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Contact Us

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A Message from President James L. Doti

Every member of the Chapman University community has a stake in providing a safe environment for teaching, research, and learning, and all of us must be committed to keeping our campus and residence areas secure and crime-free. As an independent, comprehensive liberal arts university, located in the center of one of the most progressive and exciting areas of California, we are proud of our tradition and enthusiastic about the opportunities it provides for our students to interact with the external community.

We are also aware of the challenges posed by such an environment, and this booklet outlines many of the steps taken by the university to ensure the safety of its students, faculty, and staff. The responsibility for crime prevention and personal safety, however, does not and cannot rest primarily with the university or our Public Safety Department; rather it rests with you and me as individuals. Each of us must take personal responsibility for our own safety, as well as for the safety of those around us.

James L. Doti
President

By
The Department of Public Safety
Office of the Director and Chief

1 This report is also available on the World Wide Web at http://www.chapman.edu/campus-services/public-safety/clery-act.aspx. It is presented in a Portable Document Format (pdf) and can be viewed by using Adobe Acrobat Reader.
Phone Numbers & Resources

Department of Public Safety  (714) 997-6763
Student Health Center  (714) 997-6851
Student Engagement  (714) 997-6761
Dean of Students  (714) 997-6721
Student Psychological Counseling Services  (714) 997-6778
Housing and Residence Life  (714) 997-6603
Facilities Management  (714) 997-6658
Chapman Information  (714) 997-6815
Orange Police Department (Business Line)  (714) 744-7444
Orange Fire Department (Business Line)  (714) 288-2500
Campus Overview

Chapman University is a 155-year old independent institution of liberal arts and professional training dedicated to providing a solid foundation of knowledge that enables its graduates to become fully educated persons. The university is located 40 miles south of Los Angeles, adjacent to Disneyland, Anaheim Stadium, Orange County Performing Arts Center, and fifteen (15) minutes from Orange County-John Wayne Airport.

The university traces its history to 1861, the founding date of Hesperian College, its predecessor. It is one of the oldest private universities in California. For many decades Chapman University has been an integral part of the City of Orange and the city and university have prospered together. The Southern California area offers students, faculty, staff, and visitors an exciting environment in which to live, learn and grow intellectually, socially, and culturally. The interaction of university and city create an unparalleled laboratory in which to engage the problems and possibilities of urban America.

Realistically, however, urban living also puts members of the university community in the midst of some of society’s most pressing dilemmas. Just as in every other urban university setting, each of us at Chapman University must learn how to live successfully and safely within these realities. The mission of the university is to provide a personalized education of distinction that leads to inquiring, ethical and productive lives as global citizens.

Personal safety and the security of property start with a knowledgeable and aware person who behaves in a self-consciously safe manner. The information in this publication is offered to increase your awareness of crime as we experience it at Chapman University and of the many programs we provide to assist you in protecting your safety and well-being.

Crime and Reporting

Crime occurs in every American community and, unfortunately, the campus community is not immune. To a significant degree, campuses mirror the dynamics of the larger society. That does not mean, however, that they experience crime to the same degree. Typically, campuses have fewer crimes than the locales in which they are situated and Chapman University is no exception. It is unfair and unwise to make assumptions about the level of campus crime based on the campus’ location, and it is equally unfair and unwise to make simple comparisons of crime statistics between or among universities. Many factors affect the level of crime at a university, including such things as its enrollment, ratio of graduate to undergraduate students, types of programs conducted and so forth.
It is also important to keep in mind that much campus crime is committed by the members of the university community themselves. This is just one more way in which we are similar to virtually every other community. Every member of the university community—student, faculty, staff or visitor—should report any crime of which they are the victim or which they may witness to the Department of Public Safety and/or the Orange Police Department. The long-standing policy ensures that responsible officials are able to target public safety resources properly. It also provides crucial information for public distribution to keep people aware. The table at the end of this report displays the numbers of certain categories of crimes reported to the Chapman University Department of Public Safety during the last three calendar years. These are crimes committed against students, faculty, staff or visitors to Chapman University that have occurred on university-controlled property. The department tracks these crimes to assist us in developing crime suppression measures and prevention programs.

