintain healthy patient-clinician relations and to avoid potential legal consequences, refrain from interactions with patients on social media platforms..
- g. The lines between public and private as well as personal and professional are often blurred online. By identifying yourself as a MBKU student, you may influence perceptions

about MBKU or your program by those who have access to your information. All content associated with you should be consistent with MBKU's values and professional standards. Please avoid the use of profanity in both verbiage or music on any posts, reels or videos.

- h. Influencer-driven content is very popular. As a student, if you are approached to be an influencer and represent yourself as an MBKU student, permission must be provided by Enrollment and Student Services and the Office of Marketing and Communications prior to any content being created.
- i. Final approval of content posted on MBKU's official social media accounts, including Instagram, Tik Tok, LinkedIn and Facebook must be approved by the Office of Marketing and Communications.

C. Copyrighted Works Policy

The Higher Education Opportunity Act of 2008 (HEOA) includes provisions designed to address illegal peer-to-peer sharing of copyrighted works by those using campus networks. Although the MBKU network infrastructure is a vital asset that enables academic and research activities by employees and students, it is important that this shared resource is used in compliance with copyright and information security laws.

The HEOA contains three general requirements that MBKU must implement to control against illegal file sharing or risk losing federal financial aid funding for students.

1. An annual disclosure to students describing copyright law and campus policies related to violating copyright law.
2. Certify in the Department of Education Program Participation Agreement that MBKU has a plan to effectively combat copyright abuse on the campus network using a variety of technology-based deterrents.
3. An agreement to offer alternatives to illegal file sharing or downloading.

Annual Disclosures

All MBKU users must respect the copyrights in works that are accessible through computers connected to the MBKU network. Federal copyright law prohibits the reproduction, distribution, public display, or public performances of copyrighted materials without permission of the copyright owner, unless fair use or another exemption under the copyright law applies. It is the policy of the University to respect the intellectual property rights of others. If it comes to the attention of the University that an individual is using MBKU computer equipment and-or network access to violate copyright law, the university will act to stop such activities.

1. The University has the right to determine appropriate use of the MBKU name, shield, Program name and associated logos and images. Any unauthorized use is a violation of copyright laws.
2. Any copyright violation traced to students will be referred to the relevant Program Conduct Officer for adjudication. Copyright violation penalties may include the loss of network connectivity and disciplinary action.
3. In addition, violations of copyright law may lead to criminal charges and civil penalties. Under current copyright law, criminal cases of copyright violation carry a penalty of up to five years in prison and a \$250,000 fine. Civil penalties of copyright infringement include a minimum fine of \$750 for each work. While criminal prosecution for illegal downloading is rare, civil lawsuits are quite common.

To avoid risk of copyright infringement, as well as possible exposure to viruses or malware, unexpected material, or spyware, users should obtain materials through the many authorized internet services that legitimately distribute copyrighted works online, whether music, e-books, television shows, movies and more. If you are in doubt regarding an issue or questionable use, you should contact the Director of Information Technology Services or the Director of Library Services to resolve the issue before pursuing any questionable use of MBKU resources.

MBKU Plan to Combat the Unauthorized Distribution of Copyrighted Material

MBKU currently blocks ports commonly used for illegal Peer-to-Peer (P2P) use and monitors remaining network traffic for possible illegal use. If high bandwidth consumers are observed, they are contacted to ensure that their bandwidth consumption is the result of legal purposes only.

Warning signs are posted on campus stating that the person using the equipment is liable for any infringement. The University will also apply traffic monitoring and aggressively respond to Digital Millennium Copyright Act notices.

The MBKU Library provides licensed electronic access to books and journals through several publishers and databases. Password-protected access is provided through the library website. Authorized users include full-time and part-time students. By signed license agreement, each student may: access, search, browse, view, print and store electronic copies for exclusive use, one article per journal issue, or one chapter or 10% of each book. By signed license agreement, students may not redistribute, or retransmit journal articles or book chapters downloaded from any of the electronic resources provided by the library.

MBKU is under no obligation to protect a user from a complaint or action arising from any violation, or alleged violation, of the law, including infringement of any intellectual property rights due to use of peer-to-peer or any other type of file sharing software applications. Users should understand that material accessible through the internet does not mean that accessing and distributing such material is authorized by copyright holders. Even when users pay for access, they do not necessarily acquire the right to distribute material to others.

Copyright Clearance Center

The Copyright Clearance Center Annual License provides the MBKU community with comprehensive copyright coverage that colleges and universities need to share information. With this license, students have copyright permission to use thousands more books and journal articles in the classroom and in their research, while respecting the intellectual property of others. For more specific copyright information, please visit the [MBKU Library website](#).

D. Student Grievance Procedures

It is hoped that minor differences can be resolved informally by speaking directly with the person or persons involved in the disagreement. However, there may be situations where a more formal process may be necessary. A grievance is an official statement of a complaint by a student over something believed to be wrong or unfair that occurred at MBKU. This process is intended to settle disputes through mediation and reasoned discussion. It is not intended to replace the student conduct process, the Title IX sexual harassment and nondiscrimination process, the administrative rules of the University or any other appeal/grievance already existing within a Program or department. Usually, the resolution of a complaint or grievance involves resolution of the problem/issue; not punishment of those involved. Students who have an informal complaint or academic or nonacademic grievance must follow the instructions below.

Procedures for Complaints or Grievances Not Discussed Below

More formal alternative procedures exist for situations such as when a student is erroneously required to pay a fine or penalty, erroneously has money withheld by the university, has been denied the right to amend their educational records, is charged with an offense under the student code of conduct, is alleging discrimination on the basis of race, national origin, religion, gender, sexual orientation, age, disabling condition or marital status, or is alleging sexual harassment.

For more formal procedures relating to such situations, consult the [Title IX Sexual Harassment and Non-Discrimination Policy](#), [Student Code of Conduct](#), or contact the Title IX Coordinator, Program Dean/Director, or Enrollment and Student Services for more information.

Definitions

1. **Informal Complaint:** An informal complaint is defined as an academic or non-academic issue that a student has with a faculty/instructor, staff member, administrator, or department or program of the University.
2. **Non-Academic Grievance:** A non-academic grievance occurs when a ***grievance petition form*** has been filed because a student believes that they have been dealt with arbitrarily, unfairly or in ways which violate established laws, rules, policies or procedures, or past practices by the University as a whole or any unit or agency or function thereof and in a manner that has caused actual harm to the student.
3. **Academic Grievance:** An academic grievance occurs when a ***grievance petition form*** is submitted because a student believes that they have been harmed by being treated arbitrarily or unfairly within the context of the course or academic policies and procedures. In order to file an academic grievance, the student must demonstrate actual harm. It does not involve perceived rude treatment, classroom style, or general grading policies. For example, the student may not

like a particular professor's classroom style or grading practices as a whole, but this does not constitute grounds for a grievance. The student may, however, use the informal complaint process to talk with an administrator about the perception of inappropriate behavior. The assignment of course grades is at the heart of the faculty member's responsibility. Only the responsible faculty member can judge students' performance in a particular course. Thus, only the responsible faculty member can assign or recommend changes of letter grades (A, B, C, D, F) for his or her courses.

4. Complainant/Grievant: A complainant/grievant is an individual who believes they meet the criteria listed in the definition of Non-Academic or Academic Grieve.
5. Respondent: A respondent is an individual who is the subject of the grievance or complaint, if applicable.
6. Appellant: An individual who is filing an appeal.
7. Appeal: The resolution of an academic or non-academic grievance may be appealed. Appeals must be based on the issue of substantive or procedural errors which are prejudicial to impartial consideration of the case.
8. Confidentiality: It is understood that committee members, faculty, staff, and administrators involved in the discussion of complaints or grievances will maintain professional standards of confidentiality. Students should be aware that every effort will be made to maintain confidentiality; however, university officials may be obligated to disclose information to law enforcement or other agencies as required by law.

Informal Complaints

1. Resolving a Non-Academic Informal Complaint:
The student must first discuss and attempt to resolve the issue with whomever the issue arose, if at all possible. (Please note, this requirement does not apply in cases of alleged violations of the student code of conduct or sexual harassment, sexual misconduct, or discrimination. In those cases, the student should contact the [Vice President for Enrollment and Student Services \(VPES\)](#) or the [Title IX Coordinator](#) for guidance.) In the event that such an informal discussion is not possible or the issue is not resolved, then the student should contact the Program Dean/Director, Department Director, appropriate administrator, or designee to try to reach an informal resolution. The student must initiate a complaint no later than thirty (30) business days after the alleged incident. The student may be aided by Enrollment and Student Services in following procedures correctly. The Program Dean/Director, Department Director, appropriate administrator, or designee receiving the complaint shall attempt to resolve the matter and report the decision, in writing, to the complainant(s) and respondent(s) via their University email address within fifteen (15) business days of receiving the complaint.
2. Resolving an Academic Informal Complaint:
Given the nature of complaints covered by this procedure, it is expected that in all but the most unusual circumstances, including grade disputes, students will first address the issue with the faculty/instructor. In the event the student and faculty/instructor have not resolved the issue, the student will contact the Program Academic Affairs Officer or Program Dean/Director within thirty (30) business days after the alleged issue. The Program Academic Affairs Officer or Program Dean/Director receiving the complaint shall attempt to resolve the matter and report the decision, in writing, to the complainant(s) and respondent(s) via their University email addresses within fifteen (15) business days of receiving the complaint.

Grievance

1. Initiating a Grievance
If the complaint is not resolved informally and the student wishes to continue the process, the student must email a completed ***grievance petition form*** (located on the [Registration and Records](#) portal tab) to StudentGrievance@Ketchum.edu. The petition form will be forwarded to the appropriate person of the unit in which the alleged violation of rights occurred.

Prior to any grievance action, the complainant(s) must attempt to obtain a satisfactory resolution through the Informal Complaint process. A grievance petition must be filed no later than thirty (30) business days after the notice of informal complaint resolution decision.

2. Non-Academic Grievances

A non-academic grievance must meet the definition in order to be reviewed and/or heard and not be covered by any other university policy, procedure, or administrative rule (i.e., student code of conduct).

The director, administrator, or designee receiving the written grievance shall attempt to resolve the matter and is required to report the decision, in writing, to the complainant(s) and respondent(s) via their University email addresses within fifteen (15) business days of receiving the grievance petition. If there is a need to extend the deadline, the director, administrator, or designee will inform the grievant of the new timeline and reason for the extension. The director, administrator, or designee receiving the written grievance has the discretion to accept a grievance filed after the thirty (30) business day deadline.

If the grievant(s) wishes to appeal the grievance decision, the student must follow the appeal process outlined below.

3. Academic Grievances

An academic grievance must meet the definition in order to be reviewed and/or heard and not be covered by any other university policy, procedure, or administrative rule.

The Program Dean/Director then has fifteen (15) business days to make a determination and report the decision, in writing, to the complainant(s) and respondent(s) via their university email addresses. If there is a need to extend the deadline, the Program Dean/Director will inform the grievant of the new timeline and reason for the extension. The Program Dean/Director has the discretion to accept a grievance filed after the thirty (30) business day deadline.

If the grievant(s) wishes to appeal the grievance decision, the student must follow the appeal process outlined below.

Appeal

1. Grounds for an Appeal

A student may submit an appeal within ten (10) business days of the notification of the grievance decision. The specific grounds to be addressed are:

- a) Were the procedures of the policy followed?
- b) If a procedural error occurred, were the rights of the grievant violated to the extent that a fair review was not conducted?
- c) Was the review conducted in a way that did not permit the grievant adequate notice and opportunity to present facts?
- d) Was the information presented during the review sufficient to justify the decision reached?
- e) Was there relevant information existing at the time of the review that was not discovered until after the review that is sufficient to alter a decision?

2. The Appeal Process

If the grievant(s) wishes to appeal the grievance decision, the student must submit a completed ***grievance appeal form*** (located on the [Registration and Records](#) portal tab), including the written response to previous resolution attempts within ten (10) business days of receiving the decision to StudentGrievance@Ketchum.edu. The form will be forwarded to the VPES for nonacademic grievance appeals or Vice President for Academic Affairs (VPAA) for academic grievance appeals

The appeal will be reviewed within fifteen (15) business days of receipt. The appropriate Vice President will notify the appellant(s), respondent(s) and appropriate Program Dean/Director, Department Director, Administrator, or designee of the decision, in writing via their university email addresses, within ten (10) business days of their decision.

An appeal is limited to a review of underlying decision, the file supporting the decision as provided by the decision-maker, and any statement supporting the appeal submitted by the appellant:

- a) To determine if the grievance procedures policy and investigation were conducted fairly in light of the complaint and grievance made and information presented and giving

the appellant(s) a reasonable opportunity to present information. A deviation from procedures required by this policy will not be a basis for sustaining an appeal unless significant prejudice of impartial consideration of the case results;

- b) To determine whether the decision reached regarding the matter was based on substantial information, that is, whether there were facts that, if believed by the Program Dean/Director or University Administrator, were sufficient to support the grievance decision;
- c) To consider new information sufficient to alter a decision or other relevant facts not brought out in the original complaint or grievance, but only if such information or facts were not known to the grievant at the time of presenting the grievance.

If the Vice President overrules a decision in whole or in part, they may:

- a) Modify the decision; or
- b) Remand for further proceeding.

No appeal shall be allowed unless the appellant cites specifically to the grievance record and states with specificity the grounds under which the appeal shall be allowed. Any appeal submitted that does not include the required information will be dismissed without review.

The Vice President shall be responsible for reviewing substantive or procedural appeals from the decision(s) of a Program Dean/Director or University Administrator.

Decisions of the Vice President are final. There is no further appeal within the Student Grievance procedures policy.

Institutional Record of Student Complaints

In compliance with federal regulations and accreditation requirements, an Institutional Record of Student Complaints is maintained in Enrollment and Student Services.

1. **Complaint about employees** - If a member of the MBKU community, or public reports a complaint against a University employee, the report is forwarded to the MBKU Office of Human Resources for resolution, and if the complainant is a student, it will be included in the Institutional Record of Student Complaints.
2. **Complaint about University policies or procedures** - If a student files a complaint against a University policy or procedure, it shall be addressed using the Student Grievance Procedure and included in the Institutional Record of Student Complaints.

Any student submitting a qualifying complaint shall have their complaint entered into the Institutional Record of Student Complaints and preserved for review by accrediting site teams. Though these complaints cannot be submitted anonymously, to maintain privacy, any request to view the log by accrediting bodies, or others, shall require that all names contained within logged complaints be redacted prior to inspection of the log. No actual documents accrued relating to a complaint shall be shared with an accrediting body without the express permission of the Complainant.

Filing Complaints Directly with the State of California

MBKU is committed to addressing student complaints timely and effectively, in accordance with the University's Student Grievance Procedures. If a student believes that the University's procedures have not adequately addressed their concerns, students may also file external complaints with the agencies identified below.

A complaint may be filed by writing or calling the Bureau for Private Postsecondary Education's Enforcement Section at the following address and telephone number:

Bureau for Private Postsecondary Education
P.O. Box 980818
West Sacramento, CA 95798-0818

For more information see [How to File a Complaint](#).

An alternative avenue for filing a Complaint is to utilize the California Department of Consumer Affairs (DCA) [Online Complaint Form](#). The DCA will forward the Online Complaint to the Bureau.

Anyone may file a complaint if they believe an approved institution has violated the laws governing the institution's operation. Complaints are most often received from students, their families, other

members of the private postsecondary education industry, law enforcement agencies, and other regulatory agencies.

E. Intellectual Property

MBKU holds the creative process and all products from that process, including copyrighted, trademarked, or patented material, and other intellectual property, in high regard, with the expectation that all students and employees of MBKU will conscientiously uphold principles of academic integrity and respect for the intellectual property of others. MBKU believes that our community is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded, while still retaining for the University and its learning communities reasonable access to, and use of, the intellectual property for whose creation the University has provided assistance. The University must ensure that its facilities, financial resources, and property are not used for personal profit or gain.

Therefore, it is policy of MBKU that:

1. All classes of intellectual property created on a student's or employee's own time, using their own resources, private property and facilities are the sole property of the owner;
2. Material created for ordinary teaching use in the classroom and in department programs, such as syllabi, PowerPoint presentations, assignments, and tests, shall remain the property of the faculty author and the University;
3. MBKU students may use course materials for their personal educational use only and may not make any of the material available to others without the express written permission of the instructor and the University;
4. A written agreement between the creator(s) and the University will occur for any form of intellectual property that was created or produced using the resources, property, or facilities of MBKU;
5. No student or employee shall realize a profit from any intellectual product sold exclusively to students at the University; AND
6. All students and employees will maintain academic integrity and respect others' intellectual property rights.

Policy developed using, in part, the Sample Intellectual Property Policy and Contract Language from the American Association of University Professors (AAUP).

F. Jury Duty

Serving as a juror is an important part of civic duty but serving while enrolled in a program of study may be disruptive. Therefore, students who receive a notification to serve should go to the [verification page](#) under the Registration and Records tab on the portal to review the procedure for securing an excuse letter. Registration and Records may write a letter on behalf of the student requesting their service obligation be postponed to a time after graduation. It is the student's responsibility to send the letter, along with their Jury Summons per the instructions on the jury duty notification, to the specific court indicated. All students are responsible for monitoring the court's response to the request.

G. Lost & Found

Money, purses/wallets, electronic devices, and all other valuables should not be left unattended. Lockers are provided to students in different areas on campus. MBKU Campus Safety maintains a Lost and Found so that items may be returned to their rightful owner. MBKU is not responsible for lost or stolen property. Thefts should immediately be reported to Campus Safety. To assist in the investigation, please complete an incident report, available in the Campus Safety Office.

H. Mail Center

Package receiving and storage is available to all faculty, staff, and students and is provided free of charge. Packages are stored in a secure location with very limited access.

- Maximum package size accepted is 24" x 24" x 24"
- An email will be sent to the receiver acknowledging arrival of the package
- All personal packages must be picked up in the MBKU Mailroom and must be signed for by the receiver
- Any packages not picked up within 2 weeks will be considered 'refused' and will be returned to the delivery company

MBKU is not responsible for lost, stolen, or damaged packages

I. Preferred Name Use

Purpose: Marshall B. Ketchum University recognizes that members of the community may use first names other than their legal first name to identify themselves. As an equitable, diverse, and inclusive community, MBKU supports the use of a preferred first name for certain purposes and records in the course of university business, communication, and education.

Policy: The University allows for a student to use a preferred name. A legal first name will be used where required by law or university requirements. An individual's information will be linked to an individual's legal first name and, if designated, a preferred first name for the purposes of university records. A designated preferred first name will be used whenever possible during university life.

Definitions

Legal first name: an individual's first name as evidenced by one of the following documents: birth certificate; unexpired Government issued photo ID (i.e., passport, driver's license or non-driver identification card); marriage certificate/license or divorce decree; or court issued name change order.

Preferred first name: a first name used on a daily basis that is different from the student's legal first name.

Examples of reasons to use a preferred name include:

- Student's legal name is inconsistent with their gender identity
- Student primarily uses their middle name instead of their first name
- Student goes by a name significantly different from their first name
- Student uses an English language name during their course of study

Note: Nicknames that are common abbreviations of first names (such as "Joe" for "Joseph" or "Kate" for "Kaitlyn") are not covered under this procedure. For clarification on whether a name is a common abbreviation, students may contact Registration and Records.

Procedures

Any student who uses a name other than their legal name, for any reason, is welcome to submit a MBKU Preferred Name Request Form (available on the [Registration and Records tab](#) on the portal) to Registrar@ketchum.edu, so long as it does not contain inappropriate or offensive language nor seek to misrepresent the identity of the individual. Registrations and Records will be responsible for updating the student record.

A preferred first name along with legal last name will be used in the following functions:

- Marshall B. Ketchum University Identification Card
- Email Name
- Moodle Name
- MyKetchum Display Name
- Course Rosters
- Presence Display Name
- Unofficial Transcript

A legal first name, along with legal last name, will be used for the following functions:

- Admissions Correspondence
- Degree Verification
- Enrollment Verification
- Financial Aid
- Federal and State Agency Reporting
- Student Accounts
- Official Transcript
- Diploma
- Accounts Payable and Payroll
- Patient Records in Clinical Education (the record may also denote the preferred first name if the electronic health record system allows for it)

Each Program will be responsible for collecting student names for use in the following areas:

- White Coats
- Commencement and White Coat Programs

- Scholarship and Awards Programs

Note: Students may use their preferred name for the above items. They should use their preferred name when placing orders for White Coats or when applying for scholarships. Registration and Records will notify the Programs of their students' preferred names.

J. Student Accounts Services Policies & Procedures

Student Accounts Services is responsible for the financial administration of all student billing and payments related to tuition and fees, campus store, University-owned housing, 3rd party billing, processing of refunds with approved disbursement amounts by Financial Aid and management of 1098-T tax reporting.

Any student who wishes to discuss their student account or needs further explanation of the policies and procedures presented in this section are encouraged to contact Student Accounts Services. More information can be found on the [Student Accounts](#) tab on the portal.

Students must:

- Review their bill to make sure that all charges and credits are correct
- Set up Authorized Users to grant account access to parents or other payers
- Pay the amount due by the due date

1. Tuition & Fees

Student Accounts Services presents timely and accurate quarter billing of tuition and fees to students, as well as notification of other charges. We will send an email when a statement is available after each quarter's initial billing, then monthly, by email, if a balance exists on their student account.

Students are responsible for their account balance and ensuring that their student account is in good standing. Please check your student account at least once a month and seek assistance if you have any questions.

Due Date – Students can find the upcoming published quarter tuition due date on the Student Accounts Services tab on the portal, under the Calendar section. Tuition and fees for each quarter are due by the first day of class, with a 10-calendar day grace period. A late fee may be assessed for payments received more than 10 calendar days after the start of each quarter. If you have difficulty meeting the payment deadline, contact StudentAccounts@Ketchum.edu.

In the final professional year, all accounts must be paid in full prior to commencement. The student will not receive their diploma by the University unless all accounts are paid in full. As a graduating student, any payment on the account made within 10 business days of commencement must be in the form of cash, cashier's check, and/or money order. Personal checks and credit cards will not be accepted.

2. Mandatory Equipment and Materials Fee

Depending on the program, the Mandatory Equipment and Materials Fee is prorated. This prorated fee is calculated by adding the total fee for the entire length of the program and dividing this by the proration period. The fee for SCCO is prorated over ten quarters (first three years). The fee for SPAS is prorated over nine quarters. The fee for COP is not prorated.

3. Other Charges

- a. Returned Checks - \$25.00 for the first check and \$35 for each subsequent check. Any check issued to MBKU which is returned by the bank as unpaid is considered a returned check. Returned checks are subject to an administrative fee, which will be charged to the student's account. The student's account may be placed in Past Due Status. MBKU may request the returned check be replaced by cash, money order or cashier's check and MBKU reserves the right to not accept any future check payments from that student.
- b. Library and Parking Fines and Fees - Library and Parking charges are assessed and collected by the respective departments. If payment for a charge is not received, the charge information is turned over to Student Accounts Services for collection. The student's account may reflect the amount due to the Library or Campus Safety and will be placed in Past Due Status until the charges are paid.
- c. University-Owned Housing - Rent is due by the first day of each month, with a five-calendar day grace period. A late fee of \$70 will be charged to students who pay their rent

after the grace period. In the event the tenant does not pay their rent by noon of the first business day of the following month, MBKU may elect to start eviction proceedings.