**Chapman Department of Public Safety**

The Chapman University Department of Public Safety consists of thirty-two full-time staff members comprising the Patrol Division, Investigations Communications, Fire and Life Safety Division, and Parking and Transportation. The Department of Public Safety uses a variety of crime suppression and prevention methods including foot patrol, bike patrol, and vehicular patrol to monitor university activities 24 hours a day. The department also employs a broad array of electronic devices including video recording, fire alarms, intrusion alarms, card access systems, and blue-light emergency phones; which are located throughout the campus. Additionally, Public Safety monitors a private 9-1-1 system to handle emergency calls on campus. Officers receive training in criminal law, patrol procedures, investigations, report writing, first aid, CPR, and in the use of Automatic External Defibrillators (AED).
Authority and Jurisdiction

The authority to enforce Chapman University Policy is established by the Board of Trustees. When and if the need arises, Public Safety officers are authorized to make a citizen’s arrest of any and all persons creating disturbances against the general peace, interfering with the security of campus facilities or grounds, or interfering with or disturbing the safety and the general welfare of the university community. When such a citizen’s arrest is necessary, the Department of Public Safety shall, as promptly as possible, notify the Orange Police Department to come and render assistance as needed and necessary.

The Patrol Division of the Department of Public Safety is primarily responsible for handling all emergency calls and crimes in progress. Ultimately, the main jurisdiction for investigating crimes on campus lays with the Orange Police Department, however, the Department of Public Safety assists in investigating non-violent property crimes that occur at the university.

Crime and Incident Reporting

All crime victims and witnesses should immediately report crimes to the Department of Public Safety and/or the Orange Police Department. Prompt reporting will aid in apprehension of the offender and ensure timely warning notices and disclosure of crime statistics.

To encourage prompt reporting of all crimes and to help care for the safety and welfare of all of its community members, Chapman University maintains Good Samaritan and Amnesty policies. At times, community members may need assistance. Sometimes students are hesitant to call assistance for fear that the student needing assistance or themselves may be charged with university policy violations. Chapman University hopes to remove this fear by clarifying the policies to encourage students to report sexual misconduct and to seek assistance for themselves or others who need help. The Good Samaritan policy applies to students seeking help on behalf of other students and the medical amnesty policy applies to the person(s) in need of medical attention. The sexual misconduct amnesty policy applies to both any witnesses and the complainant in an incident.

Good Samaritan Policy

The Good Samaritan policy allows the University to eliminate conduct consequences as articulated in the Student Conduct Code for students, who may be under the influence of alcohol or other substances, who make a good faith call for medical or other help on behalf of another student (See also
Appendix 5: Sexual Misconduct Policies. This policy applies in situations involving alcohol, other drugs, interpersonal violence, and other situations considered dangerous by a reasonable individual. This means that no formal university conduct actions or sanctions will be assigned to the reporting student(s) for minor violations relating to the incident. The incident will still be documented and educational interventions may be required as an alternative to conduct action. This policy does not protect against repeated or serious violations of the Code such as, but not limited to, abusive behavior, failure to comply, interpersonal violence, and distribution of alcohol and/or other drugs, hazing, theft, property damage, etc.

Medical Amnesty Policy
The medical amnesty policy is a reduction in the conduct consequences for students who receive medical attention due to alcohol intoxication, alcohol poisoning, or other drug intoxication. Students who receive medical attention for alcohol and other drug intoxication will be required to complete educational interventions. This means that no formal university conduct actions or sanctions will be assigned to the student, unless he or she fails to complete the assigned educational interventions. This policy shall only apply to a student’s first alcohol policy violation that requires medical attention, regardless of how the response was initiated. Additionally, this policy does not protect against serious violations of the Code such as, but not limited to, abusive behavior, failure to comply, interpersonal violence, and distribution of alcohol and/or other drugs, hazing, theft, property damage, etc.