- d. Late Fee - \$50.00. The late fee may be charged each quarter to students who have not paid their tuition balance in full by the tuition due date.
- e. Interest Fee - All outstanding accounts are subject to interest at the rate of 6% annually (applied monthly) on the unpaid balance from the prior month.
- f. Student I.D. Card Replacement Fee - \$25.00. A replacement fee will be charged to any student needing a new I.D. card. With the receipt, the student can request the replacement I.D. card from Campus Safety.
- g. Miscellaneous Fees - as determined by each program
- h. The MBKU Board of Trustees reserves the right to change tuition and fees or to establish additional fees for special features or services if deemed necessary.

4. Payments

Online: Tuition and fees can be paid online via my.ketchum.edu. Student Accounts Services does not accept debit or credit card payments. Debit and credit payment processing is outsourced to a third-party, via CASHNet SmartPay. A non-refundable processing fee of 2.75% for domestic cards and 4.25% for international cards will be added to debit or credit card payments made via CASHNet SmartPay. To avoid the debit or credit card processing fee but still pay online, you may pay with a check.

In-person: You may pay with checks, money orders, cashier's checks, or cash. We accept cash (up to \$500.00 per quarter), personal check, cashier's check, money order, or bank wire transfers for payment of tuition and other fees. Payments received by wire may be subject to fees equal to those charged by our bank. Cash payments that total more than \$10,000 as a result of a single transaction or two or more related transactions within a 12-month period requires an IRS Form 8300 to be filed within 15 calendar days of receipt. The term "cash" means coin and currency; or a cashier's check or money order having a face amount of \$10,000 or less. Cash does not include a personal check, regardless of the amount.

5. International Payments

MBKU receives international payments through Flywire, a third-party service provider facilitating international payment processing. Flywire allows you to make a payment, typically in your home currency, via bank transfer, credit card, e-payment, and more. To make a payment, go to ketchum.flywire.com. We will accept payment for the student account balance only. We will not refund any surplus via a US bank account or paper check. For any surplus, funds will be returned to the original payment account. Please note Flywire may charge a 0.5% refund processing fee.

6. Past Due Status

A student may not proceed from one academic year to the next without having fully paid the previous year's student account balance. A student with a past due balance as of April 30, may be prevented from registering for classes or receiving their diploma. Any exception must have prior approval from University Administration. Accounts are assessed at each quarter's tuition due date and monthly. Students can find the upcoming published quarter tuition due date on the Calendar section of the Student Accounts page on the portal. Accounts will be designated as past due if there is an unpaid account balance after the due date. It is important for students to monitor their accounts. Payments may be lower than expected (e.g., reduced scholarships, denied or defaulted loans) or charges (e.g., fees and fines) may be added leaving students with balances that must be paid. If a student withdraws from their program, the account is reassessed which may result in an account balance change.

In the final professional year, all accounts must be paid in full prior to commencement. The student will not receive their diploma by the University unless all accounts are paid in full. Any exception must have prior approval from University Administration. As a graduating student, any payment on the account made within 10 business days of commencement must be in the form of cash, cashier's check, and/or money order. Personal checks and credit cards will not be accepted.

Until the account balance is paid in full, or appropriate payment arrangements are made with Student Accounts Services, students will be charged a past due fee, in addition to monthly interest if an unpaid balance exists.

Former students – A former student who has a balance on their MBKU student account or intuitional loan with their loan servicer may have a hold on their student account. This hold may prevent a former student from being able to receive a copy of their diploma.

If a student leaves or withdraws from MBKU, the student is responsible for the remaining balance on the student account including any accrued interest charges. The balance becomes immediately due and payable to MBKU unless appropriate payment arrangements are made with Student Accounts Services.

MBKU will make every effort to contact former students with past due accounts. However, when a former student does not pay the balance due or fails to fulfill a commitment to a payment plan, or MBKU is unsuccessful in contacting the former student, the account is referred to a collection agency (see “Collections” below).

7. Emergency Loans

Should a student encounter an unexpected expense, they may apply for an Emergency Loan. To apply, students must visit the student portal to complete the Abel Emergency Loan Application. The application is in the Financial Aid Forms & Documents section of the [Financial Aid tab](#).

Approval of the request is subject to the availability of funds and is at the discretion of the Director of Financial Aid and/or Chief Financial Officer. Funds are disbursed within one week of approval of the Emergency Loan Application.

Emergency loans will be issued for a maximum of \$950 and are repayable from federal or private student loan(s). Emergency loan repayment is due within 30 calendar days of the issue date.

8. Overpayment (or Living Expense) Funds

When a student's MBKU student account has a credit balance (where payments, loans, and scholarships exceed charges), a refund for the overpayment is determined and a payment is due to the student. The University's policy is to resolve eligible credit balances on student accounts as promptly as possible, in compliance with all applicable regulations and by the end of the term in which the credit balance is created, by issuing a refund to the student. Those accounts with a verified credit balance will have their funds refunded to them. Anticipated funds, including anticipated financial aid, are not considered credits to a student's account until the funds have been posted to the student account. Students will have two options for receiving their funds from overpayments: 1) ACH Direct Deposit (electronic payment to the student's bank account; 2) paper check. To elect ACH Direct Deposit, see procedure below; otherwise, a paper check payment will be issued and mailed to the student's address of record. There may be a delay in issuing an overpayment if students are late in submitting their required documents to Financial Aid Office by the financial aid deadline. If Financial Aid funding creates a credit balance after being applied to the student's account, any credit card payment will be refunded first.

ACH Direct Deposit Procedure

To receive funds as quickly as possible, all students are strongly encouraged to enroll in ACH Direct Deposit. To enroll, students must visit the student portal to complete the Direct Deposit Request. The request form is located in the [Student Accounts Forms](#) section of the portal. A copy of a voided check or letter from the bank confirming the account information, must be attached. This form authorizes enrollment of direct deposit for student account refunds only. Contact financialaid@ketchum.edu for student payroll or accountspayable@ketchum.edu for general reimbursements.

Processing direct deposit enrollment may take up to 14 calendar days. Students need only to enroll once; however, if the student changes banks or otherwise updates their bank account information, a new completed form with the required voided check or bank letter will need to be submitted.

ACH Direct Deposit requests rejected by a banking institution may be issued as paper checks.

9. **Student Financial Responsibility Agreement**
All students are responsible for the tuition, fees, and costs associated with their enrollment in any programs and services at MBKU. Therefore, all students are required to sign the Student Financial Responsibility Agreement before they start their program with MBKU to ensure they are fully aware of their financial responsibility.
10. **Authorization to Release Student Account Information**
A student's account will not be discussed with any party, including a parent or spouse, without the authorization of the student. An authorization form, adding an authorized user or payer is available on Cashnet. This form is separate from any other release students may complete for another office on the MBKU campus.
11. **Collections**
If after graduating or withdrawing from MBKU, a student or former student (hereinafter "student") has a balance due to MBKU ("debt"), the student will be contacted via email and/or U.S. Mail. If the student does not respond, the debt may be sent to a collection agency and the student will be responsible for all interest, collection and legal fees associated with the debt. The debt will be reported to a credit bureau.

K. Student Campus Store Accounts

1. Special-order items must be paid for before the merchandise may be picked up.
2. Refunds for Campus Store purchases are permitted on currently stocked merchandise only. No refunds are given for any ordered items or required lab equipment. Any item returned for refund must meet the following qualifications:
 - a. item(s) must be returned no less than two weeks from the date of purchase;
 - b. item(s) must be accompanied by a sales receipt; AND
 - c. item(s) must be in perfect condition for resale.

The Campus Store Manager will determine the condition of the item(s). Defective or damaged ordered merchandise may be returned for exchange or repair only and must also be returned within two weeks and include a sales receipt. All refunds are credited to the student's Campus Store account.

3. The due date to pay miscellaneous charges throughout the term is within 30 calendar days from the date the charge is assessed on the student's account. An earlier due date may apply due to special circumstances, at the request of the Program.

L. Student Identification Number

MBKU assigns a Student Identification (ID) number to all students. Students should identify themselves using their student ID number when communicating with various Departments on campus to ensure the Department is accessing the correct student information. This avoids mistaking students with the same or similar name. Your student ID is used in the library, campus store, campus accounts and campus safety offices.

Under the provisions of the Federal Privacy Act of 1974, a student is not required to provide the Social Security number at the time of admission. Some students who do not provide it initially may be required to do so later to meet federal and state financial aid and other fiscal requirements.

M. Student Identification and Access Cards

In addition to the student ID number, all MBKU students are issued an Identification and Access (Access) card. All MBKU students and employees must wear an MBKU-issued ID Access Card when on campus or an MBKU-owned property. The card serves to quickly identify members of the MBKU community and provides you access to the campus buildings by swiping your Access card across the keypad.

If lost or misplaced, please notify Campus Safety immediately. A replacement ID Access Card may be obtained by completing a replacement form and paying the \$25 fee payable online via Cashnet or in-person by cash, check, or money order. The ID Access Card is non-transferable to anyone, at any time, for any purpose. Disciplinary action may result if it is discovered that the ID Access Card was fraudulently used to gain access to any card-accessible area on campus.

For your convenience, your student ID is printed on the back of your Access card. It will appear like the example below:

1010XXXX

Student ID: 10XXXXXX - Your student ID number is a seven-digit number without the asterisks and first "10."

Library ID: 1010XXXXXX - A nine-digit number that is printed and used by the library for their bar code scanning system.

When your student ID number is requested, please use the 7-digit number without the first 10.

N. Student Photographs at University Events

Photographs are commonly taken at University events by MBKU Multimedia Services and other personnel. These photographs may be used in University publications/communications including use on the University website and on the University's social media platforms.

Please note: You do not have to be photographed. If you do not want your photograph used, the best way to ensure this is by not posing for photographs taken by University officials. Photographs containing groups of students and do not list the names of students are considered directory information and may be used without additional consent (see "Directory Information" policy in the [MBKU Course Catalog](#)). Photographs and video obtained at public events may also be used at the University's discretion. If a photograph is used that lists student names, a University designee will review the FERPA Confidentiality block list. All students who have previously indicated a Category II FERPA block will not be used.

O. Volunteer Activities with Outside Organizations

MBKU encourages its students and employees to participate in volunteer activities that have humanistic purposes. These activities may include health care and medical screening services to those who are otherwise unable to obtain such care. While organized local health and medical screenings are arranged through the Programs with appropriate faculty supervision, the University does not sponsor, control or otherwise supervise the activities of outside organizations sponsoring volunteer activities, including mission trips and travel to foreign countries to deliver care. Students may participate in such activities at their own discretion. However, students will not be excused from classes or assignments to participate in these activities, nor will patient care counts be given for participation, nor will work study funds be authorized.

It should be clearly understood that participation in such outside activities is up to the individual student/employee and is not a University-affiliated activity.

III. STUDENT CONDUCT

The Student Code of Conduct (Code) supports MBKU's Vision, Mission and Core Values through educating the community on expectations and responsibilities related to student behavior. The academic environment should foster conditions that are conducive to the full pursuit of knowledge and learning. Therefore, MBKU has established guidelines for the adjudication of individuals accused of violating University or Program codes, rules, regulations and/or policies. In addition, MBKU has established the Code to ensure the protection of student and University expectations, the health and safety of the University community, to foster the personal and professional development of students, and to support the efficient operation of MBKU programs. The overall goal of the Code is to maximize student success and minimize negative impacts on individuals and the community. This Code sets forth the applicable standards of our community and authorizes the administration of student conduct at MBKU.

Upon acceptance of admission to an MBKU Program, each student subscribes to and pledges complete observance of the standards of conduct outlined in the University Student Handbook, University Catalog and the respective Program Student Handbook. In the case a Program policy is in direct conflict with a University policy, the University policy governs.

Structure

This Chapter consists of nine sections and numerous sub-sections beginning with definitions of applicable terms, how the University creates, maintains, and disposes of conduct records, and descriptions of types of behaviors. The Chapter describes the expectations, responsibilities and required behaviors of students, guests, and the community. In addition, this chapter outlines both the Program and University Conduct Processes and concludes with information related to Title IX of the Education Code.

Guiding Philosophy

As a health care university, MBKU is committed to educating and developing professionals with the highest ethical principles, professional standards, and understanding of legal responsibilities to achieve positive patient outcomes. To this end, the Code is guided by the philosophy that all students adhere to the Code, and if a potential violation of the Code occurs, they can learn from the situation to mitigate future potential consequences.

Purpose

The Code is our commitment to upholding the ethical, professional, and legal standards we use as the basis for our daily and long-term decisions and actions. We all must be aware of and comply with the relevant policies, standards, laws, and regulations that guide our education, work, and practice. We are each accountable for our actions and, are collectively accountable for upholding these standards of behavior and for compliance with all applicable laws, regulations, and policies.

Being a member of the MBKU community is a privilege. This privilege comes with the responsibility to act in accordance with all institutional rules and policies. This Code provides information on behavioral expectations and outlines the process used to address violations of these expectations.

Process

All members of the MBKU community are responsible for holding themselves and others accountable for the standards of behavior outlined in the Code. If any member of the MBKU community believes a potential violation of the Code has occurred, it is their duty to report it to the appropriate University Official. Though every incident involving potential violations of the Code will vary, the general process is consistent, and details are listed within the [Student Conduct Process](#).

The effectiveness of the MBKU student conduct process is contingent upon the commitment of those involved to maintain a nurturing academic and social environment while affording an individual student's maximum personal freedom within University guidelines. These processes are designed to not only hear alleged incidents of student misconduct, but also to be a learning experience for those involved. If students are found responsible for misconduct, it is an opportunity to educate and affect change in future behaviors. However, when students fail to meet University standards, they ultimately risk separation from the University community. MBKU's system of progressive sanctioning principles is designed to effect positive behavioral changes for the betterment of students as well as the entire MBKU community.

A. Expression, Assembly & Forum

MBKU is committed to promoting an inclusive campus culture and fostering a learning environment where free inquiry is celebrated. Dissent, disagreement, a difference of opinion, or thinking differently from others is an aspect of expression in higher education, whether it manifests itself in a new and differing theory in quantum mechanics, a personal disagreement with a current foreign policy,

opposition to a position taken by the University itself, or by some other means. The University recognizes the crucial importance in maintaining an open communication and dialogue in the process of identifying and resolving problems which may arise in the dynamics of life in a university community.

1. *Related Policies*

In addition to the information included below certain existing policies under other categories within this handbook also address issues related to expression, assembly and forums including the Student & University Expectations, University Student Code of Conduct, Student Government Association Handbook, Prohibited Discrimination, Unlawful Harassment & Sexual Misconduct Policy, On-Campus Organization/Class Events with Alcohol, and Professional Standards of Dress. Additionally, each Program has its own Professionalism policies located in the Program Handbook. Familiarity with these policies is extremely important as it relates to expectations of professionalism in clinical settings.

MBKU has published policies and procedures regarding hosting events on campus found in the Student Government Association Handbook on the [Portal](#). Certain events (i.e., guest lectures, fundraisers, etc.) have a longer approval process than others to ensure a reasonably safe and professional learning environment is maintained.

By choosing to attend MBKU, students give their informed consent to follow University guidelines on professionalism and expectations of behavior. As a graduate health care institution, MBKU has extremely high standards of professional conduct which these policies and processes support.

2. *Forums*

As a private university, MBKU is not considered an acting arm of the state and therefore not directly bound by the First Amendment or the California Constitution (which only limit government action). University-owned spaces, including clinics, are private property and therefore not considered public forums. These spaces are also not available for use by people or groups unaffiliated with MBKU.

Certain locations on campus are not available for events or meetings unless an exemption is granted. These include:

- a. Private offices, research laboratories and clinical facilities (not including designated meeting rooms)
- b. Facilities with sensitive materials, equipment, or records such as some offices and the library
- c. Classrooms or meeting spaces where classes or other activities are already being held, or have been reserved for that specific date/time

3. *Expression*

Expression can take many forms, though at MBKU they will most often occur as meetings and scheduled events. Regardless of the form, expressive activities should not:

- a. Disrupt normal University operations
- b. Block access to campus buildings
- c. Obstruct free movement on campus
- d. Disrupt classes or other educational activities
- e. Disrupt patient care, delivery of health care and other clinic related services and/or education

What Is Not Considered Free Expression?

Students may be found in violation of University policy if they engage in the following actions or behaviors:

- a. Unreasonably infringing on others' rights to free expression at authorized demonstrations, events, or programs
- b. Violate the law
- c. Enter a restricted area without authorization

For more information on planning an event, please refer to the Student Government Association Handbook.

B. Classroom Behavior & Professional Standards of Dress

The classroom instructor, through their individual course syllabus, is responsible for outlining and managing the expected conduct of students in exercising classroom discipline, subject to accepted departmental, college, and University standards and practices.

MBKU policy only permits enrolled students, persons authorized by the instructor, and administrative personnel to be admitted to instructional areas during scheduled periods. MBKU policy prohibits all forms of disruptive or obstructive behavior in academic areas during periods of scheduled use or any actions which would disrupt scheduled academic activity.

Any person or persons in unauthorized attendance or causing a disturbance during scheduled academic activity shall be identified by the instructor and asked to leave and may be subject to disciplinary action. Persons refusing such a request may be removed by MBKU Campus Safety and Security and are subject to disciplinary action and/or criminal violations.

Use of classrooms and other areas of academic buildings during nonscheduled periods is permitted only in accordance with Program and University policy and practices.

In addition to academic standards and standards of conduct, MBKU has a significantly higher standard of dress expected and required than what most students may have encountered during undergraduate studies. The student intern is not only surrounded by fellow students, but also by future colleagues in the health professions and the community at large.

Students should conduct themselves in a manner befitting a health care professional. MBKU is an academic health care institution, and as such, it is expected that its students display a mature professional demeanor and observe an appropriate level of judgment regarding personal hygiene, grooming and dress. It is important to dress in a manner that is respectful to professors, classmates, staff and campus and clinic visitors.

Individual Programs and instructors may elect to have more rigorous dress code requirements for certain classes (e.g., patient care-related laboratory proficiencies/clinical skills). If an instructor feels dress is inappropriate, action may be taken at their discretion. For details, please reference the respective Program Student Handbook, or appropriate classroom syllabus.

C. Student & University Expectations

Cultivating an environment of mutual respect and responsibility is the foundation of educational and professional excellence. Every member of the campus community expects to learn, work, and thrive in a safe environment where mutual respect is fostered, and the dignity and worth of diverse people and ideas are valued and respected. All students admitted and enrolled in the University have an obligation to uphold these expectations, and to conduct themselves in a manner compatible with the University's function as an educational institution. Similarly, students can expect the University to treat students with respect and in a professional manner of excellence. Should students have a negative experience they are encouraged to use the [Student Grievance Procedures](#) to resolve these matters.

1. What Students Should Expect from the University
 - a. Access to faculty, staff, academic technology, classrooms, MBKU Library services, Student Achievement Center resources and services and other resources necessary for the learning process.
 - b. Access to academic advising and clear expectations for degree and graduation requirements.
 - c. Interactions with employees who act professionally, provide clear expectations for performance and evaluation, hold classes/meetings as scheduled, are accessible for office hours, appointments, or consultation, and maintain a clear connection between course description and content.
 - d. Employees sensitive to students' religious beliefs and observances and/or pregnancy/parenting status, including an expectation that reasonable arrangements should be made upon notice that a student will miss an exam or other academic/clinic obligation resulting from the observance of a religious holiday and/or pregnancy-related concerns.
 - e. Freedom to raise relevant issues pertaining to classroom discussion (including personal beliefs), offer reasonable doubts about data presented and express alternative opinions without concern for any academic penalty or scrutiny.

- f. Study, work and interact in an environment free of amorous or sexual advances by an employee. All amorous or sexual relationships, consensual or otherwise, between faculty/staff and students should be unacceptable when professional responsibility for the student exists. Such responsibility encompasses both instructional and non-instructional contexts.
- g. Freedom from Unlawful Discrimination, Prohibited Harassment and Sexual Misconduct: All students have the expectation to study, work and interact in an environment that is free from unlawful discrimination and prohibited harassment in violation of law or University policy by any member of the University community.
- h. Expectation of Privacy: A student's personal privacy, as provided by law, shall be protected by the University.
- i. Information: The University shall provide accessible information which explains applicable academic, clinical, and behavioral standards (i.e., MBKU Student Handbook, MBKU Catalog, Program Student Handbooks, Clinic/Rotation Manuals, and course syllabi).
- j. Student Records: Student's academic, health, judicial and other confidential records shall be maintained, and students shall have access to these records, in a manner consistent with University policies and applicable state and federal laws.
- k. Participate in Student Organizations and Campus Activities: The University recognizes that students expect to form organizations in accordance with the law and University policy, including but not limited to those organized for intellectual, religious, social, economic, political, recreational, or cultural purposes.
- l. Campus Climate, Curriculum and Policy Development: The University/Programs afford(s) all students the opportunity to share their views and participate in the initiation and development of University/Program policies, curriculum and services through course evaluations, focus groups, surveys and participation on select faculty/staff committees.
- m. Fair Hearings: A student subject to University Student Conduct processes arising from violations of University policies and/or procedures shall be assured fair/impartial hearings.

D. University Student Code of Conduct

In cases where an MBKU student is found responsible for a violation of the Code, MBKU shall impose sanctions that are consistent with the impact of the offense on the community. MBKU reserves the right to pursue criminal and/or civil action where warranted.

1. Student Code Authority

- a. The University President shall have the ultimate oversight and authority over University Student Conduct process.
- b. For University Student Conduct processes, the President has designated the Vice President for Enrollment and Student Services (VPESS) as authorized to render decisions and sanctions and/or assign cases to other trained Officers/designees in accordance with this process.
- c. The VPESS shall develop processes and procedural rules for the consistent administration of University policies. The VPESS and/or designee shall serve as Chair of the University Conduct Committee and facilitate Committee hearings.
- d. The Program Dean/Director or VPESS decisions shall be final after appropriate appeal processes have concluded.

2. Jurisdiction

The MBKU Code shall apply to conduct that occurs on University premises or clinical rotation sites, at University-sponsored activities, and to off-campus conduct that adversely affects the University community. Each student shall be responsible for their conduct and the conduct of their guests, from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end. Additionally, students shall be responsible for conduct that occurs during the academic year as well as during periods between terms of actual enrollment.

The Code shall apply to a student's conduct even if the student withdraws from classes at MBKU after a report was submitted or while a disciplinary matter is pending.

The Code applies at all University locations and any other ancillary educational locations including but not limited to clinical facilities, labs, internships, or rotation sites, when applicable and/or related to MBKU coursework.

3. *Anonymous Material*

The University will consider acting on a case-by-case basis if it receives anonymous material concerning student health, welfare, or safety, or if it is audio/video of a potential student conduct violation.

Verbal, written, or electronic communication forms of anonymous material related to a potential student conduct violation should not be considered for University action.

Anonymous material that threatens the safety of any persons or property at the University, shall be brought to the immediate attention of the President, Director of Campus Safety, and/or any appropriate law enforcement agencies.

4. *Standards of Conduct*

The commission of or attempting to commit a violation of a Standard of Conduct or being an accessory to the commission of an act or attempted act shall be considered a violation of the Standard of Conduct and subject to disciplinary sanctions.

4.1 Academic Dishonesty: cheating, plagiarism, academic negligence, and any other forms of academic dishonesty; misrepresentation or omission of facts or furnishing false information to any University official, faculty member, staff, or office; forgery, alteration or misuse of any University document, record, or instrument of identification.