Sexual Misconduct Amnesty Policy
Chapman University strongly advocates the reporting of sexual misconduct (including sexual assault, domestic abuse and violence, dating abuse and violence, stalking, and sexual harassment). To encourage and support the reporting of such matters, it is important to note that the complainant or any witnesses will not be held accountable for violations of the Code (including alcohol or illegal substances policies) that may have occurred at the time of or as a result of the incident in question, provided that these violations did not endanger others or are not egregious in nature or do not violate the academic integrity policy.

Crime Prevention
Crime prevention is everyone’s responsibility. Without an aware and involved citizenry, no law enforcement or security agency can be effective in preventing crime. This is especially true in the university setting where overly repressive or intrusive security measures are incompatible with the academic mission. With this realization firmly in mind,
Chapman University conducts a number of programs to educate members of the community and to create conditions conducive to a safe and secure atmosphere and environment.

The Department of Public Safety Crime Prevention and Safety Education Unit conducts a number of seminars and workshops annually on such topics as personal protection, rape awareness, property protection, residence security and others upon request.

In addition to these programs, the Student Health Center and Psychological Counseling Services offer assistance in the areas of student counseling and health education for the campus community. These services include counseling, referral to other services and programs to aid in a time of need. The following security awareness and crime prevention programs are also available:

**Panther-Alert Emergency Notification System** Panther-Alert sends emergency messages to your mobile or fixed device of choice so you get emergency messages quickly wherever you are. The Panther-Alert service allows campus leaders and security professionals the ability to reach all students, faculty, and staff with time-sensitive information during unforeseen events or emergencies using voice, email and text messaging. To find out more and register to receive emergency notifications visit [http://www.chapman.edu/panther-alert/](http://www.chapman.edu/panther-alert/). Panther Alert is always available to the Chapman community.

**Rape Awareness Defense (R.A.D.)** RAD is a unique crime prevention program just for women that focuses on women’s safety and self-defense techniques. To schedule a RAD training seminar for your group please contact Officer Josephine Wright at Jjwright@chapman.edu or Public Safety at (714) 997-6763. RAD is offered each semester.

**Operation Safe Ride** Students, faculty, staff and visitors can utilize this FREE escort service. Operation Safe Ride operates between 7:00 PM to 12:00 AM (PDT) and 5:00 PM to 12:00 PM (PST) during the fall and spring semesters. On Thursday, Friday, and Saturday nights the hours will be extended to 2:30 AM. Our designated Safe Ride drivers are in constant radio contact with Public Safety. If you need an escort and it's after the scheduled hours, you can still call Public Safety at (714) 997-6763 to receive an escort. Additional information on Operation Safe Ride can be obtained at [http://www.chapman.edu/publicsafety](http://www.chapman.edu/publicsafety). Operation Safe Ride is always available.
Bi-TAP (Bicycle Theft Avoidance Program) The Orange City Municipal Code and the Department of Public Safety require that all bicycle owners register their bikes. Bicycle owners can come to the Public Safety office at any time to have their bicycles registered. Bike licenses and renewals are provided complimentary to Chapman constituents – both are valid statewide for three years.

Blue Light Emergency Telephone System Public Safety continues to expand the availability of emergency phones on campus. Push the button on any blue light phone anywhere on campus for a direct line to help. This emergency reporting system is always available.

Alcohol & Drug Abuse Programs There are alcohol and drug abuse programs put on by the P.E.E.R. (Proactive Education Encouraging Responsibility) and Health Education Department each semester. Chapman’s PEER and Health Education department also provides students with opportunities to explore how these life issues impact a person’s ability to succeed in our society. Wise decision-making, responsibility, and awareness of consequences are key components of these programs, and there is a wide variety of programs from tabling and passive programming to interactive programs and workshops. You can contact Dani Smith at (714) 744-7080 or by email at dasmith@chapman.edu. P.E.E.R. can also be reached at http://www.chapman.edu/students/student-health-services/peer/index.aspx.

Campus Watch Program Campus Watch is a program to raise awareness of the types of crime occurring in and around the campus and to develop ideas to deter and prevent crime. It also provides a regular means of communication between the participating staff, faculty and Public Safety Officers. The Campus Watch plan creates an environment in which all sections of the campus community can pursue their lives and interests safely and free from the fear of crime. Members of the campus community actively participate in this program through quarterly meetings, a non-emergency/emergency phone network, and training sessions. Campus Watch is organized under the jurisdiction of the Chapman University Department of Public Safety.

Student Concern Intervention Team (SCIT) The goal of SCIT is to create a network of care and support for students with concerns that emphasizes early intervention and academic success/progress for students dealing with difficulties and to connect students with appropriate resources or individuals that may help address their needs. The difficulties students may be experiencing could be academic, social, relationship based (family, romantic, friends, etc.), psychological, substance abuse, financial, or behavioral. SCIT assesses student behaviors of concern in the community and develop appropriate intervention plans throughout the year.
**Victim Assistance Program** Crime Survivors is a victim’s advocacy group in both Orange and Los Angeles Counties. The vision of Crime Survivors is for victims of crime to recover from their experience mentally, physically, emotionally, and financially, by receiving the respect, support and protection from law enforcement, the judicial system, and the community. They can be contacted at [http://www.crimesurvivors.org/page/](http://www.crimesurvivors.org/page/).

**Safety Walk** This is a “walk about” of the campus by selected members of Public Safety, Facilities, Residence Life, faculty, and Student Government that takes place after daylight hours to observe whether any potential hazards to the safety of students, faculty, staff, and visitors on the campus and the student residential area exist. Immediate follow-up and recommendations are made for potential hazards if any are found or suspected.

**Lost & Found** Public Safety operates the university’s Lost and Found service. If you have lost an item you can call (714) 997-6763 to find out if the property was turned in.

### Preparation of Annual Security Report

The preparation of the university’s annual security report is a continual process. The Clery Compliance Committee makes every effort to ensure that the report is complete and accurate. The process includes the gathering of crime statistics from those individuals identified as campus security authorities and law enforcement agencies where appropriate, as well as verification that there are no changes in policies or procedures from previous years with the office of Student Affairs. After collecting crime statistics from the other sources, Public Safety reconciles them with its own statistics to ensure that all offenses have been counted and that no incidents are counted twice. Upon verification of new or changed procedures and crime statistics the report is prepared for publication and distributed in an online version; printed versions are available upon request to the Department of Public Safety. Upon completion of the annual security report, the crime
In compliance with the Drug Free Schools and Communities Act (Public Law 101-26) Chapman University prohibits the unlawful possession, use, and/or distribution of illicit drugs and alcohol by students and employees. Any student or employee in violation of this policy is subject to disciplinary action, up to and including permanent expulsion or termination of employment. If necessary, Chapman University will partner with Orange Police Department or Irvine Police Department to enforce laws related to illegal substances or alcohol.

Importantly, university action is taken independently and regardless of any criminal action that may ensue. Specific regulations are contained in the Student Conduct Code and in the Alcohol and Illegal Substance policy established by the University. Chapman University cooperates fully with the Orange Police Department in the investigation of suspected illicit drug and/or alcohol use in the university community. Primary responsibility rests with the Orange Police Department because of the university’s private status.