4.2 Professional Standards Violation: failure to follow the respective Program Professionalism Standards found in respective Handbooks.

4.2 Disruption: interrupting or disrupting an authorized university function or academic activity that impedes the normal continuation of that activity; or interfering with the freedom of movement of any member of the university community, guest, or visitor of the university or impeding or interfering with the rights of any person to enter, use or leave any university facility, or authorized university function or impeding or interfering with the ability of any university official to perform normal functions and duties.

4.3 Harm to Others: Causing physical harm to any person; endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to their health, safety, or welfare; or making an oral or written statement that an objectively reasonable person hearing or reading the statement would interpret as a serious expression or threat of an intent to commit an act of violence to a particular individual or group of individuals.

4.4 Discrimination: Conduct that is based upon an individual's status within a protected class under federal, local, or state law, that has the purpose or effect of unreasonably interfering with an individual's employment, educational access, educational performance or creates an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a University activity.

4.5 Harassment: Unwelcome verbal, non-verbal, graphic, physical, electronic or other conduct that subjects an individual to an intimidating, hostile or offensive educational or employment environment, is based on one or more of the characteristics listed above, and which:

- Denigrates, insults, ridicules, disparages or stereotypes an individual or an individual's conduct, family, friends, habits or lifestyle; and
- Is sufficiently severe, persistent or pervasive and objectively offensive that it limits or interferes with the individual's ability to participate in or benefit from the University's programs or activities.

4.6 Sexual Misconduct: [Refer to other policies](#)

4.7 Hazing: Intentionally, knowingly, or recklessly, for the purposes of initiating admitting or affiliating a student into or with an organization, or for the purpose of continuing or enhancing a student's membership or status in an organization, causing, coercing or forcing a student to do any of the following, regardless of whether such conduct occurs on or off campus.

- Violate federal or state criminal law.
- Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
- Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.

- d. Endure brutality of a mental nature, including actively adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
 - e. Endure brutality of a sexual nature.
 - f. Endure any other activity that creates a reasonable likelihood of bodily injury to the student. It shall not be a defense to a charge of hazing that the student consented to the conduct in question.
- 4.8 Property Violations:** Any of the following conduct with respect to private or public property including, University-controlled property:
- a. theft;
 - b. misappropriation or fraud;
 - c. unauthorized possession, use, sale, duplication, or solicitation of funds
 - d. vandalism- destruction; damage; or conduct that is reasonably likely to cause damage.
- 4.9 Unauthorized Use:**
- a. **Building:** unauthorized entry with or without force into any building, or facility or failure to vacate university facilities at the closing hours or at the request of a university official, unless prior approval is obtained to remain on the premises.
 - b. **Records:** gaining or attempting to gain unauthorized access to university records including but not limited to paper records, computer files or systems.
 - c. **Computers:** gaining use or attempting to gain use of university computers without proper authorization including but not limited to unauthorized: (1) Use of computer and/or data processing equipment; (2) Access to computer systems; (3) Possession of computer software or data; (4) Copying or use of computer software or data; (5) Use of computer accounts; or (6) Use of computer-related equipment.
 - d. **University Name or Logo:** use of the university’s name without the express authorization of the university except to identify institutional affiliation in the authorized manner. University approval or disapproval of any political or social issue may not be stated or implied by an organization; or use of official letterhead stationery, envelopes, logo or seal as part of any publication, correspondence or other printed material without prior submission of the material to, and written permission received from, the appropriate university official(s).
- 4.10 Safety Hazard:**
- a. **Fire:** Any act of arson; falsely reporting a fire, the presence of an explosive or incendiary device, or other emergency; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment.
 - b. **Other:** Any act that creates a safety hazard to others on campus
- 4.11 False Information:** Providing false information to a University official, at a university hearing, or the false reporting of an emergency or violation of this Code of Conduct; or without proper authorization, reproducing, copying, forging, tampering, altering, falsifying, misusing, or attempting to do the foregoing to any record, document, or identification.
- 4.12 Drugs and Paraphernalia:** Using, manufacturing, possessing, distributing, selling, dispensing, or being under the influence of drugs, if prohibited by federal, state, or local law; using, manufacturing, possessing, distributing, or selling drug paraphernalia, if prohibited by federal, state, or local law; using or possessing a prescription drug if the prescription was not issued to the student; or distributing or selling a prescription drug to a person to whom the prescription was not originally issued. Although the State of California allows the private recreational use and possession of small amounts of marijuana for people 21 years of age and older, marijuana is still illegal under federal law.
- 4.13 Alcohol:** knowingly possessing, keeping, consuming, allowing to consume, serving, purchasing, selling, making available to another person or directly providing funding for alcoholic beverages in violation of state or local statutes, ordinances, laws, rules and regulations university rules and regulations.
- 4.14 Weapons:** unauthorized possession or use of any type of firearm, explosive, taser or stun gun, switch blade, knife or sword longer than 2” (besides kitchen knives), or other weapon, or firework. “Weapon” shall mean any instrument, device, substance or item capable of causing or inflicting injury or death and designed or specifically adapted to look like or be used as a weapon or possessed, carried or used as a weapon.
- 4.15 Misuse:**

- a. **Keys/Access Cards:** Possessing, using, or duplicating University keys, University access cards, or University identification cards without authorization from the University.
 - b. **Identification:** refusing to present identification when requested by a university police officer or other university official who identifies her/himself; using or attempting to use any means of identification or other document or card not rightfully issued to the individual; or altering, tampering with or misusing a university identification card or other university-issued means of identification.
- 4.16 Privacy:** Invasion of another person's privacy when that person has a reasonable expectation of privacy including, without limitation, using electronic or other means to make a video or photographic record of any person in a location in which the person has a reasonable expectation of privacy, without the person's knowledge or consent. This includes, but is not limited to, making a video or photographic record of a person in showers, locker rooms, or restrooms. The storing, sharing, and/or distributing of such nonconsensual recordings by any means is also prohibited.
- 4.17 Failure to Respond or Comply:** Failing to respond to a request to report to a University administrative office; failing to comply with a lawful directive of a University employee or other public official acting within the scope of their duties
- 4.18 Policy or Rule:** Violating a University or Program policy or rule including, without limitation, University or Program policies or rules relating to facilities' use, the acceptable use of information technology resources, research misconduct, University libraries, parking or transportation, posting or distribution of materials, University identification card use, and registered student organizations.
- 4.19 Indecent Conduct:** Engaging in lewd, indecent, or obscene conduct, including, without limitation, public exposure of one's sexual organs, public urinating, and public sexual acts.
- 4.20 Violation of Interim Actions or Disciplinary Sanctions:** Violating the terms of a no-contact directive, an interim restriction, a disciplinary sanction, or a condition of re-enrollment imposed by the University.
- 4.21 Violation of Law:** Committing an act that is prohibited by local, state, or federal law.
- 4.22 Retaliation:** MBKU encourages reporting any activity constituting a violation of policy, law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to public health and safety without fear of retaliation. In compliance with federal and state law, this protects individuals from interference when making protected disclosures, and for refusing to take part in any activity that is illegal or in violation of any MBKU policies. Retaliation includes disciplinary or adverse action taken against an individual because they have made a protected disclosure or has participated in an investigation, proceeding, or hearing involving a protected disclosure. Individuals are protected from disciplinary action or other retaliation as a result of disclosing wrongful conduct. Individuals who self-report their own misconduct are not afforded protection by this policy.
- 4.23 Abuse of the Code Process:** Abuse of the student conduct process, including but not limited to: falsification, distortion, or misrepresentation of information under review by the VPSS, the University Conduct Committee, Appellate Officer, and/or other University Conduct Officer; disruption or interference with the orderly conduct of a mediation/conduct meeting/Hearing; attempting to discourage an individual's proper participation in, or use of, the student conduct process; attempting to influence the impartiality of a University Conduct Officer prior to and/or during the conduct meeting/Committee Hearing; harassment (verbal or physical) and/or intimidation of a University Conduct Officer prior to, during and/or after a conduct meeting/Committee Hearing; influencing or attempting to influence another person to commit an abuse of the student conduct process; and retaliation against any person submitting a complaint of any alleged policy violation or against any person cooperating in the fact-finding (including testifying as a witness) of any alleged violation of this Code.

5. Intersection with Criminal Law

MBKU student conduct proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court of criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the VPSS. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal charges arising from the same factual circumstances as the

alleged University rules/regulations violation were dismissed, reduced, or resolved in favor of or against the Respondent/Defendant.

When a student is charged by federal, state, or local authorities with a violation of law, MBKU shall not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the Code, MBKU may advise off-campus authorities of the existence of the Code and of how such matters are typically handled through the University student conduct process. MBKU shall attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

E. Student Conduct Process

1. Reporting Misconduct

- a. Any member of the public or University community may report a complaint against a student for alleged misbehavior. Different types of reports have different reporting processes including:
 - Emergency/Urgent/Immediate safety situation – Campus Safety (714-992-7892)
 - Title IX (discrimination/harassment/sexual misconduct involving student or employee) – TitleIX@ketchum.edu (See [Section I](#) of this document for more information)
 - Student Code of Conduct Violation – Enrollment and Student Services – StudentAffairs@ketchum.edu
 - University Policy Violation – Enrollment and Student Services – StudentAffairs@ketchum.edu
 - Complaint against a Program Policy – Program Dean/Director, or designee
 - Employee as Respondent (non-Title IX) – Human Resources - HumanResources@ketchum.edu
 - General Concern for student or employee wellbeing – [Report a Concern Form](#)
 - Unsure – Enrollment and Student Services – StudentAffairs@ketchum.edu
- b. Each complaint and conduct process is unique and may not always follow this outline precisely. All conduct processes shall begin under the assumption that the Respondent has not violated Program or University policy.

2. Program Administrative Process

If a complaint about a potential violation(s) of the Code are reported to a designated Program administrator, the administrator either:

- a. Speaks to the student directly to talk about the incident (no sanctions); OR

Forwards the complaint/report to the Enrollment and Student Services Conduct Officer (initiating the [University Conduct Process](#)). Unofficial Program administrative procedures should only be utilized with simple, non-serious incidents where it would not be reasonably appropriate to provide sanctions after a first offense. Program administrators may not sanction students.

Any and all other reports should be forwarded to the University Conduct Process.

3. University Conduct Committee (UCC)

All cases involving sexual misconduct and/or harassment/discrimination shall be forwarded to the MBKU Title IX Office for resolution. ([See Prohibited Discrimination, Unlawful Harassment and Sexual Misconduct Policy.](#))

- a. Composition – Managed by Enrollment and Student Services, the University Conduct Committee (UCC) shall be a University-wide standing committee comprised of nine faculty, and administrators from all University Programs. Each summer, the Program Dean/Director submits the names of three faculty and/or administrators within their Program to serve on the Committee. These individuals may serve on the UCC for any

- number of years. Once selected, UCC members are trained on the Fair Hearing and University Student Conduct process.
- b. Scope - The UCC shall conduct Fair Hearings or hear on matters involving scenarios in which:
 - o the student accepts responsibility but does not agree/accept the sanctions given by the University Conduct Officer (UCO);
 - o the student denies responsibility but is found to have violated the Code by the UCO;
 - o serious sanctions may be required (e.g., suspension or separation from the University) or cases serious in nature, involve complicated facts and/or involve students/groups with previous disciplinary violations; OR
 - o the student requests a UCC hearing.
 - ❖ For matters in which individuals pose a danger to themselves, others, or the immediate well-being of the University community, the “Medical Leave Policy” shall be followed, including the possibility of separation from the University.
 - c. Participation - If a need arises for a UCC Fair Hearing, the nine individuals shall be contacted to participate and 2-4 will be selected based on availability. The VPES (and/or designee) shall serve as Committee Chair by facilitating the hearing, ensuring due process, and performing interviews and administrative functions. UCC policies and procedures are outlined in the Conduct Committee Handbook. This document is maintained by Enrollment and Student Services.
 - d. Initial Assumption - All UCC Fair Hearing processes shall be operated under the initial assumption that the Respondent has not violated University/Program policy.

4. University Conduct Process

Every complaint and conduct process are unique and may not always follow the exact process below. However, this process is intended to provide general guidance in resolution of potential Code violations.

- a. **Complaint Intake** – The University Conduct Process will initiate either by transfer of complaint from a Program administrator, or by direct intake. The University Conduct Officer (UCO) will ensure appropriate intake of complaint, determine basic validity of complaint (is/is not a potential violation of the Code), review/edit case file, and prepare for next steps.
 - i. The UCO will determine if Support Measures may be required due to concerns for the personal safety, health, well-being, or fear of confrontation by involved parties while the case is being investigated. Support Measures include, but are not limited to:
 - 1) No Contact Orders
 - 2) Campus Safety presence at meetings
 - 3) Temporary schedule adjustments
 - 4) Brief removal from class or campus
 - 5) Interim Suspension – Outlined below
- b. **Initial Investigation** – The UCO shall conduct an initial investigation, including appropriate interviews with complainants and/or respondents, consideration of relevant materials, presentation of initial charge letter (subject to change based on circumstances of case) and review of next steps of process.
 - i. If respondent admits and accepts responsibility, the UCO may resolve with consideration of the admission.
 - ii. If respondent denies responsibility, or if the situation is serious, complex, or involves repeat offenses, UCC will convene, conduct training review with UCC, and begin formal investigation
- c. **Formal Investigation** – In consultation with the UCC, UCO will conduct a formal investigation into the allegation.
 - i. If requested by respondent, UCO will provide relevant details related to initial complaint to inform respondent statement, or potential witnesses to rebut charges.

- ii. Initiate appropriate interviews with witnesses, or other related parties
 - iii. Collect and organize relevant information and materials, which may include information from interviews, past conduct cases, respondent statement, etc.
 - iv. Review, update, and present charge elements in Notice of Fair Hearing to respondent (in person when possible, or by electronic means if necessary) and answer any relevant questions. If charges change significantly from initial Notification of Charges, respondent will have opportunity to respond to new charges. Additionally, throughout the course of the Fair Hearing, new information may necessitate further modifications of the charges and the respondent will be notified accordingly and provided an opportunity to respond.
 - v. Provide respondent with information regarding expectations and responsibilities related to Fair Hearing process. See below.
 - vi. At the conclusion of the investigation, the UCO may prepare a written investigative report of the findings of the investigation. The investigative report may include an assessment of the credibility of persons interviewed during the investigation and an assessment of whether it is more likely than not that the Respondent violated the Code or other policy.
- d. **Fair Hearing** – Fair Hearings shall be conducted using the following guidelines:
- i. The intent of Hearings is to use an educational perspective to provide a fair, efficient, and private process to determine if a student has violated the Code, what level of responsibility the student must take, and what consequences the student must accept in order to mitigate the impact on the community. The burden rests with the University to prove that a violation occurred.
 - ii. In cases involving more than one respondent, the UCC shall conduct separate Hearings to determine the responsibility of each student.
 - iii. Hearings shall be scheduled at the convenience of the VPES, in consultation with the UCC. All efforts shall be made to schedule the Hearing as soon as possible. Respondents may be excused from educational activities for Hearings but will still be held responsible for any missed work/hours.
 - iv. If Respondents wish to have witnesses, relevant information, or a support person present/considered at the Hearing, the respondent must notify the VPES no less 72 hours prior to the hearing to verify and schedule. The student support person may not actively participate in the Hearing but may consult with their student if they have questions/concerns.
 - v. The VPES, in their sole discretion, shall determine which information is relevant given the report and/or the facts and circumstances and will notify the respondent appropriately.
 - vi. After all relevant information, materials, witnesses, and statements are heard, the UCC shall consider if there is a preponderance of the evidence that the respondent more likely than not violated the Code as charged. Then the UCO will inform the respondent through a Notification of Findings letter outlined below.
 - 1) **Notification of Findings** – Once the UCC reaches a decision on the question of responsibility, the UCO will notify University President, and Program Dean/Director, then deliver the Findings to the student in person, if possible, and sent via University e-mail in order to provide additional information, support and resources, or answer any relevant questions.
 - 2) **Potential Findings:**
 - If the UCC finds, through the Hearing process, that the charges require further modification, the Findings may indicate such. If charges change significantly from the Notification of Fair Hearing, respondent will have 3 business days to respond to new charges.
 - If the respondent is found not responsible, then the Notification of Findings indicates the case is dismissed and closed.
 - If the respondent is found more likely than not responsible for one or more violations, the Findings will indicate the charges they are responsible for, include sanctions and reference to the appeal process of the finding.

- e. **Failure to Attend** – If the Respondent fails to attend a conduct meeting or Hearing, then the Respondent waives all rights to a Hearing. The UCO or UCC may:
 - i. Proceed with the Hearing without the respondent; AND/OR
 - ii. Automatically find the respondent responsible and issue sanctions
- f. **Sanctions** – Possible sanctions are outlined below. In most cases, sanctions will be effective immediately upon receipt of Findings. However, in some cases they will be effective when possible, or following an appeal process.
 - Appropriate academic penalties for students will be determined by the faculty (i.e., zero score for an exam if student is found responsible for cheating).
- g. **Appeals** – When a UCO or the UCC reaches a Finding regarding the Code, it is important for both the respondent and complainant to understand their options and procedures for appealing the Finding. UCC Appeals are described in detail below.
- h. **Authority** – A student’s Program Dean/Director shall serve as the Appellate Officer (AO) for all cases or shall assign an appropriate AO to the case. The AO shall have the sole authority to determine whether an appeal warrants further review. An appeal that has been declined by the AO is considered a final and binding decision. An appeal that has been accepted for review (meets one, or more criteria below) shall be limited to a review of all supporting case documents, the verbatim recording of the Committee Hearing, and only new information specifically related to the appeal criteria (if applicable). The AO may request (electronic) written clarification from appropriate parties to inform their decision on the appeal request.
- i. **Criteria** – Appeals based solely on disagreement with the outcome and/or sanction(s) shall not be accepted. Any attempt to appeal must clearly demonstrate one (or more) of four criteria:
 - i. There was a material deviation from written procedures that jeopardized the fairness of the process;
 - ii. There is new information that was unavailable at the time of the Hearing, which could have resulted in a different outcome;
 - iii. There was a demonstrable bias by the UCO, UCC, or VPES;
 - iv. The sanctions were substantially disproportionate to the severity of the violations, given the facts and relevant information.
- j. **Timeline** – The eligible appealing party may submit an appeal within three (3) business days of the Finding being issued. Such appeals shall be in writing (electronic or paper) and must be delivered to the VPES, who will ensure it is promptly delivered to the appropriate Appellate Officer. If applicable, the VPES may share the appeal with the non-appealing party directly involved with the case for possible counter-appeal.
- k. **Counter-Appeal** – If applicable, the non-appealing party directly involved with the case may provide a response to the appeal. The non-appealing party shall have one (1) business day from the notification of appeal to submit a response (electronic or paper) to the VPES, who will ensure it is promptly delivered to the appropriate AO. If no response by the non-appealing party is submitted, the AO shall make a final determination on the information provided by the appealing party.
- l. **Valid Appeal** – If an appeal is deemed valid by the AO (addresses one of the outlined criteria above), the AO shall only consider information related to that criteria for the appeal to reach a decision on next steps. Decisions of the AO on next steps will fall into one, or more, of four outcomes related to each of the required criteria for appeal:
 - i. Convene a University Conduct Committee consisting of all new members to conduct a new Fair Hearing and re-notice the student in accordance with the UCC procedures outlined above.
 - ii. Consider the new information presented and make the final determination and sanctions, if applicable.
 - iii. Depending on which party is identified, convene a University Conduct Committee consisting of all new members to conduct a new Fair Hearing, or a new UCO to

manage and review the specific components deemed inappropriate with the UCC. The UCC may issue new Findings based on revised process.

- iv. AO will adjust sanctions to be proportionate to the severity of the violation.

NOTE: The decision of the AO, when made in any circumstances listed above, shall be final and binding upon all involved.

- m. **Close of Case** – There shall be a single verbatim record of all student conduct Hearings. Digital recordings of interviews shall be the property of the University. These recordings will only be maintained until the appeal process has concluded or as deemed necessary by the University. Upon conclusion of the Appeals process, the entire case file shall then be stored with the University’s disciplinary records. These records are kept separate from the student’s academic record. While FERPA requires that students be provided the opportunity to “inspect and review” their record, the University is not required, nor shall it, provide a copy of the record to the student. Per University policy Disciplinary records are destroyed immediately after graduation. Please see the [Records Retention Policy](#) for details.
- n. **Conclusion** – At the conclusion of the UCC Process, the involved MBKU administrators shall evaluate the matter for actions that may be taken to improve University practices.

5. Sanctions

These sanctions are available to appropriate University Conduct Officers or the UCC to apply to any student found responsible for violating University or Program policy. Program Administrators may not give sanctions to students (refer to [Program Administration Process](#)). However, some are reserved specifically for UCC processes or student organizations as indicated below.

Disciplinary sanctions should be consistent with the impact of the offense on the University community shall be imposed. Progressive discipline principles shall be followed in that the student’s conduct history at MBKU (and any other institution, if applicable) shall be considered, along with any other relevant information while determining sanctions. All sanctions will have a designated time frame for their duration, or in which they must be completed.

Academic standards shall continue to be established and administered by each Program, including Academic Probation and Academic Dismissal. Please see the respective Program Handbook for more information.

Disciplinary action taken against a student may include one or more of the following:

- a. **Mediation/Restorative Justice** – A voluntary and confidential process where a neutral third-party facilitator helps two or more people in conflict have a constructive conversation to resolve issues, repair harm and improve relationships.
- b. **Written Warning** – A notice in writing to the student that the student is violating or has violated University policy and a copy of the warning letter is placed in the student’s conduct file (notation in their disciplinary record).
- c. **Administrator Conferences** – Required meeting(s) with Program/University administrators to discuss behaviors and plan(s) for improvement.
- d. **Professional Probation** – Places students at a higher risk of more severe disciplinary sanctions if the student is found to violate any University policy during the probationary period. Any MBKU student on Professional Probation may not participate in leadership roles on campus, including federal work-study positions. Temporarily noted on the student transcript.
- e. **Academic Penalties** – Including but not limited to grading penalties and academic misconduct transcript notations.
- f. **Loss of Privileges** – Denial of specified privileges.
- g. **Restitution** – Compensation for loss, damage, or injury. This may take the form of appropriate service, monetary, or material replacement.
- h. **Educational/Developmental Sanctions** – Work assignments, essays, service to MBKU, community service or other related discretionary or educational assignments.
- i. **Supportive Measures**: Must be approved by VPES and may include, MBKU No Contact Orders/No unnecessary contact between the Respondent and the Complainant, victims,

survivors, witnesses or other individuals, Interim Suspension (see below) or other supportive measures.

- j. Interim Suspension - In certain elevated circumstances, the VPESSE may impose an interim suspension prior to a conduct meeting. The University President shall be informed prior to notifying the student.

Interim suspension may only be imposed in one of the following circumstances:

- i. To ensure the safety and well-being of members of the University community or preservation of University property
- ii. To ensure the student's own physical or emotional safety and well-being
- iii. If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
 - 1) Interim suspension shall take effect immediately and last for no more than ten (10) business days. The 10-day period may be extended for good cause by the VPESSE or by agreement with the Respondent.
 - 2) The Respondent may challenge an imposed interim suspension in writing within two business days. The challenge shall be sent to the Program Dean/Director, who will inform the VPESSE of receipt.
 - 3) The Dean/Director shall render a final decision
 - 4) During the interim suspension, the Respondent shall be denied access to campus and/or all other University activities or privileges for which the student might otherwise be eligible, as the VPESSE may determine to be appropriate.
 - 5) The interim suspension does not replace the regular Conduct Committee process, which shall proceed on the normal schedule, up to and including the completion of the Hearing, submission of sanctions (if any), and if required, may include appeal processes (if any).

Sanctions ONLY available to the University Conduct Committee

Given the serious nature of these sanctions, the following standards apply to all of them:

- a. University President informed prior to receipt of Notification of Findings
 - i. Suspension – Separation of the student from the University for a definite period after which the student shall be eligible to return without reapplying. Conditions for return may be specified. Based on the UCC's decision, Suspensions may be effective immediately or deferred, pending an appeal process. Temporarily noted on the student transcript.
 - ii. Dismissal – Separation of the student from the University for a definite period after which the student shall be eligible to reapply for admission. Based on the UCC's decision, Dismissals may be effective immediately, or pending an appeal process. Permanently noted on the student transcript.
 - iii. Expulsion – Separation of the student from the University permanently. Based on the UCC's decision, Expulsions shall be effective immediately, or pending an appeal process. Permanently noted on the student transcript.

Sanctions available to be imposed upon recognized MBKU student organizations:

- a. Those sanctions listed above.
- b. Loss of selected privileges for a specified period
- c. Suspension of recognition
- d. Loss of recognition

F. Definitions Applicable to the Code of Conduct

To better understand the Code, it is important to have an agreed upon set of terms and concepts that in a different setting might have various definitions. This list is not exhaustive but is meant to provide a general understanding of many concepts discussed throughout this document.

1. **Academic negligence** - Unknowingly or unintentionally claiming credit for the work or effort of another person, or unknowingly or unintentionally gaining (or causing another to gain) an unfair academic advantage.

2. **Anonymous Material** - Verbal, written, or electronic communication or audio/video recording with information regarding student behavior with no ability to determine authorship.
3. **Assault** - Intentionally, knowingly, or recklessly causing bodily injury to another person. In this context, bodily injury - physical pain, illness, or any impairment of physical condition.
4. **Bullying** - Any written, verbal, graphic or physical act that a student exhibits toward another student; and the behavior causes mental or physical harm to the other student; and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student.
5. **Cheating** - An act of academic dishonesty and includes, but is not limited to:
 - a. use of any unauthorized assistance in taking quizzes, tests, or examinations
 - b. use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments
 - c. the acquisition, without permission, of tests or other academic material belonging to a member of the MBKU faculty, staff, or student
 - d. engaging in any academic behavior specifically prohibited by a faculty member in the course syllabus or class/clinic discussion.
6. **Code** - MBKU Student Code of Conduct.
7. **Coercion** - Intentionally compelling or inducing another person to: engage in conduct from which another has a legal right to abstain, or to abstain from conduct in which another has a legal right to engage, by threatening by words or conduct to take some negative action that may impact the other person.
8. **Complainant** - Any person who submits a report/complaint alleging that a student violated a University or Program policy. When a student believes that they have been a victim of another student's misconduct, the student who believes they have been a victim will have the same rights under this Code as are provided to the Complainant, even if someone else filed the complaint.
9. **Consent** - An affirmative, conscious, and voluntary agreement to engage in agreed upon forms of sexual contact as consistent with California State Law. A person cannot give consent if the person is under the age of 18; if the person is developmentally or intellectually disabled; if the person is mentally incapacitated; or physically helpless or under the influence of alcohol and/or other drugs. An individual's intoxication is never an excuse for or a defense to committing sexual or gender-based harassment, sexual assault, sexual exploitation, or sexual violence. Lack of protest or resistance and silence cannot be interpreted as consent. Consent must be ongoing throughout any sexual contact and may be revoked at any time. The existence of a dating relationship, domestic partnership or marriage between the persons involved or the existence of past sexual relations between the persons involved, is never by itself an indicator of consent.
10. **Dating violence** - Physical, sexual, emotional, financial or psychological abuse or threats of abuse against another person who is or has been in a social relationship of a romantic or intimate nature with the alleged abuser; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
11. **Domestic violence**- Physical, sexual, emotional, financial, or psychological abuse or threats of abuse against another person who is a family or household members. For purposes of this definition, the term household member is a cohabitant who is or was a spouse or intimate partner, or relative.
12. **Faculty member** - Any person hired by MBKU to conduct classroom/clinic or teaching activities or who is otherwise considered by MBKU to be a member of its faculty.
13. **Force** - Physical contact, violence, threat, intimidation, or coercion.
14. **Harassment** - Conduct that is so severe, pervasive and objectively offensive that it unreasonably interferes with a person's academic performance or participation in University programs or activities and creates a learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive. The conduct does not have to be threatening and may include deliberate and persistent communication that unreasonably disturbs the recipient.

- 15. Incapacitation or Incapacitated** - A mental or physical state in which a person lacks the ability to understand the consequences of their actions and, therefore, cannot make a rational, reasonable decision. An individual who is incapacitated is unable to give consent. States of incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent.
- 16. MBKU Official** - Any person employed by MBKU, performing their assigned administrative or professional responsibilities.
- 17. MBKU premises** - All land, buildings, facilities, and other property in the possession of, owned, used, or controlled by the University. University vehicles are always covered by this policy regardless of whether they are on University premises or not.
- 18. Physical abuse** - The non-accidental infliction of physical or bodily injury, pain or impairment, including but not limited to hitting, slapping, causing burns or bruises, poisoning or improper physical restraint; or causing physical injuries that are not justifiably explained or where the history given for an injury is at variance with the degree or type of injury.
- 19. Plagiarism** - An act of academic dishonesty and includes, but is not limited to, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of academic materials.
- 20. Policy** - The written regulations of MBKU as found in, but not limited to, its Bylaws of the Board of Trustees, its Administrative Procedures, the Student Code of Conduct, the Student Rights and Responsibilities, University and Program Handbooks, and University Catalog.
- 21. Respondent** - Any person who has been notified of admission to MBKU, through to completion of their Program Requirements or upon dismissal, against whom a report has been filed alleging a potential violation of the Code.
- 22. Retaliation** - Adverse action threatened or taken against a Complainant, Victim, Respondent or third party related to a Conduct Process.
- 23. Sexual assault** - The act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger. Such contact is unwanted if:
 - a. Any individual involved does not provide consent.
 - b. Any of the individuals are incapacitated or otherwise incapable of giving consent.
- 24. Sexual contact** - intentional touching or penetration of another person's clothed or unclothed body, including, but not limited to, the mouth, neck, buttocks, anus, genitalia or breast, by another with any part of the body or any object in a sexual manner. Sexual contact also includes causing another person to touch their own or another body in the manner described above.
- 25. Sexual exploitation** - Violating the sexual privacy of another, or taking unjust or abusive sexual advantage of another, without consent (as defined above), and when such behavior does not otherwise constitute sexual assault.
- 26. Sexual harassment** - Unwelcome or uninvited verbal, electronic or physical behavior (either directly or indirectly when others are aware of it) of a sexual or gendered nature, and often intended to exert power or authority over another.
- 27. Sexual intercourse** - Anal, oral, or vaginal penetration of a sexual nature.
- 28. Stalking** - Two or more acts of unwanted or harassing behavior, directed at a specific person that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating, or abusive environment. The conduct must be both objectively and subjectively perceived as hostile, intimidating, or abusive. That is, the reporting party must view the conduct as hostile, intimidating or abusive, and a reasonable person with the same fundamental characteristics as the reporting party (e.g., actual or perceived sex, age, race, gender, sexual orientation, and gender identity or gender expression) must also view the conduct as hostile, intimidating or abusive if they were in similar circumstances. Stalking may include, but is not limited to, situations occurring in person or through mail, electronic mail, text messaging, instant messaging, telephone, facsimile, social media websites or other internet communications, for several days or for many years.
- 29. Student** - Any person admitted to MBKU, and until they become permanently dis-enrolled, have completed program requirements for graduation, or are dismissed.

30. **Under the influence** - A person who has ingested an intoxicant which has impaired the person's normal mental functioning or ability to guard against casualty. Examples of individuals under the influence include, but are not limited to slurred speech, lack of coordination and the smell of alcohol or marijuana on the student that is coupled with unusual behavior of the student in general.
31. **University or MBKU** - Marshall B. Ketchum University.
32. **University Conduct Officer (UCO)** - A University employee authorized by the President to collect reports, investigate, decide, and deliver sanctions related to alleged student misconduct. This person oversees the University Conduct Process, and University Conduct Committee Fair Hearing.
33. **Weapon** - Includes but is not limited to: a firearm, Taser, stun gun, explosives, any bladed knife (regardless of length or size) and any other dangerous or deadly weapon or instrument, or common object used in a threatening/dangerous manner.

G. Interpretation & Revision

Any question of interpretation or application of the Code shall be referred to the VPES in appellate cases for a final determination. The Code shall be reviewed and may be updated regularly by the VPES. Changes, when made, shall be effective immediately. Students will be notified of updates during the year via email notification. A copy of MBKU's most current Code will be made available online.

H. Title IX: Sexual Harassment and Non-Discrimination Policy

Note: This policy will be updated following a release of the new Title IX rules expected in May of 2023. The updated policy will be distributed to the MBKU community via email.

1. Section 1: Introduction

- 1.1 **Policy Statement:** Marshall B. Ketchum University (MBKU) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, Clery Act, and the Violence Against Women Act (VAWA). Sexual Harassment and Retaliation under this Policy will not be tolerated by MBKU and is grounds for disciplinary action, up to and including, permanent dismissal from MBKU and/or termination of employment.
- 1.2 **Purpose:** MBKU takes all reported sexual misconduct and harassment seriously. MBKU will promptly discipline any individuals within its control who are found responsible for violating this Policy. Additionally, reported sexual misconduct and harassment that does not meet the definitions and jurisdiction of this Policy will be referred for review to the Vice President for Enrollment and Student Services (VPES) if allegedly committed by a student or the Vice President for Human Resources (VPHR) if allegedly committed by an employee under the respective Code of Conduct in compliance with VAWA and Clery Act.
- 1.3 **Applicability:** This Policy applies to students and employees as follows:
 - 1.3.1 **To Students:** Where the Respondent is a student at MBKU at the time of the alleged conduct, the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in MBKU's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in MBKU's Education Program or Activity.
 - 1.3.2 **To Employees:** Where the Respondent is an employee at MBKU at the time of the alleged conduct, where the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in MBKU's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in MBKU's Education Program or Activity.

- 1.4 Title IX Coordinator and Key Title IX Officials:** The Title IX Coordinator is the MBKU administrator who oversees MBKU’s compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain MBKU policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

Any member of the MBKU community may contact the Title IX Coordinator with questions. Title IX Coordinator and Deputy Title IX Coordinator contact information is as follows:

Carmen Barnhardt, OD, MS Ed

Title IX Coordinator
Vice President for Enrollment and Student Services
2575 Yorba Linda Blvd.
Fullerton, CA 92831
TitleIX@ketchum.edu | 714-449-7423
Website: <https://www.ketchum.edu/student-life/title-ix>
Reporting Form (accessible after login): <https://my.ketchum.edu/ICS/>

Wende Holtzen, MS, SPHR, SHRM-SCP

Title IX Deputy for Employees
Vice President for Human Resources
2575 Yorba Linda Blvd.
Fullerton, CA 92831
TitleIX@ketchum.edu | 714-449-7459

Ashley White, MA, MS

Title IX Investigator
Director of University Student Affairs
2575 Yorba Linda Blvd.
Fullerton, CA 92831
TitleIX@ketchum.edu | 714-449-7414

Akiko Shiratsuchi

Title IX Support Coordinator for Employees
Senior Human Resources Generalist
2575 Yorba Linda Blvd.
Fullerton, CA 92831
TitleIX@ketchum.edu | 714-463-7538

In addition to the Title IX Coordinator, MBKU appoints investigators, decision makers and informal resolution facilitators who have roles in the formal grievance process more fully explained in Sections six (6) through nine (9) of this policy.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of Formal Complaints of Sexual Harassment. All materials used to train these administrators will be publicly made available on MBKU’s website in accordance with Title IX requirements.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

- 1.5 Notification:** MBKU will use University electronic mail (email) for purposes of communication and notification under this Policy.

- 1.6 Free Speech:** Freedom of speech and principles of academic freedom are central to the mission of institutions of higher education. Constitutionally protected expression cannot be considered Sexual Harassment under this Policy.
 - 1.7 Dissemination of Policy:** This Policy will be made available to all MBKU administrators, faculty, staff, and students online at www.ketchum.edu, in the MBKU Student Handbook and the MBKU Employee Handbook.
 - 1.8 Effective Date:** The effective date of this Policy is August 14, 2020.
 - 1.9 Retaliation and False Statements Prohibited:** Neither MBKU nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.
 - 1.9.1** Alleged violations of Retaliation will be referred to the VPES or VPHR to be investigated and resolved under the respective [Code of Conduct](#).
 - 1.9.2** The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.
 - 1.9.3** Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith during a grievance proceeding under this Policy does not constitute Retaliation prohibited under Policy. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.
 - 1.10 Amnesty:** Reporting Sexual Harassment is encouraged at MBKU. Thus, it is imperative that Complainants and witnesses share information without fear of potential consequences for minor policy violations including, but not limited to, underage consumption of alcohol or the use of illicit drugs. MBKU offers parties and witnesses amnesty from such minor violations but may include educational opportunities for individuals in lieu of a finding of responsibility or punitive sanctions.
 - 1.11 Other University Policies:** This Policy takes precedence over other University policies and procedures concerning Sexual Harassment under Title IX in the event of a conflict.
 - 1.12 Modification and Review of this Policy:** MBKU reserves the right to modify this Policy to consider applicable legal requirements. MBKU will regularly review this Policy to determine whether modifications should be made.
 - 1.13 Additional Code of Conduct Violations:** Alleged violations of the student or employee Code of Conduct that rise from the same events as alleged Sexual Misconduct under this Policy will be investigated and resolved under the grievance process in this Policy unless the Sexual Harassment has been dismissed under Section 5.2 of this Policy.
- 2. Section 2: Definitions**
- 2.1 Definitions of Prohibited Conduct Under this Policy¹**
 - 2.1.1 Sexual Harassment** means conduct based on sex that satisfies one or more of the following:
 - 2.1.1.1** An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (Quid Pro Quo);

¹ See Appendix 1 for reference to California state law definitions that may apply to the definitions contained within this Policy.

2.1.1.2 Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity²; or

2.1.1.3 Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in this Policy.

2.1.2 **Sexual Assault** means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including Rape, Fondling, Incest, and Statutory Rape as defined in this Policy.

2.1.3 **Rape**³ means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.

2.1.4 **Fondling**⁴ means the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental Incapacity.

2.1.5 **Incest**⁵ means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

2.1.6 **Statutory Rape**⁶ means sexual intercourse with a person who is under the statutory age of Consent.

2.1.7 Dating Violence means violence committed by a person –

2.1.7.1 who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.1.7.2 where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

2.1.8 **Domestic Violence** includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse or intimate partner of the victim,

² A severe, pervasive, and objectively offensive assessment includes, but is not limited to, a consideration of the frequency of the offensive conduct, the nature of the unwelcome sexual acts or words, such as whether the harassment was physical, verbal or both; whether the harassment was merely an offensive utterance; and the number of victims involved and the relationship between the parties including, but not limited to, the ages of the harasser and the victim. In evaluating whether conduct is severe, pervasive, and objectively offensive, MBKU will look at the totality of the circumstances, expectations, and relationships.

³ Rape as defined in the Uniform Crime Reporting Program (UCR) includes:

Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: –To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity. [Back to Title Page](#)

⁴ Fondling is referred to as Forcible Fondling in the UCR.

⁵ Incest is a Nonforcible Offense in the UCR.

⁶ Statutory Rape is a Nonforcible Offense in the UCR.

- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

2.1.9 Stalking means engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person to—

- fear for his or her safety or the safety of others; or
- suffer Substantial Emotional Distress.

2.2 Definitions Related to Sexual Harassment: Consent, Course of Conduct, Incapacitation, Reasonable Person, Substantial Emotional Distress

2.2.1 Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of each person 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 Complainant and Respondent will 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 will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the decision-maker will consider all the facts and circumstances the Respondent knew, or reasonably should have known, at the time. In particular, the Respondent's belief is not a valid defense where:

2.2.1.1 The Respondent's belief arose from the Respondent's own intoxication or recklessness;

2.2.1.2 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

2.2.1.3 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
- unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication
- unable to communicate due to a mental or physical condition.

2.2.2 Course of Conduct means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

2.2.3 Incapacitation means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of alcohol or other drugs such that the person does not have control over their body, is unaware that sexual activity is occurring, or their mental, physical or developmental abilities render them incapable of making rational informed decisions. Incapacitated is a state beyond drunkenness or

intoxication. A person is not necessarily incapacitated merely because of drinking, using drugs, or taking medication.

A person violates this policy when they engage in sexual activity with another person who is Incapacitated and a Reasonable Person in the same situation would have known that the person is Incapacitated. Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

2.2.4 Reasonable Person means a reasonable person under similar circumstances and with similar identities to the victim.

2.2.5 Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

2.3 Other Defined Terms

2.3.1 Actual Knowledge means Notice of Sexual Harassment allegations to the Title IX Coordinator or any Official with Authority, except that actual knowledge is not met when the only individual with actual knowledge is the Respondent.

2.3.2 Business Day means any weekday not designated by MBKU as a holiday or administrative closure day. When calculating a period of Business Days specified in this Policy, the Business Day of the event that triggers a time period is excluded.

2.3.3 Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as “parties” throughout this Policy.

2.3.4 Confidential Employee means an individual who will not report any information about an incident to the Title IX Coordinator without the Complainant’s permission.

2.3.5 Disciplinary Sanctions are imposed only after a finding of responsibility through the grievance process or an agreement through the informal resolution process.

2.3.6 Education Program or Activity includes locations, events, or circumstances over which MBKU exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs. This includes conduct that occurs on MBKU property, during any MBKU activity, or in any building owned or controlled by a student organization that is officially recognized by MBKU.

2.3.7 Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that MBKU investigate the allegation of Sexual Harassment.

2.3.8 Official with Authority means an individual who has the authority to institute corrective measures and is required to report Sexual Harassment to the Title IX Coordinator to initiate MBKU’s response to the Sexual Harassment allegations. Officials with Authority are limited to the following positions at MBKU, Title IX Coordinator and Deputy Title IX Coordinators.

2.3.9 Remedies are designed to restore or preserve equal access to MBKU’s Education Program or Activity. Remedies may include but are not limited to the same individualized services as Supportive Measures; however, Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

- 2.3.10 Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as “parties” throughout this Policy.
- 2.3.11 Retaliation** means intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Policy.
- 2.3.12 Supportive Measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Such measures are designed to restore or preserve equal access to MBKU’s Education Programs or Activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or MBKU’s educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

3. Section 3: Reporting Sexual Harassment and Preservation of Evidence

3.1 Reporting to MBKU

- 3.1.1 Reporting to Title IX Coordinator:** Reports of Sexual Harassment may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, online form, mail. Reports may be made to the Title IX Coordinator in person at 2575 Yorba Linda Blvd during normal business hours. After Title IX Sexual Harassment has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the Sexual Harassment.
- 3.1.2 Reporting to Officials with Authority:** The following positions are Officials with Authority: Title IX Coordinator, Deputy Title IX Coordinators, Title IX Investigator, and Title IX Support Coordinators. If they are notified of Sexual Harassment, they will promptly report such Sexual Harassment to the Title IX Coordinator.
- 3.1.3 Reporting to Confidential Employees:** The Director of University Student Counseling serves as a Confidential Employee. Reports made to Confidential Employees are considered confidential reports and will not be reported to the Title IX Coordinator without the Complainant’s permission and will not constitute actual notice to MBKU.

Alyse Kirschen, PhD
Director of University Student Counseling Services
2575 Yorba Linda Blvd.
Fullerton, CA 92831
Main Campus, F112
AKirschen@ketchum.edu | 714-595-9700

- 3.1.4 Notification to all other MBKU Employees:** Employees who are not defined as Officials with Authority or Confidential Employees may but are not required to report Sexual Harassment to the Title IX Coordinator.

- 3.1.5 Anonymous Reporting:** Anonymous reports may be made by telephone, in writing or [electronically](#) (sign-in required) with Title IX Coordinator. A decision to remain anonymous, however, may greatly limit MBKU’s ability to stop the alleged conduct, collect evidence, or act against parties accused of violating this Policy.
- 3.2 Reporting to Law Enforcement:** Reports may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from MBKU investigations.
- | | |
|-----------------------------|--------------|
| Fullerton Police Department | 714-738-6800 |
| Placentia Police Department | 714-993-8164 |
| Anaheim Police Department | 714-765-1900 |
| Brea Police Department | 714-990-7625 |
- 3.3 Reporting to Outside Agencies:** Students and employees may report to external agencies:
- **Students**
Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
San Francisco, CA 94102
Telephone: 415-486-5555
Facsimile: 415-486-5570
Email: OCR.SanFrancisco@ed.gov

Office for Civil Rights
U.S. Department of Health and Human Services
90 70th Street, Suite 4-100
San Francisco, CA 94103
Telephone: 800-368-1019
Facsimile: 202-619-3818
Email: ocrmail@hhs.gov
 - **Employees**
U.S. Equal Employment Opportunity Commission
California Workforce Commission
Roybal Federal Building
255 East Temple St., 4th Floor
Los Angeles, CA 90012
Telephone: 1-800-669-4000
Facsimile: 213-894-1118
info@eeoc.gov
- 3.4 Outside Agency Support and Resources:**
- | | |
|------------------------------------|------------------------------|
| Sexual Assault Victim Services | 714-834-4317 |
| Rape Crisis Hotline | 714-957-2737 |
| OC Domestic Violence Hotline | 714-992-1931 or 800-799-7233 |
| Legal Aid Society of Orange County | 714-835-8806 |
- 3.5 Local Emergency Facilities**
- St. Jude Medical Center** - 714-871-3280
101 E Valencia Mesa Drive
Fullerton, CA 92835
- Placentia Linda Hospital** - 714-993-2000
1301 N Rose Drive
Placentia, CA 92870
- Kaiser Permanente** - 714-644-2000
3430 E La Palma Avenue
Anaheim, CA 92806
- 3.6 Time Limits on Reporting:** There are no time limits on reporting Sexual Harassment to the Title IX Coordinator or MBKU. If the Respondent is no longer

subject to MBKU's Education Program or Activity or significant time has passed, MBKU will have limited ability to investigate, respond and/or provide disciplinary remedies and sanctions.

- 3.7 MBKU Federal Reporting Obligations:** Certain MBKU employees, called Campus Security Authorities, have a duty to report certain incidents of misconduct to comply with the Clery Act. Campus Security Authorities are not required to report personally identifiable information for Clery Act purposes, but statistical information must be sent regarding the type of incident that occurred and its general location (e.g., on or off-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify Complainants or Respondents. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations.

When Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking are reported under the Clery Act, MBKU must issue timely warnings for such incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

MBKU will not disclose a Complainant's name and other identifying information in a timely warning but will provide sufficient information for MBKU community members to make informed safety decisions in response to potential danger.