Alcoholic Beverages Policy

a. Chapman University has established an alcohol use policy based on the tenet that those serving and drinking alcohol will do so legally and responsibly, with concern for others around them, and with an understanding of the social, personal and legal issues involved. It is the responsibility of persons or groups that use, possess, distribute or produce alcohol to be familiar with and abide by all laws regarding the sale and use of alcoholic beverages. If necessary, Chapman University will partner with Orange Police Department or Irvine Police Department to enforce underage drinking laws. Students hosting events providing alcohol must secure authorization from the Vice Chancellor and Dean of Students, or designee, and adhere to the guidelines provided. The following behavior is prohibited according to the Student Conduct Code: The sale, possession, use, consumption, production, purchase, or provision of alcoholic beverages to or by any person under the age of 21.

b. Public intoxication, displaying intoxicated behavior, requiring assistance due to intoxication, and/or causing University officials to respond due to the consumption of alcohol, even if the subject is over the age of 21.
c. Possessing open containers or consuming alcoholic beverages in any outside location or in public areas inside University buildings including the residence halls, Davis Community Center, Henley Basement (Cheverton Commons), Student Union, residence hall floor lounges, hallways or quad areas, except under those specific conditions outlined in Appendix 6.

d. Consuming alcohol in a private University residence or at a University event when an individual under the age of 21 is present. Students 21 or older may only consume alcoholic beverages in a private University residence or at a University event when that residence/location is isolated and no one under the age of 21 is present. No persons under the age of 21 may be in a University residence while alcohol is present regardless of the amount of time an individual has spent in that residence. Exceptions to these specific conditions are outlined in Appendix 6.

e. Possessing kegs and other common source containers as well as devices designed for the rapid consumption of alcohol (e.g., beer bongs, funnels, etc.); engaging in behavior (e.g., games like beer pong, flip cup, etc.) that promotes the rapid or excessive consumption of alcohol.

f. Hosting events providing alcohol without first securing authorization from the Vice Chancellor and Dean of Students or designee and adhering to the guidelines provided.

g. Providing alcohol with the intent of taking advantage of another. (See Appendix 6: Alcohol and Substance Abuse Policy.)

Illegal Substances Policy

The following behavior is prohibited by the Illegal Substances policy within the Student Conduct Code:

a. Use, possession, sale, distribution and/or production of narcotic or other controlled substances (including marijuana), or acting as an accessory, liaison, or facilitator for any of the above, except as expressly permitted by law (See Appendix 6: Alcohol and Substance Abuse Policy). The possession or use of marijuana, even with a medical recommendation or medical license, is prohibited on University property in compliance with Federal law. Any drugs and/or paraphernalia found to be in a student’s possession, residence, or assigned area will be considered to be in the possession of the student whether or not the student is the individual who purchased or furnished the drugs, paraphernalia,
or handmade drug use device. Confiscated paraphernalia will not be returned to students at any time.

b. Illegal or improper use of prescription or over-the-counter medicines. All prescription medicines must be kept in their original bottle and must have the prescription from the doctor noted on the bottle. Prescription medicines found without their prescription attached will be confiscated until such time that the prescription can be produced. All prescription medications must be prescribed to the person in possession of the medication.

c. Possession of drug paraphernalia, including but not limited to: water pipes, scales, needles, clips, rolling papers, bongs etc., or any device that may be associated with drug use, regardless of whether it is purchased or handmade, even as props for filming.

d. Use of a legal substance in an improper manner (e.g. ingesting a cleaning chemical, inhaling other chemical substances for the purpose of intoxication).

e. Providing drugs with the intent of taking advantage of another.

Campus Security Authorities

It is the policy of Chapman University that the following individuals and organizations within the university are designated as campus security authorities in accordance with guidelines set forth by the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998,” and subsequent rules. As a campus security authority those enumerated individuals who become aware of a crime involving Chapman University or a member of our community must report it to the Department of Public Safety.

All full-time members of the Department of Public Safety.

Office of Housing & Residence Life: Director of Housing & Residence Life; Associate Director of Housing & Residence Life; Assistant Director of Housing & Residence Life; Off Campus Housing Coordinator; Residential Education Coordinator; Resident Directors; and Resident Advisors.

Athletics: Director of Athletics; Associate Director of Athletics; Assistant Director of Athletics; all Head Coaches & Assistant Coaches.

Student Affairs: Vice Chancellor & Dean of Students; Associate Vice Chancellor & Senior Associate Dean of Students; Assistant Dean of Students; Director of Student Conduct; Program Coordinators for Student Conduct; Assistant Directors for Student Affairs; Associate Directors for Student Affairs; Career Development Counselors; Director of Student Health Services; and Director of PEER and Health Education.
Student Engagement: Director of Student Engagement; Assistant Director, Civic Engagement Initiatives; Assistant Director, Cross-Cultural Engagement; Assistant Director, Student Union; Associate Director of Student Engagement; and Program Coordinator, Greek Life.

Academic Units

If someone has significant responsibility for student and campus activities, he or she is a campus security authority. For example, a dean of students who oversees student housing, a student center or student extracurricular activities has significant responsibility for student and campus activities. Examples of individuals who would not meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activity beyond the classroom, clerical staff and cafeteria staff. The function of a campus security authority is to report to the appropriate law enforcement personnel, either campus Public Safety or local police, those allegations of Clery Act crimes that he or she concludes are made in good faith. A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.

Certain individuals who have significant responsibility for student and campus activities are exempted from disclosing information:

- **Pastoral counselor.** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

- **Professional counselor.** A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. This means that a dean of students who has a professional counselor’s license, but is employed by the institution only as a dean and not as a counselor, is not exempt from reporting. An individual who is not yet licensed or certified as a counselor, but is acting in that role under the supervision of an individual who meets the definition of a counselor, is considered to be a...
counselor for the purposes of the Clery Act. An example would be a Ph.D. counselor-trainee acting under the supervision of a professional counselor at the institution.

**Timely Warnings**

The Chief of Public Safety or a designee will develop timely warning notices for the University Community to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the University community. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Public Safety. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other University community members, therefore; a Timely Warning Notice would not be distributed. Sexual assaults are considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Department of Public Safety. Timely Warning Notices may be distributed for other crimes as determined necessary by the Chief or his or her designee in his or her absence. Timely Warning Notices are distributed via email to all Chapman community members’ Chapman email addresses (username@mail.chapman.edu or username@chapman.edu accounts).

**Monitoring Criminal Activity**

Each year the Department of Public Safety makes an official request to the Orange Police Department for statistics of criminal offenses which have not been reported to Public Safety but occurred on campus, university-owned or -controlled non-campus property or on public property adjacent to the campus. This also includes the monitoring and recording through the Orange Police Department of criminal activity at non-campus student organizations.

**Access to Campus Facilities**

Chapman University, while a private university, is in many respects a public resource. Our facilities are used not only by full-time community members, but also by many persons drawn to the campus for a variety of reasons. There is mutual benefit from such use; however, there are also those who come to Chapman University for unacceptable reasons. On main campus those persons with legitimate business are welcome. Specific buildings,
however, are not open to the general public. Entrance may be denied and the trespass laws invoked for persons found in or around our buildings without legitimate reasons.

After 11 p.m. the campus is closed to all but faculty, staff, students, and their invitees. Residential buildings are governed by specific access and occupancy rules. These rules are specifically described in the Chapman Student Handbook and the Chapman University Guide to Residential Living. The exterior doors to all facilities are kept locked. Each residence unit is individually keyed. Trespassing laws are strictly enforced within the residence life areas of campus.

**Megan's Law and Sex Offender Registrant Information**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000, a federal law, requires institutions of higher education to provide the campus community with information on where they may obtain information on registered sex offenders in the state of California. It also requires sex offender registrants who are already required to register in the state to provide notice, as required under state law, to each institution of higher education for which the person is currently enrolled as a student, full- or part-time employee (with or without compensation), or those participating in a vocation (California Penal Code Section 290.009). As the Department of Public Safety is not a law enforcement agency, the registration process must be conducted at the City of Orange Police Department.