- 3.8 Preservation of Evidence:** MBKU recognizes that a Complainant may need time to decide whether to report an incident of Sexual Harassment to the police and/or MBKU. The purpose of this section is to provide Complainants with suggestions on preserving evidence while they decide whether to report an incident. MBKU encourages Complainants, as soon as possible after experiencing Sexual Assault to take steps to preserve evidence such as:

- Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 72-96 hours after the incident
- When possible, prior to having a forensic sexual assault nurse examination performed, avoid: changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair;
- Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter);
- Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

4. Section 4: Initial Response to Reported Sexual Harassment

Upon receipt of a report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant, regardless of whether the Complainant was the individual who initiated the report. During the initial contact with the Complainant, the Title IX Coordinator will:

- Provide the Complainant with notice of their rights and options
- Explain the process for filing a Formal Complaint;
- Explain the Grievance Process;
- Discuss the availability of Supportive Measures regardless of whether a Formal Complaint is filed;
- Consider the Complainant's wishes with respect to Supportive Measures.

5. Section 5: Formal Complaint

MBKU will investigate all allegations of Sexual Harassment in a Formal Complaint.

5.1 Filing a Formal Complaint: A Formal Complaint must:

- 5.1.1** Contain an allegation of Sexual Harassment against a Respondent;
- 5.1.2** Request that MBKU investigate the allegation; and
- 5.1.3** Be signed by the Complainant or Title IX Coordinator.

In limited circumstances, if a Complainant does not sign a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint. In determining whether to sign a Formal Complaint, the Title IX Coordinator will consider factors that include but are not limited to:

- 5.1.3.1** Whether there have been other reports of Sexual Harassment or other relevant misconduct concerning the same Respondent whether the incidents occurred while the Respondent was an MBKU student or employee;
- 5.1.3.2** Whether the Respondent threatened further Sexual Harassment or other misconduct against the Complainant or others;
- 5.1.3.3** Whether the alleged Sexual Harassment was committed by multiple perpetrators;
- 5.1.3.4** The nature and scope of the alleged Sexual Harassment including whether the Sexual Harassment was perpetrated with a weapon;
- 5.1.3.5** The ages and roles of the Complainant and the Respondent;
- 5.1.3.6** Whether MBKU can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged Sexual Harassment such as security cameras or physical evidence);
- 5.1.3.7** Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a group.

5.2 Dismissal of a Formal Complaint

5.2.1 Required Dismissal: The Title IX Coordinator will dismiss a Formal Complaint for purposes of Sexual Harassment if:

- 5.2.1.1** The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined in this Policy even if proved;
- 5.2.1.2** The conduct alleged did not occur in MBKU's Education Program or Activity; or
- 5.2.1.3** The Conduct alleged in the Formal Complaint did not occur against a person in the United States.

Dismissal of a Formal Complaint does not preclude action under other provisions of the MBKU's policies and procedures. If a Formal Complaint is dismissed under this section and the Respondent is a student, the matter will be sent to the Vice President for Enrollment and Student Services for review. The Vice President for Enrollment and Student Services will decide whether the matter will be pursued under the MBKU Code of Conduct.

If a Formal Complaint is dismissed under this section and the Respondent is an employee, the matter will be sent to the Vice President for Human Resources for review. The Vice President for Human Resources will decide whether the matter will be pursued under the MBKU Code of Conduct.

5.2.2 Permissive Dismissal: The Title IX Coordinator may dismiss a Formal Complaint or any allegations within the Formal Complaint, if at any time during the investigation or hearing:

- 5.2.2.1** A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint,
 - 5.2.2.2** The Respondent is no longer enrolled or employed by MBKU, or
 - 5.2.2.3** Specific circumstances prevent MBKU from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations within the Formal Complaint.
- 5.2.3 Appeal of Dismissal:** Either party may appeal the dismissal of a Formal Complaint or any allegations therein. See Section 7 for bases and process for appeals.
- 5.3 Consolidation of Formal Complaints:** The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent or by more than one Complainant against one or more Respondents where the allegations arise out of the same facts or circumstances.

6. Section 6: Grievance Process

The grievance process within this Policy is designed to treat Complainants and Respondents equitably. Remedies are provided to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent and Disciplinary Sanctions are not imposed against a Respondent prior to the completion of the grievance process.

6.1 General Grievance Process Information:

- 6.1.1 Burden of Proof and Burden of Gathering Evidence:** All investigations and proceedings, including hearings, relating to Sexual Harassment will be conducted using a “preponderance of the evidence” (more likely than not) standard. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on MBKU, not the parties.
- 6.1.2 Presumption of Not Responsible:** The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.
- 6.1.3 Time Frames for Grievance Process:** MBKU strives to complete the grievance process within one hundred and twenty (120) Business Days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include but are not limited to considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 6.1.4 Medical Records:** MBKU will not access, consider, disclose, or otherwise use party’s records that are that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless MBKU obtains that party’s voluntary, written permission to do so for the grievance process within the Policy.
- 6.1.5 Privileged Information:** MBKU will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.
- 6.1.6 Range of Disciplinary Sanctions:** Disciplinary action taken against a student may include one or more of the following:

For Students

- 6.1.6.1** Written Warning – A notice in writing to the student that the student is violating or has violated University policy and a copy of the warning letter is placed in the student’s conduct file (notation in their disciplinary record).
- 6.1.6.2** Professional Probation – Places students at a higher risk of more severe disciplinary sanctions if the student is found to violate any University policy during the probationary period. Any MBKU student on Professional Probation may not participate in leadership roles on campus, including federal work-study positions. Temporarily noted on the student transcript.
- 6.1.6.3** Loss of Privileges – Denial of specified privileges.
- 6.1.6.4** Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service, monetary, or material replacement.
- 6.1.6.5** Educational/Developmental Sanctions – Work assignments, essays, service to MBKU, community service or other related discretionary or educational assignments.
- 6.1.6.6** Suspension – Separation of the student from the University for a definite period after which the student shall be eligible to return without reapplying. Conditions for return may be specified. Based on the UCC’s decision, Suspensions may be effective immediately or deferred, pending an appeal process.
- 6.1.6.7** Dismissal – Separation of the student from the University for a definite period after which the student shall be eligible to reapply for admission.
- 6.1.6.8** Expulsion – Separation of the student from the University permanently.
- 6.1.6.9** Dismissal and expulsion sanctions are permanently noted on the student transcript.

For Employees

- Warning – Verbal or Written
 - Performance Improvement Plan
 - Referral for Counseling
 - Required Training or Education
 - Loss of Potential Merit Pay Increase
 - Loss of Oversight or Supervisory Responsibility
 - Demotion
 - Suspension with Pay
 - Suspension without Pay
 - Termination
 - Other Actions: In addition to or in place of the above sanctions, MBKU may assign any other sanctions as deemed appropriate.
- 6.1.7 Notice of Meetings, Interviews, and Hearings:** Parties and witnesses will be provided notice of any meeting, interview, and/or hearing with sufficient time (approximately three (3) days) to prepare to participate. This notice will include the date, time, location, participants and purposes of the meeting, interview and/or hearing.
- 6.2 Notice of Allegations:** Upon receipt of a Formal Complaint, the investigator will provide Notice of Allegations to the parties who are known. The Notice of Allegations will include:
- 6.2.1** Notice of the party’s rights and options
 - 6.2.2** Notice of MBKU’s grievance process
 - 6.2.3** Notice of MBKU’s informal resolution process and options

- 6.2.4 Notice of the allegations of Sexual Harassment including:
 - i. The identities of the parties involved in the incident, if known,
 - ii. The conduct allegedly constituting Sexual Harassment, and
 - iii. The date and location of the incident, if known.
- 6.2.5 Notice that the Respondent is presumed not responsible of the alleged conduct and that a determination regarding responsibility is made at the conclusion of grievance process.
- 6.2.6 Notice that the parties may have an advisor of their choice, who may be, but is not required to be an attorney, and that the advisor may inspect and review evidence as explained in section 6.3.2 of this Policy.
- 6.2.7 Notice of the [MBKU Code of Conduct provision](#) that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Notice of Allegations will be updated, and written notice provided to the parties if at any time during the investigation, MBKU decides to investigate allegations about the Complainant or Respondent that are not included in the initial Notice of Allegations.

- 6.3 **Investigation of Formal Complaint.** MBKU will investigate following a Formal Complaint and Notice of Allegations. During all meetings and interviews the parties may be accompanied by an advisor of their choice, which can be, but is not required to be an attorney. During the investigation stage of the grievance process, the advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent. An advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent during the investigation phase of the grievance process.
 - 6.3.1 **Opportunity to Provide Information and Present Witnesses:** Each party will be provided an equal opportunity to provide information to the investigator and present witnesses for the investigator to interview. The information provided by the parties can include inculpatory (evidence that may support a finding or conclusion that Respondent engaged in Sexual Harassment) and exculpatory evidence (evidence that may support a finding or conclusion that a Respondent did not engage in Sexual Harassment). The witnesses can include both fact witnesses and expert witnesses.
 - 6.3.2 **Opportunity to Inspect and Review Evidence:** Each party will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which MBKU does not intend to rely upon in reaching a determination regarding responsibility. This review includes inculpatory and exculpatory evidence that is obtained by a party, witness, or other source. Each party and their advisor (if any) will be provided an electronic copy of the evidence for inspection and review. The parties will have ten (10) business days to review submit a written response to the investigator. The investigator will consider the written responses prior to completing an investigative report. All evidence provided during the inspection and review phase will be available at any hearing for the parties to use during the hearing, including for purposes of cross examination.
 - 6.3.3 **Investigative Report:** Following the opportunity to inspect and review evidence related to the allegations raised in the Formal Complaint, the investigator will create an investigative report that fairly summarizes relevant evidence obtained during the investigation.
 - 6.3.4 **Review of the Investigative Report:** At least ten (10) Business Days prior to a hearing, the investigator will provide each party and the party's advisor (if any) an electronic copy of the investigative report for their review and written response.

6.3.5 Investigation Timeframe: The investigation of a Formal Complaint will be concluded within 90 Business Days of the filing of a Formal Complaint. The parties will be provided updates on the progress of the investigation, as needed.

6.4 Live Hearing: After the investigation, MBKU will provide for a live hearing for all Formal Complaints of Sexual Harassment that have not been dismissed per Section 5.2 or resolved by informal resolution under Section 8. At the request of either party, or at the discretion of the Title IX Coordinator, MBKU will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the other party or witness answering questions.

6.4.1 Information at the Hearing: The following information/evidence will be available in electronic form at the hearing:

6.4.1.1 Evidence from the investigation, including the evidence related to the allegations that was reviewed by the parties, regardless of whether it was incorporated into the report.

6.4.1.2 The investigation report and any attachments/appendices.

6.4.2 Decision-maker: The decision-maker will be appointed by MBKU and will not be the Title IX Coordinator or investigator. The decision-maker will be trained, impartial, and without a conflict of interest. The decision-maker will be an MBKU employee or external individual designated by MBKU.

6.4.3 Challenge to the decision maker: Either party may challenge the appointment of a decision-maker, based on conflict of interest or bias, in writing to the Title IX Coordinator, no less than three (3) Business Days prior to the scheduled hearing.

6.4.4 Advisor's Role at the Hearing: Each party must have an advisor present at the hearing. The advisor's role is limited to supporting, advising, and assisting the party during the hearing and conducting questioning (cross-examination) of participants. Advisors are required to follow rules of decorum enforced by the decision-maker. Failure to follow the rules of decorum by an advisor may result in removal of an advisor from the hearing. If a party does not have an advisor present at the live hearing, MBKU will appoint the party with an advisor without fee or charge.

6.4.5 Recording of the Hearing: MBKU will create an audio or audiovisual recording of all live hearings and make the recording available to the parties for inspection or review.

6.4.6 Hearing Process Facilitator: MBKU may designate a hearing process facilitator to coordinate the hearing, including, but not limited to, coordination and scheduling of the hearing; the logistics of physical or virtual rooms for parties and/or witnesses, including separation of the parties; ensuring all technology is working appropriately; ensuring the parties have access to electronic documents during the hearing; distributing materials; etc. The facilitator may also be the Title IX Coordinator. The facilitator may invite the parties and their advisors, separately, to a meeting prior to the hearing to review the hearing process for the purpose of ensuring a smooth hearing. This meeting is separate from the pre-hearing conference discussed below.

6.4.7 Pre-Hearing Matters: To streamline the hearing process, the decision-maker may request the submission of questions prior to the hearing through electronic submission and/or a pre-hearing conference.

6.4.7.1 Pre-Hearing Submission of Questions: The decision-maker may request the parties submit questions, in writing, prior to the hearing. This submission does not preclude the advisor from asking additional questions live during the hearing. The decision-maker

may allow for the pre-hearing submission of questions regardless of whether a pre-hearing conference occurs.

6.4.7.2 Pre-Hearing Conference: The decision-maker may hold a pre-hearing conference to further streamline the live hearing, especially in complex cases involving multiple Complainants, Respondents, and/or a significant number of witnesses. During the pre-hearing conference, parties and their Advisors will meet with the decision-maker separately to review written questions previously submitted and/or to submit, in writing, any questions they wish to ask during the live hearing so that the decision-maker can be prepared to respond to the relevancy of said questions during the live hearing. The decision-maker may discuss any preliminary relevancy determinations regarding submitted questions and/or discuss alternative ways in which to ask questions; however, the decision-maker will make any final relevancy determinations in real-time, orally, during the live hearing. This conference does not preclude the advisor from asking additional questions live during the hearing.

At the pre-hearing conference, the decision-maker may also hear arguments regarding the relevance of the evidence identified in the investigation report as relevant or not relevant, and/or related to the allegations.

6.4.7.3 Hearing Documents: The decision-maker or hearing facilitator will provide parties with a copy of all materials provided to the decision-maker about the matter.

6.4.7.4 Accommodation Requests: Participants in need of disability related accommodations and/or interpretation services during the hearing must contact the Title IX Coordinator with said requests three (3) days prior to the hearing.

6.4.8 Participants in the Hearing: Participants at the hearing include the decision-maker, the investigator(s) who conducted the investigations, the parties, advisors to the parties, witnesses and anyone providing authorized accommodations. In addition, MBKU may have a hearing facilitator present. Any witnesses scheduled to participate in the hearing must have been first interviewed by the investigator (s) or have provided a written statement or answered questions from the investigator in writing. The decision-maker will provide the names of all persons participating in the hearing to the parties at least seven (7) days prior to the live hearing.

6.4.9 Hearing Process and Phases: The live hearing will include the following phases:

6.4.9.1 Notice of Hearing: After the investigative report has been completed and at least ten (10) business days prior to the date set for the hearing, the parties, and their Advisors (if any) will be provided with a Notice of the Hearing. The Notice will include the date, time, location, name of the decision-maker, names of all participants in the hearing, and the location (virtual or in person) of the hearing.

6.4.9.2 Opening Statements: Each party will have the opportunity to present an opening statement to the decision-maker.

6.4.9.3 Questioning of Hearing Participants: The investigator will be the first witness to provide information. The investigator will submit their investigation report and describe the evidence and information gathered in their investigation. The parties and witnesses will then be called in an order determined by the decision-maker. Questioning of parties and witnesses will occur in the following manner:

- i. **By the Decision-maker:** The decision-maker will ask initial questions of the participants at the hearing.
- ii. **By the Advisors:** After the decision-maker asks questions of a participant, each party's advisor will be permitted to ask relevant questions and follow up questions orally, directly, and in real time of the participant. The parties are never permitted to ask questions of participants directly. The questioning of participants by advisors will be conducted in the following manner:
 - A question is asked by an advisor.
 - Before participant answers the questions, the decision-maker determines whether the question is relevant.
 - If the question is determined relevant by the decision-maker, the participant answers the question.
 - If the question is determined not to be relevant by the decision-maker, the decision-maker must explain the decision to exclude a question as not relevant.

iii. Evidence and Questions Excluded:

- **Sexual Predisposition or Prior Sexual Behavior of the Complainant:** Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.
- **Privileged Information:** No person will be required to disclose information protected under a legally recognized privilege. The decision-maker must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.
- **Medical Records:** Evidence or records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, are not permitted to be used during a hearing unless the party provides voluntary, written permission to do so for the grievance process within this Policy.

6.4.9.4 Closing Statements: Each party will have the opportunity to present a closing statement to the decision-maker.

6.4.9.5 Determination Regarding Responsibility: After the live hearing, the decision-maker will issue a written determination regarding responsibility using the preponderance of the evidence standard. The decision-maker will provide the Complainant and the Respondent with the written determination simultaneously. The determination regarding responsibility becomes final either on the date that MBKU provides the parties with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not

filed, the date on which an appeal would no longer be considered timely. The written notice will include:

- i. Identification of the allegations potentially constituting Sexual Harassment;
- ii. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- iii. Findings of fact supporting the determination;
- iv. Conclusions regarding the application of this Policy to the facts;
- v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions that MBKU imposes on the Respondent, and whether remedies designed to restore or preserve equal access to MBKU's education program or activity will be provided by MBKU to the Complainant⁷; and
- vi. The procedures and permissible bases for the Complainant and Respondent to appeal.

7. Section 7: Appeals

Either party may appeal the determination regarding responsibility, or the dismissal of a Formal Complaint or any allegations therein within three (3) Business Days of the receipt of the determination regarding responsibility or dismissal. The appeals must be made in writing and delivered to the Title IX Coordinator.

7.1 Bases for Appeal: Appeals of the determination of responsibility or the dismissal of a Formal Complaint may be made on the following bases:

- 7.1.1** Procedural irregularity that affected the outcome of the matter;
- 7.1.2** New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- 7.1.3** The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

7.2 Appeal Procedures: If an appeal is submitted, MBKU will

- 7.2.1** Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
- 7.2.2** Ensure that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator.
- 7.2.3** Provide the non-appealing party with five (5) Business Days from receipt of the notification of appeal to submit a written statement in support of the outcome of the determination or dismissal.
- 7.2.4** Issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following:
 - 7.2.4.1** Affirm the decision-maker's determination regarding the Respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable;

⁷ The Title IX Coordinator is responsible for the implementation of any remedies.

- 7.2.4.2 Affirm the decision-maker's determination regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable;
 - 7.2.4.3 Remand the process back to the hearing stage for the decision-maker to remedy any procedural irregularity or consider any new evidence;
 - 7.2.4.4 Reverse the decision-maker's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
 - 7.2.4.5 Affirm or amend the sanctions and/or remedies outlined in the determination issued under this Policy.
- 7.2.5 Provide the written decision simultaneously to both parties.
- 7.3 **Appeal Timeframe:** The appellate decision-maker will release the written decision within twenty (20) Business Days of receiving the appeal.

8. Section 8: Informal Resolution Process

At any time after a Formal Complaint has been signed and before a determination regarding responsibility has been reached, the parties may voluntarily agree to participate in an informal resolution facilitated by MBKU, that does not involve a full investigation and adjudication. Types of informal resolution include, but are not limited to, mediation, facilitated dialogue, conflict coaching, and restorative justice and resolution by agreement of the parties.

- 8.1 **Informal Resolution Notice:** Prior to entering the informal resolution process, MBKU will provide the parties a written notice disclosing:
 - 8.1.1 The allegations;
 - 8.1.2 The requirements of the informal resolution process, including the right of any party to withdraw from the informal resolution process and resume the grievance process and the circumstances which preclude parties from resuming a Formal Complaint arising from the same allegations;
 - 8.1.3 Consequences resulting from the informal resolution process, including that the records will be maintained for a period of seven (7) years but will not be used by investigators or decision-makers if the formal grievance process resumes.
- 8.2 **Informal Resolution Agreement:** Prior to entering the informal resolution process, the parties must voluntarily agree, in writing to the use of the informal resolution process.
- 8.3 **Informal Resolution Availability:** The informal resolution process is not permitted to resolve allegations that an employee committed Sexual Harassment against a student.
- 8.4 **Informal Resolution Timeframe:** Informal resolutions of a Formal Complaint will be concluded within 45 days of notice to MBKU that both parties wish to proceed with the informal resolution process. Such notice that the parties wish to proceed with an informal resolution process will "pause" the counting of the timeframe to conclude the Grievance Process of this Policy, should the informal resolution process fail, and the parties continue with the Grievance Process.
- 8.5 **Informal Resolution Documentation:** Any final resolution pursuant to the Informal Resolution process will be documented and kept for seven (7) years. However, no recording of the informal resolution process will be made, and all statements made during the informal resolution process will not be used for or against either party (and the decision-maker and/or appellate decision-maker may not consider any such statement made during informal resolution) should the parties resume the grievance process. Failure to comply with an informal resolution agreement may result in disciplinary action.

9. Section 9: Emergency Removal and Administrative Leave

- 9.1 Emergency Removal:** At any time after the Title IX Coordinator is on notice of Sexual Harassment, MBKU may remove a Respondent on an emergency basis. MBKU will only conduct an emergency removal after:
- 9.1.1** Undertaking and individualized safety and risk analysis,
 - 9.1.2** Determining that an immediate threat the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and
 - 9.1.3** Providing the Respondent with notice and an opportunity to challenge the decision to the Title IX Coordinator, within two (2) Business Days following the removal.
- 9.2 Administrative Leave:** MBKU may place a non-student employee Respondent on administrative leave during the pendency of the grievance process in this Policy.

10. Section 10: Recordkeeping

MBKU will maintain all the documentation related to reports of Sexual Harassment, Formal Complaints, the grievance process, and information resolution process for seven years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws and included in the employee's official employment record.

11. Section 11: Additional Conduct Violations Related to this Policy

Alleged violations of the terms in this section will be sent to the VPES for student Respondents or to the VPHR for employee Respondents for investigation and adjudication under the MBKU Code of Conduct (need to add employee policy name). The following are violations of the Code of Conduct for Students regarding knowingly providing false information or disruption and will be resolved through the Student/Employee Conduct process:

- 11.1 Falsification, distortion, or misrepresentation of information under review by a Program Conduct Officer, the University Conduct Committee, and/or Appellate Officer.
- 11.2 Disruption or interference with the orderly conduct of a conduct meeting/Hearing.
- 11.3 Attempting to discourage an individual's proper participation in, or use of, the student conduct process.
- 11.4 Attempting to influence the impartiality of a University Conduct Officer prior to and/or during the conduct meeting/Committee Hearing.
- 11.5 Harassment (verbal or physical) and/or intimidation of a University Conduct Officer prior to, during and/or after a conduct meeting/Committee Hearing.
- 11.6 Influencing or attempting to influence another person to commit an abuse of the student conduct process. Retaliation against any person submitting a complaint of any alleged policy violation or against any person cooperating in the fact-finding (including testifying as a witness) of any alleged violation of this Code.

12. Appendix 1: Applicable State Laws

This section includes California definitions related to and referenced in the defined prohibited conduct under this Policy.

Sexual Assault Related Crimes

Rape: Cal. Pen Code § 261:

(a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

- (1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act.

(2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

Rape of a Spouse: Cal. Pen Code § 261:

(a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

(1) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(2) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.

(3) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(4) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(5) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

Statutory Rape: Cal. Pen Code § 261.5

Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

Sexual Battery: Cal. Pen Code § 243.4

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.

Incest: Cal. Pen Code § 285

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other

Stalking: Cal. Pen Code § 246.9

Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable

fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

Domestic Assault/Dating Violence Related Crimes

Domestic Battery: Cal. Pen Code § 243

When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.