In the state of California, convicted sex offenders must register with their local law enforcement agencies. Megan’s Law allows the public to access the registry. It also authorizes local law enforcement to notify the public about high-risk and serious sex offenders who reside in, are employed in, or frequent the community.

Public information regarding sex offenders in California may be obtained by viewing the Megan’s Law website at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov).

Requirements for viewing: Upon entering the website, you must read the disclaimer and agree to the terms and conditions.

**Emergency Response and Evacuation Procedures**

Upon confirmation of a significant emergency or dangerous threat involving an immediate threat to the health or safety of students or employees occurring on or near the campus, Public Safety will take into account the
safety of the campus community, determine what information to release about the situation, and begin the notification process using the Panther Alert Mass Notification System. The only reason we would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so would compromise efforts to: assist a victim, contain the emergency, or otherwise mitigate the emergency. This could include a request from the local police or fire department to delay the message for these purposes. Confirmation of threats is made by a dispatched Public Safety Officer or by information received from local police/fire authorities. If it is determined that notifications are to be made, the Chief, Captain, or their designee shall notify the dispatcher and initiate the notification.

The Emergency Notification System and Panther Alert will be tested at least once per academic year. All community members are automatically in the system to be contacted via Chapman email. It is the responsibility of students, staff, and faculty to register their mobile devices and phone numbers in Panther-Alert in order to receive text messaging, phone calls or voicemail messages.

**Missing Student Notification**

Chapman University has adopted the following policy and protocols regarding the investigation of and response to reports that a student’s whereabouts are unknown.

Chapman will collect confidential contact information from residential students via the housing application process. At the time the student applies for housing, he/she will be notified that his/her confidential contact and appropriate law enforcement agencies will be notified within 24 hours if the student is ever deemed missing by the university.

A student residing in on-campus housing is determined to be missing when the Chapman University Department of Public Safety or other law enforcement agency determines that:

- The student has been missing for more than 24 hours without any known reason,
- The reported information is credible, and
- The circumstances warrant officially declaring the student to be missing.

Unless there is evidence to the contrary, a student residing in on-campus housing will not necessarily be considered missing if the student provided information about his or her intended whereabouts to the Office of Housing
& Residence Life or if the student is absent during recognized University holidays or breaks.

A student may be considered to be missing if his or her absence is contrary to his or her usual pattern of behavior and/or if unusual circumstances may have caused the absence. Such circumstances may include, but not be limited to, a report or suspicion that the missing student may be the victim of foul play, has expressed suicidal thoughts, is under the influence of alcohol or other drugs, is in danger, or has been with persons who may endanger the student’s welfare.

How to Report a Missing Student
If any community member is concerned about a student’s whereabouts, the concern may be reported to the Department of Public Safety at 714-997-6763 or an on-call staff person such as a Resident Advisor or Resident Director on duty. All official missing student reports regarding residential students missing for more than 24 hours must be immediately referred to Public Safety or local law enforcement.

When a Report is Made
When a report is received that a student’s whereabouts are unknown, Chapman may employ such steps as are appropriate in determining the student’s whereabouts; these step may include some or all of the following:

- Check of the student’s campus residence.
- Attempt to contact the student via phone or internet.
- Interview roommates or other students, as appropriate, to gather additional information about the student’s location and recent activities.
- Access the student’s class schedule and try to contact him/her in class.
- Investigate the students’ ID card usage to determine which room the student last used their ID card to enter and when they last used their ID card to purchase food on campus.

Should the above measures be unsuccessful in locating the student, the university shall deem the student as “missing” and within 24 hours notify appropriate law enforcement agencies and the student’s confidential contact.

Confidential Contacts
All enrolled students at Chapman University, regardless of their living circumstances, should designate a Confidential Contact. A Confidential Contact is an individual(s) that the student prefers Chapman University officials contact in the event that the student is determined to be missing for a period of more than 24 hours. The information provided for the Confidential
Contact is confidential and accessible only to authorized campus officials. The contact information may not be disclosed to any party except to law enforcement personnel in furtherance of an official missing person investigation. The University suggests that students notify their Confidential Contacts that they have been designated as such.