Corporal Injury to a Spouse or Cohabitant: Cal. Pen Code § 273.5

Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim who is one or more of the following:

- (1) The offender's spouse or former spouse.
- (2) The offender's cohabitant or former cohabitant.
- (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship

I. Prohibited Discrimination, Harassment & Sexual Misconduct Outside the Scope of Title IX

Alleged Conduct will be evaluated by the Title IX Coordinator to determine whether it will be investigated under the Student Code of Conduct or Employee Code of Conduct if it is determined prior to a Formal Complaint or after the dismissal of a Formal Complaint under the MBKU Title IX Policy, that the Respondent is a student or employee of MBKU and the alleged conduct meets one or more of the following:

1. the alleged conduct does not fall within the definition of Sexual Harassment as defined in the [Title IX Policy](#),
2. the alleged conduct, if proved, would constitute a violation of Sexual Harassment as defined in the Title IX Policy and did not occur in the Education Program or Activity of MBKU but would have a substantial impact on MBKU,
3. the alleged conduct, if proved, would violate the definition of Sexual Harassment as defined in the Title IX Policy and did not occur in the U.S.,
4. the Complainant is not participating in or attempting to participate in MBKU's Education Program or Activity, AND/OR
5. the alleged conduct, if proved, would constitute any of the following:
 - 5.1 **Non-Title IX Sexual Harassment:** Unwelcome verbal or physical behavior which is directed at an individual based on sex, when these behaviors are sufficiently severe or pervasive to have the effect of unreasonably interfering with an individual's educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.
 - 5.2 **Sexual Exploitation:** Any act whereby one individual violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent.

IV. ENROLLMENT AND STUDENT SERVICES

Enrollment and Student Services (ESS) is comprised of a variety of offices and services that support the personal and professional development of all students at MBKU. These offices include the following:

- Recruitment and Admissions
- Registration and Records
- Financial Aid
- University Student Affairs
- Student Counseling Services
- Student Disability Services

A. **Student Affairs**

Each Program has a designated student affairs/ student support professional that reports to their respective Dean/Director for program-related concerns. Specific people and/or titles may change from year-to-year; please refer to your Program Student Handbook. Although University and Program Student Affairs representatives work collaboratively to support students on a regular basis, they do not operate within the same office.

In addition to the functional areas described in this section, Enrollment and Student Services serves as the campus advocate for student concerns and issues. When questions and/or issues arise that cannot be addressed or resolved by an office or department on campus, a Student Affairs representative is a good place to begin. University or Program Student Affairs staff may give advice, direct students to the appropriate resource(s) for assistance or problem resolution, and/or advocate on behalf of the student with other departments/offices. In addition to filling distinct student services roles, student affairs professionals are dedicated to creating an atmosphere of support, inclusion and belonging within each program and the University community.

1. Mission and Learning Outcomes for University Student Affairs

Mission

The Mission of University Student Affairs is to offer programs and services that provide a safe and inclusive campus environment to support student success.

Co-Curricular Learning Outcomes

University Student Affairs support student learning both in the classroom and in the larger campus community. Student learning happens throughout and across the MBKU experience. We promote student learning outside of the classroom with a variety of programs, services, and development opportunities. University Student Affairs documents its impact on student learning by establishing Program and Student Learning Outcomes. These outcomes describe the co-curricular learning that takes place through the programs, activities, and services offered by University Student Affairs. These outcomes also consider and reflect the missions and strategic plans of the University and University Student Affairs.

Program Learning Outcomes

- Professional and Career Development:** Students will develop life-long skills they can use to seek jobs, residencies/internships, apply to post-graduate school and make career decisions.
- Leadership Development:** Students will develop the knowledge of organizational structure and best practices, effective leadership communication skills and a capacity to be an ethical, compassionate, and effective leader.
- Academic Development:** Students will develop academic excellence using goal setting, organization, strategic learning, and test-taking skills.
- Personal Enrichment/ Development:** Students will develop effective communication skills to allow for collaboration, healthy lifestyle choices, a positive sense of self, a personal code of ethics, an appreciation of differences, financial literacy, a strong social connection with the MBKU campus community and an understanding of MBKU resources.

2. *Accommodating Students & Applicants with Disabilities*

MBKU is committed to full and equal opportunities for all students and applicants. MBKU does not unlawfully discriminate against qualified applicants or students with disabilities and encourages their full participation within the MBKU community. To this end, MBKU accepts and supports qualified students and applicants with disabilities and complies with the Americans with Disabilities Act (ADA), as amended, Section 504 of the Rehabilitation Act, and state and local regulations regarding students and applicants with disabilities.

Disability Defined

Disabilities include any physical or mental impairment(s) that limit one or more major life activities, or a record of such limiting impairment. Applicants or students with disabilities seeking to enroll in any program, service, or activity of MBKU must be able to meet the minimum standards of MBKU and the program, service, or activity with or without a reasonable accommodation.

Requesting Reasonable Accommodations

MBKU provides reasonable accommodations to otherwise qualified applicants and students with known physical or mental disabilities, unless it would create an undue hardship or fundamentally alter the nature of the academic program, service, or activity. MBKU will remove barriers where readily achievable and/or provide alternative measures when removal of barriers is not readily achievable. Applicants or students needing accommodations must make their needs known in advance. MBKU cannot provide an accommodation when it does not know that an accommodation is required.

Applicants or students with disabilities may request accommodations at any time. However, because MBKU must have time to review and approve the request before making accommodations and because some accommodations take more time to provide, applicants or students with disabilities should contact MBKU and request an accommodation as soon as possible. The MBKU Vice President for Enrollment and Student Services or designee serves as the Disability Services Coordinator.

Applicants who do not need a reasonable accommodation during the application process are encouraged to wait until after they are admitted into their respective academic program to request accommodations.

All requests are submitted to SDS. SDS will review the situation with the applicant or student to identify possible accommodations, if any. If a reasonable accommodation can be identified which will not impose an undue hardship or fundamentally alter the nature of the academic program, service, or activity, then MBKU will make the accommodation. If there is more than one possible accommodation, MBKU will decide which option will be provided. SDS make these determinations, and the determination is subject to the appeals procedure discussed below. SDS will notify the applicant or student, the student's Dean/Director, administrators, and appropriate faculty members, as necessary, of any accommodations to be provided.

MBKU maintains appropriate confidential records in accordance with law.

How To Apply For Accommodations And/Or Disability Support Services

Students seeking accommodations or disability support services at MBKU are required to register with SDS by completing the following steps. Students who are new to the process of requesting accommodations are encouraged to meet with SDS prior to completing or requesting any paperwork to ensure they have a thorough understanding of the process. If a student is requesting additional or a change in accommodations, they may be asked to provide additional documentation. While students are welcome to contact SDS directly at any time to discuss their situation or ask questions, the typical initial registration process is as follows:

- a. If applicable, contact SDS by emailing studentaffairs@ketchum.edu to schedule an inquiry appointment.

- b. Make a formal request for accommodations

Complete the Request for Accommodations & Services [online form](#). Be prepared to provide information about your disability and any history of accommodations and to request specific accommodations. Information provided is confidential and only accessible by SDS. If you have any questions about the registration process, you are encouraged to make an appointment to discuss the process prior to obtaining documentation.

- c. Collect disability related documentation and submit the Disability Verification Form
SDS has developed Documentation Guidelines to assist students when requesting the necessary disability documentation from their treatment providers. Disability documentation can be submitted by email to studentaffairs@ketchum.edu. Please review the Documentation Guidelines and contact SDS if you have questions.
Note: Students who do not have documentation of their diagnosis/condition or believe they have an undiagnosed condition, should contact SDS to discuss their individual circumstances.
- d. Request an Intake Appointment
Once you have completed your application and submitted your verification documents, email studentaffairs@ketchum.edu to request an intake appointment. You will be contacted via email by SDS within 3 business days. If you have not heard from us after that time, please contact our office. Appointments can take place virtually or in person.
- e. Determination of Eligibility & Accommodations
SDS takes into consideration the information provided during the intake meeting, your disability documentation, and the requirements of your academic and clinical program to determine your eligibility for services and, if appropriate, recommend specific accommodations. This is an interactive process in which it is essential that you be an active participant.

Notification and Implementation

Program faculty and administrators responsible for the implementation of accommodations will be notified once accommodations have been approved by SDS. It can take several days or more to implement accommodations. Students and applicants will be notified by the program administrator when the accommodations are in effect. If you have not heard from the program administrator within 5 business days from the conclusion of the intake appointment, please contact SDS at studentaffairs@ketchum.edu for support.

Service and Emotional Support Animals

Service animals are permitted in all areas of MBKU campuses and facilities that are open to the public, program participants, clients, customers, patrons, or invitees, as relevant. Service animals are animals that have been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the service animal must be related to the person's disability.

Students with disabilities who use service animals are requested to contact the Disability Services Coordinator. Service animals must be housebroken and kept under control by a leash, or other tether, unless the person is unable to hold those, or such would interfere with the service animal's performance of work or tasks. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. The owner is liable and responsible for the animal's behavior and activities while in any MBKU setting. MBKU is not responsible for any aspects of caring for or supervising a service animal.

When it is not apparent that the animal is trained to do work or perform tasks for an applicant or student with a disability, MBKU may ask if the animal is a service animal required because of a disability and what work or task the animal has been trained to perform.

Emotional support, therapy, comfort, or companion animals are generally not service animals under the ADA because they have not been trained to perform a specific job or task. Such animals, if not service animals, must follow MBKU's "[Non-Service Pets on Campus](#)" policy. Applicants or students requesting to use an emotional support, therapy, comfort, or companion animal in University-owned housing or for employment must contact the Disability Services Coordinator. Such approval will not generally extend to MBKU classrooms, laboratories, clinical facilities or other campus or University-owned buildings.

Informal Procedures

Applicants or students may disagree with the determination made by the Disability Services Coordinator concerning accommodations and/or removal of barriers. Applicants or students are encouraged to work with MBKU informally to resolve their concerns at any stage in the request for accommodations process and may address their concerns with the Disability

Services Coordinator, their Dean/Director, or other Student Affairs personnel. Applicants or students may opt out of this informal process and move directly to the formal processes.

Appeals Process for Decision made by Disability Services

Applicants or students who are dissatisfied with the determination made by the Disability Services Coordinator concerning accommodations and/or removal of barriers may appeal the decision. The Vice President of Human Resources serves as the ADA/504 Coordinator and reviews all appeals. Applicants must contact the ADA/504 Coordinator to initiate the appeal. Students must submit an appeal in writing using the “Disability and Accommodation Appeal Form” on the [portal](#). The ADA/504 Coordinator will review the appeal form and interview the applicant or student to discuss the applicant or student’s appeal. The decision of the ADA/504 Coordinator will be final.

Contact Information

MBKU Student Disability Services Coordinator

Carmen Barnhardt, OD, MS Ed

Vice President for Enrollment and Student Services

StudentAffairs@ketchum.edu | cbarnhardt@ketchum.edu | 714-449-7423

MBKU Student Disability Services Assistant Coordinator

Ashley White, MA, MS

Director for University Student Affairs

StudentAffairs@ketchum.edu | awhite@ketchum.edu | 714-449-7414

MBKU Americans with Disabilities Act (ADA)/504 Coordinator

Wende Holtzen, M.S., SPHR, SHRM-SCP

Vice President for Human Resources

humanresources@ketchum.edu | wholzen@ketchum.edu | 714-449-7459

3. Religious Adjustments

MBKU respects the religious beliefs and practices of all members of our community and shall make, on request, an accommodation for such observances when a reasonable accommodation is available.

Students whose religious beliefs or practices conflict with their schedule, or with the policy on dress and appearance, and who seek a religious accommodation must submit a written request for the accommodation to the VPESH. The written request needs to include the type of religious conflict that exists and the student’s suggested accommodation.

The VPESH shall evaluate the request considering whether a conflict exists due to a religious belief or practice and whether an accommodation is available that is reasonable and would not create an undue hardship or a change in the technical standards of the student’s program. An accommodation may be a change in schedule, using excused time off, or allowing an exception to the dress code that does not affect safety or violate the professional standards of dress. Depending on the type of conflict and suggested accommodation, the VPESH may confer with the student’s Dean/Director and/or Clinical Preceptor.

The student and VPESH shall meet to discuss the request and decision on an accommodation. If the student accepts the proposed religious accommodation, the VPESH shall implement the decision. If the student rejects the proposed accommodation(s), the student may appeal to the Vice President of Human Resources (VPHR). The VPHR’s decision shall be final.

4. Adjustments for Pregnancy & Related Conditions

MBKU is committed to creating an accessible and inclusive environment for pregnant and parenting students in accordance with Title IX, and will not unlawfully discriminate against any student, or exclude any student from its education program or activity, on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of these conditions.

Pregnant students will be treated the same as similarly situated students with any other temporary disability and will be required to submit medical certification like other students with physical or emotional conditions requiring the attention of a health care provider. Requests for adjustments should be directed to the VPESH who will discuss the student’s needs and determine appropriate adjustments because of pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from any of these conditions.

If the student rejects the proposed accommodation(s), the student may appeal to the VPHR. The VPHR's decision shall be final.

FAQs related to Pregnant and Parenting Students

How long are students entitled to have the accommodations before the delivery?

Title IX does not have a timeframe limitation, because individual circumstances differ. MBKU uses the same policy we use for any other temporary disability or, absence such a leave policy for students or for students who do not qualify for the leave policy, the timeframe is for "so long a period of time as is deemed medically necessary by the student's physician." See 36 CFR § 106.40(b)(4) and (5) Marital or parental status.

How long are students entitled to have the accommodations after the delivery?

Post-pregnancy, Title IX also requires that accommodations be provided for breastfeeding and recovery. And, in certain situations, a pregnancy-related or recovery complication may be protected under the Americans with Disabilities Act (ADA), entitling the student to reasonable accommodations under that federal law.

California has pregnancy and breastfeeding protections, including the California Equity in Education Act, which specifically guarantees leave for graduate student parents. This law allows for graduate students to take leave for longer than what is medically necessary and return without penalty.

Do accommodations apply to breastfeeding students?

While the law does not state any specifications for lactation space, the Department of Education Office of Civil Rights suggests administrators "designate a private room for young mothers to breastfeed, pump milk, or address other needs related to breastfeeding during the school day.

5. Mental Health Counseling Services

MBKU offers a multitude of services with a goal of providing support, assistance and resources which enable students to achieve at the highest possible level. Wellness is a priority, and all registered students are encouraged to take advantage of the services offered.

The Director of University Student Counseling Services is available on a part-time flexible schedule throughout the week for personal counseling at no cost. Set up an appointment via e-mail (akirschen@ketchum.edu) or phone (714-595-9700).

Common issues we may help with:

- Academic pressure
- Managing difficult emotions
- Anxiety and stress
- Personal development
- Mild depression
- Life transitions
- Relationship issues
- Grief and loss
- Family and interpersonal conflicts

We offer the following services:

- Individual sessions with a licensed psychologist for short-term issues
- Resources and support
- Literature
- Referral to outside resources for more serious issues
- Seminars devoted to issues such as time management and resilience

We do not provide:

- Intensive outpatient mental health treatment
- Treatment mandated by the legal system
- Assessment for learning disabilities

In addition to the Director of University Student Counseling Services, MBKU has a special arrangement with Hope Counseling Center (HCC) that allows an expansion of counseling options to all current MBKU students. HCC trains graduate students to help clients enhance

their daily living and become empowered to overcome any obstacles clients may face. They offer personal/individual, marriage/couples, and family counseling Monday through Friday from 9:00am to 8:00pm and cost only \$5 per session. No reports of any kind will be sent to MBKU.

The HCC facility is located at 2585 E. Chapman Ave, Fullerton, CA 92831, right next door to Chase Bank (5 minutes from MBKU main campus). For more information and to schedule an appointment, call 714-879-3901 ext. 1266.

All conversations are confidential and provided by qualified professionals. If you are experiencing a medical or psychiatric emergency call 911.

Other Resources:

- 988 Suicide and Crisis Lifeline (24/7): Dial or Text 988
- Trans Lifeline: 877-565-8860
- SAMHSA's National Mental Health Helpline: 800-662-HELP (4357)
- National Mental Health Hotline: 866-903-3787
- National Alliance on Mental Illness: 800-950-NAMI (6264)
- National Sexual Abuse Hotline: 800-656-4673

6. Financial Aid

Student financial aid includes all resources used to finance education (other than those provided directly by students and their families). It includes scholarships; grants; work-study; and Federal, private, and institutional educational loan programs.

For general and program-specific Financial Aid information, visit the Financial Aid tab of the MBKU [portal](#).

All official MBKU Financial Aid policies can be found in the MBKU Course Catalog.

In awarding financial aid, MBKU does not discriminate based on race, color, national or ethnic origin, religion, age, sex, disability, or prior military service.

Contact Information

Email: FinancialAid@ketchum.edu
Phone: 714-449-7448
Location/Hours: MBKU Fullerton Campus, Building D
Monday – Friday 8:00am – 5:00pm
FAFSA School Code: 001230
Address: Marshall B. Ketchum University
ATTN: Financial Aid
2575 Yorba Linda Blvd.
Fullerton, CA 92831-1699

7. Registration & Records

Registration and Records maintains all official student records. Any changes pertaining to student information should be directed to this office. Unofficial transcripts are available on the [portal](#). If you need an official copy, they are available from our transcript partner, National Student Clearinghouse. Transcripts may be picked up, mailed to an address, or e-mailed to a recipient. There is a \$10 fee for transcript requests.

Contact Information

Email: Registrar@ketchum.edu
Location/Hours: MBKU Fullerton Campus, Building D
Monday-Friday 8:00am – 5:00pm

8. Local Housing Options

Fullerton, being a college community, has many apartments and rental houses around the University. There are no residential halls at MBKU; however, there are a variety of apartment complexes within walking distance of campus. MBKU owns several off-campus housing units that are rented to students on a first come, first served basis. Vacancies are filled via the Housing Wait List on the [portal](#). Hope International University offers on-campus living

options to MBKU students that include meal plans. If you have reliable transportation, there are other living options for all needs and budgets in Fullerton, Yorba Linda, Placentia, La Habra, Brea, Orange, and Anaheim – just to name a few!

All students are responsible for acquiring their own housing at their own discretion and risk.

B. Student Achievement Center and Other Student Support Resources

1. Peer Advisor Program

Peer advising provides informal, non-academic advice and personal student perspectives about life and learning at MBKU to incoming/first-year students. New students gain informed student perspectives on MBKU based on their Peer Advisor's personal experience within their program along with formal training. Peer Advisors show a strong commitment to helping new students make the transition from undergraduates to informed, successful professional students who will be responsible for their own academic goals and professional growth.

Students interested in becoming a Peer Advisor during their second professional year may apply during winter quarter of their first year. Information is shared via email leading up to the application process and applications are submitted via [Presence](#). In addition, faculty members in each program may nominate outstanding students for the program. The application process includes the following:

- a. a brief personal statement highlighting why they are applying for the position and what personal attributes make them suited for this role; AND
- b. current resume - any pertinent leadership and/or work experience should also be noted.

A meeting for interested students will provide information on the expectations of Peer Advisors in early January. University Student Affairs conduct applicant interviews during spring quarter. Qualified students will be offered Peer Advisor positions. In the event of an abundance of applicants, the applicants are ranked, and the top candidates will be offered the positions.

University Student Affairs oversees and trains all Peer Advisors with input from Program representatives to enhance the students' advising skills. They receive a training documents compiled by University Student Affairs.

Peer Advisors provide guidance and advising during mutually agreed after class/lab hours. Advising can be face-to-face meetings or conducted electronically. Peer Advisors are valuable members of the MBKU community and, as such, are compensated as a work-study position.

2. Peer Tutoring Program

Peer Tutors are upper-level MBKU students who have excelled in the course they tutor and are trained to facilitate discussions on course content as well as study skills and strong academic habits. Peer tutoring services are available at no cost for students experiencing academic difficulty and for students desiring additional assistance with course work. Arrangements for tutoring may be made by the instructor or student. Tutors are selected based on cumulative GPA/academic progress with faculty approval.

Each Program is in charge of their own Peer Tutoring program: The Beta Sigma Kappa honor society provides optometry tutors (managed by the SCCO Student Affairs representative), the SPAS Director of Didactic Education provides PA tutors, and the COP Student Affairs representative facilitates pharmacy tutoring. Program Student Affairs representatives are available to assist faculty and students in the selection of tutors and/or course review session leaders. The earlier an instructor identifies students needing tutorial assistance, the more likely the services will be of value. Peer Tutors are valuable members of the MBKU community and, as such, are compensated as a work-study position.

3. Dr. Lorraine Voorhees Student Achievement Center Resource Room

The Dr. Lorraine Voorhees Student Achievement Center Resource Room is a one-stop-shop quiet place to study, meet with a tutor, and peer advisor or study group. Open to all MBKU students and located in the Administration Building (second floor), there are a variety of personal and professional reading materials and other resources, white board, electric back massagers, device charging station and a lounge chair if you simply need a break.

[The Student Achievement Center Moodle page](#) is an online information source where you may find handouts and recordings of previous seminars, helpful academic/study resources, career development resources (including articles, resume/CV/cover letter templates, and more), student counseling services, Title IX/FERPA/ADA information and more. All current MBKU students have access to the SAC Moodle page.

4. Lecture Capture

MBKU uses a Lecture Capture (LC) system to record presentations and other content. LC can be a powerful tool in the learning process; it offers an opportunity to deliver course content in new ways and/or to make content available for students after class and to meet a variety of learning needs.

LC technology is automatically scheduled to record course lectures in the classrooms. This policy is implemented to all Program courses, as well as continuing education. All invited/guest lecturers should be notified in advance that their lecture presentation may be captured. Recorded lectures are accessible via Moodle to students currently enrolled in the class. LC recordings associated with courses are stored for the entire quarter. Exceptions to this may be considered on a need basis.

Every effort is made to record each lecture, however, there may be occasions when a lecture does not record or is delayed in its publishing – for this reason we remind students this is a supplemental study tool and not to be used in lieu of attending class.

Lecture capture is permitted to be streamed and viewed by students currently enrolled in the class for which the recording was made. In all cases, duplication or redistribution by students is strictly prohibited. It is not permissible to download, record, share, or duplicate any lecture capture recording in part or whole. Unauthorized duplication or dissemination of lecture capture materials may violate University policy and may result in disciplinary action. Students wishing to prepare summaries of LC material may do so provided they are not sold to others.

5. Activities & Seminars

Every student at MBKU can become a capable, caring, and inspired health care professional through academic and personal growth. The mission of the Student Achievement Center (SAC) is to provide services and support to help all students reach that goal. The following activities and seminars are available to all students at no cost and advertised on MBKU social media pages, the University events calendar, [Presence](#), e-mail, and campus flyers.

Welcome Back BBQ

Held during the first few weeks of Fall classes, the University Student Extracurricular Committee (part of the MBKU Student Government Association) hosts a “Welcome Back BBQ” where all new and returning MBKU students and faculty gather to socialize and ring in a new academic year on the Commons lawn. Lots of food, snacks and drinks are provided along with a little bit of entertainment. Spouses and children are welcome to attend.

Stress Recess Series

The SAC hosts several “Stress Recess” activities to help ease anxiety and tension during high-stress time periods throughout the academic year. One of the most popular activities is supported by “Puppies 2 Partners.” Besides being cute, these dogs are incredibly special because they are all being trained for Guide Dogs for the Blind. Other traditional Stress Recess programs include craft nights, Student Trick-Or-Treat, Winter Open House, Final Exam Week Dinner and Yoga/mindfulness/meditation sessions. For students interested in leading their own Personal Wellness Sessions for their peers, contact University Student Affairs for work-study opportunities!

Navigating Professional School Series

The Navigating Professional School (NPS) seminar series is comprised of programs on a variety of topics designed to help MBKU students thrive in their respective programs and as members of an interprofessional health care community. NPS events are open to all MBKU students at no cost. Seminars are scheduled at least once per quarter and include workshops, lectures and discussion panels that cover a wide range of topics such as:

- Stress and test anxiety management
- Study tips
- Effective communication

- Assertiveness
- Financial wellness

6. Career Development Services

Online Job Board

[The MBKU Online Job Board](#) (“The Career Resource Center”) advertises open positions (full-time, part-time, and fill-in) for all three fields of practice. This service is free for students and includes a resume review service, interviewing tips, and tricks (and other content) and an Ask-The-Experts feature where you can submit questions to real career experts! Students create a personalized unique profile and job alerts; upload resumes and cover letters (or you can build them through the site) and apply for jobs directly through the site. The search function has a variety of filters so you can sort out exactly what you are looking for. The student account dashboard includes any contact requests from potential employers, messages, job applications, saved jobs and saved searches. Anyone can search for jobs on this site – students, graduates and even people unaffiliated with MBKU!

Electronic Resources

[The SAC Moodle page](#) hosts a section titled “Career/Job Search Resources” that includes a wealth of professional development articles, resources, and information. This section provides links to MBKU internal employment opportunities, the MBKU Career Resource Center and MBKU-hosted continuing education opportunities and more:

- Resume, CV and cover letter tips and tricks, examples, and templates
- Sample acceptance, decline, follow-up, and thank-you letters
- Field-specific job boards
- Educational videos and information on effective job searching, networking, interviewing, and negotiating, entrepreneurship, private/independent practice, and how to build and maintain a professional brand
- And TONS more helpful articles on related miscellaneous topics

MBKU Career Symposium

MBKU Career Symposium – The Symposium is an annual summertime event for 3rd/4th year optometry, 1st year PA and 3rd/4th year pharmacy students. The Symposium begins with an opening speaker followed by field-specific professional panel Q&A breakouts and a full-service hors d’oeuvres networking reception. Community professionals, alumni, faculty, and staff are all invited to the reception so students may network with their future colleagues.

7. Leadership Development Certificate Program

The MBKU Leadership Development Certificate program is for students who have a desire to make a positive difference in their University, program, community, and profession through leadership. Students learn to lead with integrity through a program that combines academic and experiential learning which prepares them to become engaged and influential members of their future communities.

The program is open to all MBKU students interested in exploring and developing their leadership skills. Students email StudentAffairs@Ketchum.edu to request enrollment into the Certificate program. The “Leadership Development Certificate Program” Moodle course is used to keep track of program requirement completion and other information. Students who have fulfilled all program requirements are awarded with a Leadership Certificate at their graduation awards program and presented with a Leadership Medal to wear at commencement. In addition, students will be presented with a lapel pin that they can wear on their White Coats.

Program Overview

The program begins with the annual MBKU Leadership Summit held in December which explores leadership principles and ideas, as well as basic theories and models of leadership. Students gain awareness and clarification of their personal styles, strengths and challenges as a leader and begin to develop their own definition of leadership. This includes acquiring concrete skills, such as time management and communication.

The focus then shifts beyond the individual to being part of a team and learning to recognize and strengthen the dynamics within the group. Leadership positions, selective work-study roles and community service projects are a part of this experience.

Throughout the remaining time in their academic program at MBKU, these students will continue to attend regular seminars and meetings, participate in leadership and service opportunities, and grow and develop as leaders. Students continue to complete program requirements throughout their time on campus.

Participation

There is no formal application process for this program - students may join the program at any time. To be eligible to participate, students must be in good academic standing with a “Pass” standing and/or GPA of 2.75 or higher. All requirements are submitted through the Moodle course.

Interested students may begin completing requirements at any time. Email StudentAffairs@Ketchum.edu for enrollment in the Moodle course, which is used to submit and track requirements. All requirements are submitted through the Moodle course. All assignments must be completed at least 8 weeks prior to the student’s commencement ceremony.

8. Career Readiness Microcredential

The MBKU Career Readiness Microcredential is designed for students who want to make targeted professional development efforts in several different competency areas. Students progress through Career Readiness assignments that combine short lectures, self-reflection and experiential learning opportunities which prepare them for the transition from graduate student to an engaged and influential member of their field. As assignments are completed, students earn a variety of “badges” before ultimately earning the Microcredential.

The Career Readiness Microcredential is open to any interested MBKU student looking to prepare for post-graduate professional life. Students who have completed all assignments are awarded with a certificate of completion and presented with a Career Readiness lapel pin to wear on their White Coats.

The program is designed to:

- a. Stress the importance of professional affiliations and networking skills to build a strong professional foundation.
- b. Teach and strengthen a variety of “soft” skills including professional branding, negotiating, interviewing, networking, and communication.
- c. Practice professional etiquette and networking skills with classmates and future colleagues.
- d. Encourage structured time to craft and refine documents/tools for the residency and/or professional job search process (e.g., resume, cover letter, social media accounts).
- e. Foster personal and professional development by helping students identify and strengthen those skills which will support their success in their chosen field.

Participation

There is no formal application process for this program - students may join the program at any time. To be eligible to participate, students must be in good academic standing with a “Pass” standing and/or GPA of 2.75 or higher. All requirements are submitted through the Moodle course.

Interested students may begin completing requirements at any time. Email StudentAffairs@Ketchum.edu for enrollment in the Moodle course, which is used to submit and track requirements. All requirements are submitted through the Moodle course. All assignments must be completed at least 8 weeks prior to the student’s commencement ceremony.

9. Service Learning Microcredential

The MBKU Service Learning Microcredential is designed for students who want to make targeted service learning efforts on campus, within the community and their chosen profession. Students progress through a service learning checklist that combines videos and other resources, self-reflection and experiential learning opportunities which prepare them to be an engaged and influential member of the health care profession.

The Service Learning Microcredential is open to any interested MBKU student looking to supplement their health care education. Students who have fulfilled program requirements are awarded with a certificate of completion and presented with a Service Learning lapel pin to wear on their White Coats.

The program is designed to help students:

- a. Participate in a variety of service learning experiences and projects and create a personal definition of social justice.
- b. Formulate humanitarian values, such as being committed to current health care needs, social justice, engaging in social responsibility and serving as positive change agents.
- c. Engage in controversial conversations and/or scenarios with civility and effectively convey thoughts and feelings.
- d. Exhibit self-awareness and self-authorship through service, show the ability to think critically about the root causes of issues related to community needs, demonstrate the ability to think reflectively and constructively facilitate reflection and discussion among peers.

Interested students may begin completing requirements at any time. Email StudentAffairs@ketchum.edu for enrollment in the Moodle course, which is used to submit and track requirements. All hours and assignments must be completed at least 8 weeks prior to the student's commencement ceremony.

10. *Cultural Humility Microcredential*

In an increasingly diverse world, and as racial justice and equity come to the forefront in American society, successful health care professionals must be culturally competent and understand how to practice cultural humility in order to reduce health disparities and increase equity for positive patient outcomes.

The MBKU Cultural Humility Micro-Credential is designed for students who want to develop their capacity to understand and address their own cultural knowledge and biases. Students progress through a self-paced series of events and self-guided activities including seminars, workshops, videos, self-reflection, and experiential learning opportunities. These activities are intended to better prepare students to transition into their professional field with a foundational level of cultural humility, upon which they will be able to grow throughout their careers.

The Cultural Humility Micro-Credential is open to any interested MBKU student. Since this program is mostly self-guided, each student experience will vary, but this program is intended to take 20-25 hours over the course of 2 years. Students who fulfill the program requirements are awarded a certificate of completion and lapel pin to wear on their White Coat.

Students who complete the Cultural Humility Micro-Credential:

- a. Differentiate between cultural competency and cultural humility.
- b. Assess their own cultural knowledge and bias.
- c. Interpret the inter-cultural behaviors of a social or professional setting.
- d. Participate in, and reflect upon, a culturally foreign setting.
- e. Construct an action plan for continued development of their cultural humility.

Interested students may begin completing requirements at any time. Email StudentAffairs@ketchum.edu for enrollment in the Moodle course, which is used to submit and track requirements. All hours and assignments must be completed at least 8 weeks prior to the student's commencement ceremony.

V. STUDENT GOVERNMENT ASSOCIATION

A. Student Government

The mission of the MBKU Student Government Association (SGA) government is to advocate on behalf of the entire student body with the goals of enhancing the quality of education and student life on campus, to foster a sense of community within the University and advance the growth of interprofessional relationships in accordance with the evolving needs of today's healthcare.

Annually, each class elects their own class cabinet positions (which vary between the Programs), as well as SGA officers to represent the student body (president, vice president, secretary, treasurer, and committee chairs, and committee positions). Each class is free to maintain its own voluntary organization and treasury for social and other extracurricular functions under the supervision of the SGA. Class cabinet elections are held in the fall for every first-year class and in the spring for upper-level classes.

SGA is ultimately managed by the University Student Executive Council (USEC) which is comprised of the elected SGA President, Vice President, Treasurer, Secretary, the class presidents from each class, and the committee chairs. SGA meetings occur once per month during the academic year and all MBKU students are welcome to attend as observers. Only USEC members may participate in the meeting.

All students belong to the Student Association and are charged an annual fee which is split two ways: 1) \$45 goes directly into each class cabinet account, and 2) \$70 is collected by the MBKU SGA for campus programming and other initiatives. Each class cabinet is free to maintain their budget as they see fit – any unspent funds roll into the next year. Once the class graduates, the account is closed, and any money left is reabsorbed by the SGA. The SGA budget is maintained by USEC under the supervision of the SGA Treasurer. For more information, reference the Student Government Association Constitution and Bylaws documents on [Presence](#).

More information regarding official documents for the Student Government Association (including constitutions and bylaws for all clubs and organizations), a list of student organizations, the Student Government Association Handbook, meeting minutes and events calendars are located on [Presence](#).

The following policies and procedures can be found in the SGA Handbook:

- Funding & Financial Management
- Event Planning & Scheduling
- Fundraising Policy
- Alcohol at Student Events
- Establishing a New Student Organization

B. Student Recreation Center

The Student Recreation Center, located in the Low Student Union is provided to give students a place to study, socialize, and/or relax between classes/labs. Refrigerators and microwaves are available, and the lounge is furnished with a variety of tables, chairs, booths, sofas, and a television for comfort. Pool, ping pong tables, paddles and other games are provided as well.

A micro-market run by a third-party company, provides a wide selection of healthy food and snacks including a variety of chips, candy, protein bars, sandwiches, breakfast items, milk, juices, assorted energy drinks, coffee, sodas, and water. The market also sells Keurig pods for use in their provided machines.

Payments may be made with an app, debit/credit card, Apple pay, or USConnect card. The app is though USConnect.com. Additionally, students may load funds on the USConnect card located at the kiosk of the micro-market. Keep in mind that while the kiosk will accept cash for loading funds, it will not give change. Machines accept cash or debit/credit cards. For any issues with machines or vending suggestions, contact the Campus Store Manager.

The Low Student Union is open every day to all students, faculty, staff, and guests. Each person is asked to make a special effort to leave the room in better condition than they found it. Please observe the following rules and regulations:

1. Respect each other and take care of the equipment, furniture, and appliances. Return all equipment to the storage area if no one else is next in line. Cover any equipment if a cover is available.
2. Any event sponsored by a campus organization that is in the Student Recreation Center should be open to the entire student body.
3. **ABSOLUTELY NO FOOD OR DRINK** is allowed on or near the pool or ping pong tables. All equipment has been purchased with SGA funds or donated and is not easily replaced or repaired. Maintenance is everyone's responsibility. Refer to rule #1.

VI. HEALTH & SAFETY

A. **Student Health Policies**

1. Student Health & Insurance

Campus Health Rooms

Occasionally students and/or employees need a quiet, private room to assist with a variety of personal needs including but not limited to:

- Pumping/breastfeeding
- Insulin injections
- Migraine relief
- Prayer
- Emotional phone calls; a place to calm down/relax

Health Rooms are located on main campus in the Health Professions Building (#228 and #229). There is also a Health Room at Ketchum Health Anaheim on the second floor near the Multipurpose Room (#2122). Rooms are equipped with a sink, cupboards and chair and are first-come, first-served. If locked, call Campus Safety. Additionally, room #228 is equipped with a couch and a small refrigerator for storage of personal medical/health related items.

Student Health Insurance

All California residents are required to have qualifying health insurance coverage throughout the year. Residents who fail to maintain coverage each month, could face a penalty at tax time, unless they qualify for an exemption. Generally, the penalty will be \$850 or more when you file your state income tax return.

There are several ways you can meet this requirement:

- a. You may be covered under your parents' policy
- b. You may be covered through your spouse's policy
- c. You may be covered by Medi-Cal
- d. You may be covered by a policy you have purchased for yourself

NOTE: If you plan on going out of state over summer breaks or on clinical rotations, please make sure that you have adequate coverage. Not all plans can be used outside of California. Insurance coverage is an expense that can be added to your financial aid budget / funding. Contact Financial Aid for more information. In California, you may seek coverage through www.coveredca.com or www.healthcare.gov.

2. Accidents & Injuries

Accidents and injuries may happen at any time, so it is important to carry medical insurance. The University has protocols put in place for reporting accidents that occur while on campus and during clinical rotations. The number one priority is student safety. If the accident is serious, please call 911. Fortunately, most accidents do not require emergency services. Regardless of where the accident takes place, please contact Campus Safety immediately at 714-992-7892. They may help take care of the situation and call an ambulance if need be and facilitate their arrival on campus. Campus Safety will complete an incident report.

After the situation is stable, the student should report the injury to their program Student Affairs Administrator and complete a claim form. The program Student Affairs Administrator will forward a copy of the claim form and all necessary information to Human Resources who will report the claim. If a student is injured while on rotations, they should please seek immediate care and then follow the procedure list above.

Workers' Compensation Insurance coverage may apply to a student who is injured during an assignment, including class, laboratory, or clinic and while performing a campus work-study job. The Workers' Compensation Claim Form (DWC-1) should be completed within 24 hours of the injury. This form is located on the Work-Study [portal page](#). For medical attention outside of California, call (888) 558-7478.

3. *Immunizations*

Entering students are required to provide the University with immunization records by July 31 which is collected by your Program. The University follows the [Center for Disease Control \(CDC\) recommended vaccines for Health Care Workers](#), including the [COVID vaccine](#). However, your program may have additional requirements. See Program Handbook for details.

4. *Maintenance of Health Records*

Student health records are kept separate from their educational records and are protected by FERPA/HIPAA. General student health records not related to immunization or tuberculosis tests, are confidential and accessible, or can be reviewed, by MBKU officials only with the express written authorization from the student. Access to such files is restricted to the designated individuals and for limited purposes, as indicated in the written authorization. Access to student health information is granted only to the Program designee for the maintenance and compliance of immunization, tuberculosis tests and health physical requirements. Limited health information (i.e., immunization and tuberculosis screening results), for the purpose of compliance with clinical rotation participation, is granted to the Program designee. The immunization records, as well as the tuberculosis screening results, are maintained and released with permission from the student various third party programs (e.g., "My Record Tracker" through Certiphi Screening) for ease of credentialing during clinical rotations.

5. *Student Fee Reduction/Waiver Courtesy Policy for the University Eye Center*

Students and their immediate family members are entitled to 100% fee waiver for all diagnostic service charges and may purchase dispensing materials (e.g., glasses and contact lenses) at a discount.

Fee waiver appointments are available Monday through Friday (excludes Saturday). MBKU students simply need to show their ID/access card to receive the fee reduction. If you would like a fee reduction for a family member, you must complete the Fee Waiver Request Form. Immediate family includes spouse, registered domestic partner, parents (and in-laws), and children (up to the age of 25). Approval must be obtained 2 weeks prior to the rendering of services and/or ordering of materials. Fee reductions will not be honored after the service is rendered or materials are ordered.

More information, including the [Fee Waiver Request Form](#) is located on the portal. You must be logged in to the portal when using the embedded link above.

6. *Ketchum Health Medical Clinic Courtesy Policy*

Urgent care services and consultation will be provided free of charge**except for laboratory studies, injectables, durable medical equipment, and in-clinic testing (excluding rapid Covid-19 testing which is free of charge).

Please call 714-463-7505 to schedule an appointment.

**Items will be charged at cost + 50%. Patients will be informed of all in-clinic charges prior to treatment and payment. Specific lab specimens will be sent to external laboratories such as LabCorp with patient's authorization. Any external lab fees will be billed by the laboratories to student's individual health plan.

B. Drug & Alcohol Abuse

1. *Introduction*

MBKU recognizes the illegal or abusive use of alcohol or other drugs by members of the community has a detrimental effect on the University's commitment to educate caring, inspired health care professionals who are prepared to deliver collaborative, patient-centric health care in an interprofessional environment. The University community mutually shares the responsibility for creating and maintaining an atmosphere conducive to academic and professional excellence. Responsible conduct and accountability are required from all University constituents whether student, faculty, staff, administrator, or Trustee.

The University has a significant and ongoing interest in ensuring the health, safety, and well-being of all its students and employees. The University will not tolerate the illegal use of drugs or alcohol, and by law, we cannot. Under the Drug-Free Schools and Communities Act Amendments of 1989 in order for an institution of higher education to be considered a

"responsible source" for the award of Federal and State contracts, including student financial aid, we are required to maintain a policy which ensures that students are absolutely prohibited from the unlawful possession, use or distribution of illicit drugs and alcohol on university property or as part of any university activity. Examples of controlled substances covered under this policy are as follows:

- a. Narcotics (heroin, morphine, etc.)
- b. Cannabis (marijuana, hashish)
- c. Stimulants (cocaine, diet pills, etc.)
- d. Depressants (tranquilizers)
- e. Hallucinogens (PCP, LSD, "designer drugs", etc.)
- f. Alcohol

Note: Effective January 1, 2018 the State of California removed certain criminal penalties for marijuana, legalized medical/recreational use under certain circumstances. California now allows the private recreational use and possession of small amounts of marijuana for people 21 years of age and older. Marijuana is still illegal under federal law and is prohibited under the Drug Free Schools and Communities Act. The Controlled Substances Act states that the growing and use of marijuana is a crime. Federal enforcement agencies can prosecute on this basis regardless of state law. In addition, the Drug Free Schools and Communities Act requires the prohibition of marijuana at any university receiving federal funding. MBKU is one such university.

As a result of these federal regulations, MBKU prohibits students, employees, and members of the general public from possessing, using or distributing marijuana in any form in any University-owned or operated facility and during any University activity ([Student Code of Conduct](#)).

2. Drug Abuse Policy

MBKU has a comprehensive approach to the issues associated with substance abuse by emphasizing the following:

- a. The University shall take the necessary effective steps to create and maintain a drug-free educational and work environment for its students.
- b. Individuals who are experiencing issues with the use and/or abuse of alcohol or other drugs are encouraged to seek treatment and/or rehabilitation confidentially and voluntarily.
- c. Students experiencing issues from drug, narcotic or alcohol abuse or dependency should seek assistance through the VPES, the Director of University Counseling Services, and/or Program Dean/Director who shall make referrals to credentialed professional counselors. The counseling relationship is to be professional and confidential.
- d. The University encourages and reasonably accommodates students with chemical dependencies (alcohol or drug) to seek treatment and/or rehabilitation. To this end, students desiring such assistance should request a treatment or rehabilitation leave by contacting the VPES or Program Dean/Director. The University, however, is not obligated to continue enrollment of any student who continues to use drugs or alcohol, nor is the University obligated to re-admit any student who has participated in treatment and/or rehabilitation if that student's academic and/or professional performance remains impaired as a result of dependency. Additionally, students given the opportunity to seek treatment and/or rehabilitation but fail to successfully overcome their dependency or problem will not automatically be readmitted. This policy on treatment and rehabilitation is not intended to affect the University's treatment of a student who violates the regulations described here. Rather, rehabilitation is an option for a student who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency. Any accommodations granted are only in effect while the student is free of drug and/or alcohol dependency.
- e. A student must notify the University of any Criminal Drug Statute Conviction for a violation occurring on university property or as part of any university activity no later than five days after such conviction. Failure to inform the University will subject the student to disciplinary action, up to and including suspension for the first offense.

- f. As part of the University's Drug and Alcohol Abuse Prevention Program, the University has instituted an educational program for all students on the dangers of substance abuse. All incoming students are required to participate in several training modules on health and wellness, social responsibility, and University support services. To assist members of the University Community in overcoming substance abuse problems, upon request the University will offer information on rehabilitative help, including educational materials, information about community resources for assessment and treatment, and counseling programs. Additionally, students may seek advice confidentially from the Director of University Counseling Services.

3. *Alcohol Regulations*

The possession and consumption of alcoholic beverages on MBKU campus and at University recognized events is governed by appropriate state and municipal laws as well as by University regulations. All persons regardless of age or status are governed by these laws and regulations in their administrative practice as well as in personal conduct. All members of the University community are expected to observe the applicable laws and regulations for responsible drinking behavior and to follow appropriate hosting guidelines.

The University's policy with respect to alcohol fully complies with the state laws of California and the municipal laws of Fullerton, Anaheim, and Orange County. These laws apply regardless of the country or state from which a person has come or in which the person maintains official residence.

The University reserves the right to institute stricter regulations beyond that of state or local laws. An individual or group which sponsors a campus event at which alcoholic beverages are made available is responsible for adherence to the applicable state and local laws and university regulations and for the abuses arising from the use of alcoholic beverages. Where alcoholic beverages are permitted, ample non-alcoholic beverages and food must be provided as well.

The intention to serve alcoholic beverages must be registered with University Student Affairs prior to staging the event. The purpose of registration is to ensure that the sponsor understands the rules and that appropriate controls of underage drinking are in place. Organizers of parties (hosts) must be aware of their responsibilities. Hosts must designate specific individuals who will not consume alcohol during the event. These individuals may not serve guests who appear to be intoxicated, and they must prohibit access to alcohol by guests who are under 21. Hosts must follow all of the regulations as listed herein and in the "MBKU Alcohol Policy Agreement for Events" form located on the Forms tab of [Presence](#). Once the form is completed and submitted to University Student Affairs, MBKU Campus Safety will be alerted to make sure they have the appropriate officer representation based on the event attendance estimate (see below).

In general, social events involving the use of alcohol can be very hazardous to the health and welfare of persons and/or the University property. The University requires that security arrangements be taken to maintain order and control the access to social events at which alcohol will be served. MBKU Campus Safety and/or administration has the right to terminate any function at which attendees become disruptive and/or destructive, or the function is not considered to be in good taste.

Everyone is reminded that every member of the University community shares responsibility for the safety and welfare of others who become a danger to themselves and/or to others. The law provides that individuals may be held liable for damages or injury resulting from serving alcohol to persons of any age. Furthermore, any person responsible for organizing or sponsoring an event may be vulnerable to legal prosecution if alcohol is served and minors are present.

The following University regulations shall apply at all University/student functions:

- a. It is illegal for anyone to serve alcohol to anyone under 21 years of age. It is also illegal for anyone under the age of 21 to purchase, possess, distribute, or consume alcohol.
- b. Identification cards with proof of age must be presented when requested at all events at which alcohol is served.

- c. Non-alcoholic beverages and select food items must be readily available and accessible throughout the duration of the event.
- e. Alcohol may not be served to persons who appear to be intoxicated.
- f. Any student event in which alcohol is served or consumed on campus must have received prior approval from University Student Affairs – who shall communicate with Campus Safety and request additional Safety Officers be present for the duration of the event
- g. No person under the influence of alcohol or other drugs is permitted to enter MBKU clinics, see patients or enter a classroom or laboratory.

The federal government requires the University to issue clear statements about sanctions it is prepared to impose on violators.

If an individual or group violates the alcohol policy (e.g., use, possession, or distribution of alcoholic beverages by a person under the age of 21; use of a false ID; failure to ensure that IDs are checked for admission to a social event where alcohol is served; provision of alcohol to someone under the age of 21), the following range of sanctions may be applied: Warning; fine; loss or suspension of social and campus privileges; suspension or denial of permission to hold further social events; suspension or loss of organizational status; referral to the appropriate judiciary body for disciplinary action up to and including suspension, termination or expulsion from the University. See the [Code of Conduct](#) for more information.

C. Smoking Policy

As a health care facility, the University is committed to a philosophy of a healthy and safe environment. Therefore, smoking is not permitted anywhere on campus. Violators will be subject to the same disciplinary actions that accompany infractions of other University rules up to and including suspension.

D. MBKU Fitness Center

MBKU believes in the promotion of physical health and mental well-being for all students. In that spirit, a fitness center is available on campus. All current members of the student body (and employees) are eligible to use the Fitness Center at no cost. The Fitness Center includes lockers, showers and restrooms that are available for temporary use while utilizing the facilities.

Use of the Fitness Center and workout equipment is at your own risk. MBKU is not responsible for any claim, liability, or demand of any kind because of personal injury, personal property damage or any other damage resulting from or associated with the use of Fitness Center Facilities. If a piece of equipment needs to be serviced or repaired, please alert MBKU Campus Safety.

If interested in a larger gym with more recreational options, MBKU faculty, staff and students are eligible for an “Affiliate” or “Weekend Only” membership at the California State University Fullerton Titan Recreation Center. For more information, refer to the [Titan Recreation website](#). Select “Sign Up” to make a profile.

Fitness Center Rules and Regulations

1. **Hours of Operation**
The Fitness Center is open from 6am to 1am, 7 days a week, in accordance with campus hours. It may also be closed for cleaning and/or repairs. MBKU ID Access Card is required for entry.
2. **Lockers, Showers and Restrooms**
The lockers are only available for temporary use while utilizing the Fitness Center facilities. At each visit, a key may be checked out from Campus Safety and returned immediately upon exiting the Fitness Center. Lockers are available on a “first-come, first-served” basis. Lockers cannot be reserved. A \$15 fee will be assessed if a locker key is not returned within 48 hours.
3. **Dress Code**
Appropriate workout attire (e.g., closed-toe workout shoes, shirts, shorts, pants, leggings, etc.) must always be worn.
4. **Television Monitoring**
As part of the campus security system, a television camera is mounted in the northwest corner of the ceiling and records all activities 24 hours per day.

5. General Rules and Regulations

- a. At any time, MBKU Campus Safety and/or administration may revoke Fitness Center use privileges for any abuse or violation of the Fitness Center, equipment and rules and regulations.
- b. Participation and use of facilities are entirely at your own risk. MBKU is not responsible for any lost, stolen, or damaged items. Where property damage is incurred, the person responsible shall reimburse all costs for repair or replacement.
- c. The Fitness Center is for the exclusive use of MBKU students and employees. No other persons are eligible to use the facility.
- d. ID Access Cards must always be in possession.
- e. No food or drink is allowed other than bottled water.
- f. Be courteous and allow others to exercise in your immediate vicinity. Please observe a 30-minute time limit on all cardio equipment when others are waiting.
- g. Wipe any perspiration off equipment and/or mats immediately after use. Replace weights and other objects to the proper location.
- h. No towels are provided. No bags are allowed in the Fitness Center – please use a locker.
- i. No personal work out equipment (i.e., Kettlebells, Dumbbells) may be brought into the MBKU gym.
- j. Workout equipment is not permitted to be removed from the MBKU gym to utilize on campus.
- k. No chalk.
- l. Report any dangerous behavior or unprofessional activity by others Campus Safety immediately.

E. Campus Safety & Security

MBKU continuously strives to provide the safest possible environment for classroom, work, study, and after-hours activities for everyone on campus and at MBKU clinics. Personal safety continues to be of paramount importance and will remain one of the highest priorities.

Campus is responsible for ensuring overall safety and security on all University properties. Campus Safety Officers are available on the Fullerton campus 24 hours, 7 days a week. The Campus Safety office is located on the ground level of Building B next to the parking structure.

Each student, faculty, and staff member have been issued ID Access Cards and must carry them for identification at all times. Campus Safety Officers have the authority to check and identify anyone on any campus at any time. If proper identification cannot be provided and it is determined that an individual does not have business on MBKU property, the individual may be escorted off campus.

All members of the campus community are urged to help monitor and maintain the safety of campus. If students suspect an unauthorized or suspicious individual on campus or in the immediate area, they should call Campus Safety (714-992-7892). Please stay on the line until an Officer answers your call and provide details on the individual to the Officer on duty. Located in the parking structure and in Lot C parking area are blue light emergency intercom systems, which are monitored by Campus Safety. These emergency call systems should be used for emergencies only (i.e., not parking issues).

The city of Fullerton has a major university, multiple colleges, and various other schools within its boundaries. This makes the Fullerton Police fully aware of the constant activities on each campus and the potential crime that could occur. MBKU maintains a working relationship with the Fullerton Police Department and has always found them swift to respond to any reported problem.

The University has an Emergency Alert System to communicate with students and employees should there be an emergency. Students can enroll or update their information in the system via the MBKU portal. Once the student is enrolled, and in the event of an emergency or a high concern event, a notification will be sent to inform the student of the incident and safety directions (e.g., not to come to campus, when to return to campus, etc.). The notification is distributed via text message, email, or voicemail (mobile and land line phones).

Safety as a Social Responsibility

At MBKU, we continually strive for a culture of reporting. It is not the responsibility of a few select people to keep the community safe – it is the responsibility of everyone to maintain overall safety. For

more information regarding social responsibility and bystander training, please visit the [Student Achievement Center Moodle site](#) for a training video and additional resources on these topics.

If students see something suspicious on campus or have a non-emergency concern about a situation or fellow student, please report the concern via the “[Report A Concern](#)” form on the portal. This form may be submitted anonymously. This form is for reporting general concerns regarding the safety and wellbeing of the MBKU community only. Anonymous reports regarding alleged University policy violations will not be accepted through this form. University policy violations and/or grievances may be submitted to the VPESS (see “[Student Conduct](#)”).

Once submitted, the form will be reviewed and the concern may be investigated, if necessary or appropriate. If students include their own information, they may or may not be contacted for more details or follow-up. Due to specific circumstances and/or confidentiality concerns, it is likely the reporter will not be informed of any outcomes or resolutions.

Make caring a habit – if you see something, say something.

1. *MBKU Campus Safety*

MBKU provides information to the University community regarding sexual assault and other personal safety issues annually. University offices, such as University Student Affairs and Human Resources, may refer survivors/possible victims to local support agencies and assist them with the reporting of the crime to local authorities. The President shall take measures as deemed appropriate after due process and careful consideration with respect to any member of the University Community involved with sexual assault or any other sensitive crime.

Objectives

- a. To annually update and provide information regarding sexual assault on the external MBKU website, in the University Student Handbook and the Student Achievement Center Moodle page which includes local referral sources.
- b. To assist any member of the University community who may be a victim of sexual assault, or other personal crimes, with securing counseling services and reporting the crime to law enforcement.
- c. To educate and train public safety personnel and individuals who advise and/or supervise students regarding prevention and the importance of support services for members of the University Community who may be a victim of sexual assault and other crimes.

Disclosure

- a. The University Student handbook contains the complete policy, including its objectives.
- b. University students will be sent information directly and informed of any changes.
- c. Special flyers will be posted regarding sensitive crimes. They illustrate the need to seek out emotional support as well as the need to report the crime. In addition, pamphlets will be available regarding these matters in a variety of student gathering areas on campus and in the clinics.
- d. The VPESS maintains ongoing referral sources available to students. If a student reports a crime, the Vice President for Enrollment and Student Services encourages the student to seek out emotional support and immediately provide the student with contact information to local agencies. The student will be informed of the option to report the crime to the local law enforcement. If the student desires, the student will be assisted with this process.
- e. The Director of Campus Safety, or designee, aids the affected individual reporting the crime. This person explains the process and, if necessary, escorts the student to the local authorities.
- f. If the crime occurs on the University premises, the Director of Campus Safety works with the local law enforcement to apprehend and/or prosecute the assailant.
- g. For additional information, please reference the [Prohibited Discrimination, Unlawful Harassment & Sexual Misconduct policy](#).

Please be Alert at all Times

- a. Identification/Access Cards are issued to all students for identification and security purposes and must always be worn in a visible location while on campus.
- b. Purses, keys, and personal belongings must always remain with you (or in a locker).

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- c. Identify all items of value with your name and if possible, your student identification number.
- d. Be alert when using school equipment. Help protect it from theft, unauthorized use, or vandalism.
- e. Keep your vehicle locked when not in use, lock valuable items in the trunk.
- f. Check the back seat before entering your car.
- g. Report any suspicious activity or any concerns you may have via the "[Report A Concern](#)" form. **Make caring a habit... If you see something, say something.**
- h. Always park in a well-lit area.
- i. Do not walk alone at night, get a friend to go with you, or call Campus Safety for an escort.
- j. Walk on well-lit paths and avoid shortcuts and dark or isolated spots.

On Campus Emergencies

All crimes (assault, thefts, vandalism, etc.) and accidents should be reported to Campus Safety. Reporting should be completed as quickly as possible after any one of these occurrences. This enables the University's Safety and Emergency Preparedness Management Organization (SEPMO) to review and correct policy to insure your continued safety. The Director of Campus Safety shall notify the Fullerton Police Department and a formal report will be completed for any major incident or crime.

<u>PROBLEM</u>	<u>CONTACT</u>	<u>TELEPHONE #</u>
Accident	Campus Security – Main Campus	(714) 992-7892
	Campus Security – Ketchum Health	(714) 463-7509
	Student Affairs	(714) 449-7414
	studentaffairs@ketchum.edu	
	Human Resources	(714) 449-7459
Police	humanresources@ketchum.edu	
	Fullerton Police	(714) 738-6800
Fire	Fullerton Fire Dept.	(714) 738-6300
Ambulance	Fullerton Paramedics	(714) 738-6122
Emergency Only	-----	9-1-1

Local Hospitals

St. Jude Medical Center	101 E. Valencia Mesa Drive, Fullerton	(714) 871-3280
Placentia Linda Hospital	1301 N. Rose Drive, Placentia	(714) 993-2000
Kaiser Permanente	3430 East La Palma Avenue, Anaheim	(714) 644-2000

Community Resources

When in doubt, call 911 or local law enforcement agency. *If using a University phone line, you must dial 9 first.*

Local Law Enforcement Agencies

Fullerton Police Department	(714) 738-6800
Placentia Police Department	(714) 993-8164
Anaheim Police Department	(714) 765-1900
Brea Police Department	(714) 990-7625
Orange County Crime Stoppers	1-855-TIP-OCCS (847-6227)
*anonymous	

Hotline Support

Crisis Prevention Hotline	877-7-CRISIS or 877-727-4747
National Suicide Hotline	800-SUICIDE or 800-784-2433
OC Domestic Violence Hotline	714-992-1931 or 800-799-7233
Center Against Sexual Assault	866-373-8300
National Sexual Assault Hotline	800-656-4673
Rape Crisis Hotline	714-957-2737
Sexual Assault Victim Services	714-834-4317
Orange County Rape Crisis Center	866-935-4783
University Counseling Services	714-595-9700 or 714-992-7835

2. Campus Hours

Campus hours are from 6:00am to 1:00am, 7 days a week. Campus is closed from 1:00 am to 6:00am. Student ID access cards will not have access during these hours. During all other hours all doors are still locked but accessible with your access card. Exceptions to these posted office hours include:

Library

For up-to-date Library hours, visit their [website](#).

Administration Building (Building D)

Monday through Friday 7:00am - 6:00 p.m.

Saturday and Sunday - Closed -

The extended time in the academic buildings is to provide the time necessary for students to study and practice clinical skills. Students must yield to the janitorial service for scheduled cleaning. Safety personnel, faculty, staff and janitorial crew have the right to ask all persons, including students, to leave the buildings at the above closing times.

A Safety Officer is on duty and conducts campus rounds twenty-four hours a day. Anyone desiring access to any classrooms or laboratories, for either study or practice time, at any time other than the times indicated above, must have written permission from the department responsible for that space and present it to the officer in the Safety Office before entry may be granted.

During weekends, the outside elevator in Building D will be shut down. Second floor entrance to Building C (at the end of the student lockers) will be secured. Entrance will require the use of the ID access card that has been issued to you.

**Note: Regardless of circumstances, if a Campus Safety officer asks students, staff, or faculty to vacate campus, they must do so.*

3. Campus Safety Escorts

If for some reason a student feels unsafe, it is late at night and/or must walk a distance to their vehicle after class, MBKU Campus Safety will escort them to the intended destination. This service is available to all students, faculty, and staff to provide a safe and secure environment. For a Safety Escort, please call Campus Safety: Fullerton (714-992-7892), Ketchum Health (714-463-7509), and UECLA (323-234-1356). Stay on the line and your call will be forwarded to a cell phone if an officer is not in the office.

4. Clery Act

MBKU, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (also referred to as the “Clery Act”), publishes an Annual Security Report (ASR) to provide its students and employees with an overview of crime that occurs on or near MBKU campus (including CSUF). This information is found on the following website: ope.ed.gov/security. Click “Get data for one institution/campus.” Scroll to the bottom section and complete the “Name of Campus” and “Campus City” fields and select search. The full ASR may be obtained from the University website: <https://www.ketchum.edu/student-life/safety-security>

5. Firearms & Weapons

Firearms and other dangerous weapons may not be brought into or kept on University-owned property and/or an affiliated clinic under any circumstances. A student may possess self-defense spray but may not use it for purposes other than self-defense. For more information, please reference the [Student Code of Conduct](#). Violation of this policy may be punishable by disciplinary action, up to and including immediate dismissal or expulsion from the University.

MBKU Safety Officers carry firearms on MBKU campuses to increase our ability to respond to unsafe situations caused by potential threats of violence. No other exception regarding firearm licensure will be allowed.

6. Non-MBKU Guest Policy

Student guests are welcome on campus. Due to liability issues, guests may not use the Fitness Center. Policies related to computer and facilities use apply to student guests as to all other members of the University community.

Campus Safety continually maintains a log of all guests and their MBKU escorts. This is to make sure all non-MBKU persons on campus have been authorized for campus access and to have an accurate campus headcount if an emergency were to occur. MBKU students who have a minor child, relative, friend or other guest visit them on campus must register them with Campus Safety and Security prior to their arrival. MBKU students must be the minor's parent/guardian OR have permission from the minor's parent or guardian to be with them on campus. The student accompanying the minor is responsible for the minor's welfare. All guests (including family members) should carry photo ID, be accompanied by an MBKU-affiliated escort, and visit the Campus Safety Office (first floor of Building B) to check-in in person. Only if an officer is not available, call 714-992-7892 to contact the Officer on duty. Stay on the line – even if it sounds like the phone hung up. That noise is the call transferring from the Safety Office land line to the patrolling officer's cell phone. For any permit and/or guest parking inquiries, contact Campus Safety prior to the guest(s) arriving on campus.

7. *Non-Service Pets on Campus*

Pets are welcome additions to many people's lives. However, pet owners must be cognizant of how bringing their animals to campus could negatively affect others. Members of the MBKU community may have allergies or be fearful of animals. In addition, pets may cause unwanted distractions and disruptions in some cases.

Unless a registered service animal, pets belonging to employees and/or students are not allowed on campus. This includes outdoor spaces and within campus buildings and/or clinics. This policy applies to everyone at MBKU unless a specific exception has been granted. Students please refer to the "[Accommodating Students & Applicants with Disabilities](#)" policy. Employees, please refer inquiries to HumanResources@ketchum.edu.

8. *Parking*

The use of the parking structure shall be at the permit holders' risk. The University shall not be responsible nor assume liability for any damages to or theft of the vehicle or contents therein while parked in the parking structure. Parking in the MBKU parking facility is by permit only. The basic parking permit provides students with entrance into the University's parking structure.

Student parking permits may be ordered online through the [portal](#). The display tag is used throughout the duration of enrollment with activation of parking privileges initiated with paying current parking fees. There is a \$10 parking tag replacement fee, which may be purchased on CASHNet. New and replacement tags will be available within 2-3 business days after ordering at the Fullerton Campus Safety Office (Building B).

Student parking fees may be paid on an annual or quarterly basis. Student parking privileges may be cancelled within the first 10 days of the first term of the academic year to receive a full refund. No refunds will be provided after the first 10 days. To cancel parking privileges and request a refund, please email StudentAccounts@Ketchum.edu.

Student Parking Lots

Parking is on a first-come, first-served basis. The following are the University-owned parking facilities. Only students (and employees) with a valid parking permit will be allowed to park in any of these facilities.

- Lot A Fullerton Campus Parking Structure located on Associated Road
**ID access card required for entrance and exit*
- Lot B Ketchum Health Parking Lot located at 5460 East La Palma Ave. Anaheim
- Lot C Health Professions Parking Lot located off Yorba Linda Blvd.
No student parking before 5pm – Reserved for employees and guests only
- Lot E UECLA Parking Lot located in Los Angeles
- Lot G Joeun Church Parking Lot located at 2001 N. State College Blvd. Fullerton
Gate closes at 6:30pm sharp! Last pickup on campus is 6:20 pm.

Parking in Lots A and C will be open to all employees and students starting at 5PM and lasting until 1:00 am, no permits required. All non-permitted vehicles must be removed from campus by 1:00 am. Vehicles left after 1 am are subject to citation or towing at owner's expense.

Parking Guidelines – All Violations are Subject to Fine

- a. Parking Permits must always be displayed and are non-transferrable unless a group of students are registered with Campus Safety as a carpool group. Permits must be hung from the rear-view mirror. If you have forgotten your permit or driving a different vehicle, stop by the Campus Safety office upon arrival and notify them. If you have lost or misplaced your parking permit or ID/Access card, a replacement can be obtained from Campus Safety, after purchase on CASHNet.
- b. Reserved parking is assigned to employees that pay a premium for the space. These spaces are identified by a “Reserved” sign. If someone else parks in an assigned parking space, they will be contacted immediately to move their car and a fine will be imposed.
- c. No unauthorized overnight parking is permitted.
- d. A parking permit does not guarantee that a space will always be available. Should a student be required to park elsewhere no refund or reimbursement will be given.
- e. A weekly parking permit may be purchased for \$25 on the MBKU portal. This permit must be visible from outside the vehicle.
- f. Compact spaces should be used for small vehicles only. Citation will be issued for oversized vehicles.
- g. Vehicles must park in the center of the parking space (not on lines), forward to the bumper or curbing, and parked head-in, not backed in.
- h. All vehicle information shall be current and/or updated with Campus Safety when a change has occurred (i.e., Model/Make/Color and License plate).
- i. 5 MPH speed limit is enforced in the parking structure. Any speed greater than 8 MPH is considered reckless.
- j. Only one car allowed through gate at a time. Attempting to enter gate as second car on another person's access is considered reckless.
- k. ID Access Cards are non-transferable – do not let another person use your card to obtain gate access.
- l. No parking, unloading, or loading of passengers in service and delivery driveway area between the parking structure and Building C.

Failure to follow these rules and regulations will result in a citation and/or loss of parking privileges.

PARKING FINES

1st Violation:	\$25
2nd Violation:	\$35
3rd Violation:	\$50
4th Violation:	\$75
5th Violation:	Vehicle towed

MOVING FINES

1st Violation:	\$25
2nd Violation:	\$50
3rd Violation:	\$100
4th Violation:	Vehicle towed

RESERVE SPACE PARKING FINES

1st Violation:	\$25
2nd Violation:	\$50
3rd Violation:	\$75
4th Violation:	\$100
5th Violation:	Vehicle towed

PERMIT FINES

1st Violation:	\$25
2nd Violation:	\$35
3rd Violation:	\$50

PARKING IN A HANDICAP PARKING SPOT *without displaying the proper permit or license plate*

1st Violation:	\$25
2nd Violation:	\$50
3rd Violation:	\$75
4th Violation:	\$100
5th Violation:	Parking Privileges Revoked

If all handicap parking spots are filled on the MBKU campus, the University reserves the right to have the unauthorized vehicle towed to an impound yard at the vehicle owner's expense, even if it is the first violation.

PARKING, UNLOADING AND LOADING OF PASSENGERS in the posted *No Parking in Service and Delivery Area between the parking structure and Building C*

1st Violation:	\$25
2nd Violation:	\$35
3rd Violation:	\$50
4th Violation:	\$75

JAYWALKING: Students, found to be crossing the street (Associated Road) illegally, are subject to a municipal citation by Fullerton Police. Please make every attempt to cross at the nearest crosswalk. This is in your best interest.

BICYCLES & SKATEBOARDS: Students are encouraged to take alternative modes of transportation to the University. For the safety of everyone, riding bikes, skateboards or any other wheeled device is not allowed on campus.

NOTES:

- Pay for parking fines on CASHNet.
- Payment is due by the due date. Fees double after the due date.
- Failure to comply with parking policies will result in your parking privileges being revoked for the quarter. No refund of parking permit fees will be provided.
- Failure to pay fines or habitual repeat offenses will result in your vehicle being towed at your expense and parking privileges will be revoked. No refund of parking permit fees will be provided. If payment is not received the charge information will be turned over to Student Accounts Services for collection. The student's account will reflect the amount due and will be placed in Past Due Status until charges are paid.
- Direct all disputes/complaints to the Director of Campus Safety. For questions, contact Campus Safety at CampusSafety@ketchum.edu or (714) 992-7892.
- For appeals, contact the VPES at least 48 hours prior to the due date on the violation.

VII. GENERAL INFORMATION

A. **Academic Calendar**

The University Academic Calendar, published in the University Catalog, is the official academic calendar of the University. The University Academic Calendar includes the start and end dates of each quarter, grade change dates, makeup of incomplete grade dates, commencements, and student holidays. Once established, events such as the beginning and ending dates of academic terms, holiday breaks, etc. may not be changed per requirements of the Federal Financial Aid programs.

Programs may have unique course schedules and other important dates, so students should reference program schedules published in Program Handbooks, posted on the portal or within Course Syllabi. If students have trouble, contact the respective Program's administrator.

Students should check the MBKU Master Calendar, a University listing of all events, and not just academic dates, to ascertain a complete listing of functions and events on and off campus. It is the responsibility of each Program to make sure all their events are included on the University Master Calendar.

B. **MBKU Facilities**

The main campus in Fullerton ([map](#)) consists of six buildings: the Administration Building, Basic and Clinical Sciences Building, Warren and Carol Low Student Union, the Health Professions Building, Campus Safety/Operations/Parking Structure and the Richard L. Hopping Academic Center.

The University owns and operates two teaching clinics; the [University Eye Center at Los Angeles](#) located in South Los Angeles and the [University Eye Center at Ketchum Health](#) located in Anaheim. Ketchum Health Anaheim also houses the SPAS Family Medicine practice and the COP Pharmaceutical Sciences Research Laboratory, which allows collaborative practice between all three professions.