All enrolled students at Chapman University living on campus are required to designate a Confidential Contact at the time of Housing Selection. It is suggested that students living off campus also designate a Confidential Contact. Every student (resident and non-resident) has his or her own student account on PeopleSoft where they may designate contact information for their selected Confidential Contact. Students should update their personal information at the beginning of each academic year. Students are solely responsible for the accuracy of the information provided and updating the information when needed.

**Students Under 18**

In the event that the missing student is under the age of 18 and is not emancipated, the custodial parent or guardian on the student’s file at the time that the underage student is determined to be missing will be the individual(s) contacted within 24 hours. If at any time for any reason the custody or guardianship of the student changes during his or her time at the University, the student must update his or her records immediately.

**Public Safety Crime and Fire Log**

The Public Safety Department records and maintains a daily log of all crimes and fires reported to the department. The log is kept at the Dispatcher/Information Desk, located at 418 North Glassell Street and is available upon request.
HARASSMENT AND DISCRIMINATION POLICY

GENERAL POLICY

Chapman University is committed to providing an environment which is free of any form of harassment and discrimination based upon an individual’s race, color, religion, sex, gender identity, pregnancy, national origin, ancestry, citizenship status, age, marital status, physical disability, mental disability, medical condition, sexual orientation, military or veteran status, genetic information, or any other characteristic protected by applicable state or federal law, so that all members of the community are treated at all times with dignity and respect. It is the University’s policy, therefore, to prohibit all forms of such harassment or discrimination among University faculty, students, staff, and administration.

The University’s administration, faculty, staff, and students are each responsible for creating and maintaining an environment conducive to work, study, and learning and for cooperating with the University officials who investigate allegations of policy violations. Harassment and discrimination, in any form prohibited by this policy, impede the realization of the university’s mission to provide an education of distinction in a dignified and respectful learning environment. It is the duty of every member of the faculty, staff, and administration to assure compliance with this policy by promptly reporting allegations of policy violations to the University’s Equal Opportunity Officer. Students are also strongly encouraged to report any alleged violations of this policy, and may do so by contacting the Equal Opportunity Officer, the Dean of Students or one of the Title IX Coordinators listed below. The University will strive to review any charges in a confidential, sensitive, and expeditious manner.

In addition to or in lieu of the procedures set forth in this policy, any individual who feels he or she has been subjected to unlawful harassment or discrimination may contact the California Department of Fair Employment and Housing, the United States Equal Opportunity Commission, or the U.S. Department of Education, Office for Civil Rights.

DEFINITIONS

Discrimination: For purposes of this Policy, the term “discrimination” refers to conduct that subjects an individual to disparate treatment on the basis of race, color, religion, ancestry, national origin, gender, marital status, sexual orientation, age, disability, veteran status, or any other classification
protected by law. This would include within its scope alleged conduct that deprives an individual of academic, employment, or other opportunities offered by the University on the basis of such protected characteristics. Examples of types of discriminatory conduct prohibited by this policy include:

• Depriving an individual of employment opportunities on the basis of a protected characteristic such as:

- refusing to hire or promote a person because of a protected characteristic;

- terminating a person on the basis of a protected characteristic;

- subjecting an employee to different performance standards or reviews because of a protected characteristic, other than in conjunction with a reasonable accommodation offered to a qualified individual with a disability, or

- depriving an employee of job benefits on the basis of a protected characteristic.

• Depriving an individual of academic opportunities on the basis of a protected characteristic such as:

- refusing admission to academic programs on the basis of a protected characteristic;

- subjecting individuals to different academic standards on the basis of a protected characteristic;

- refusing access to university housing, recreational, or social activities on the basis of a protected characteristic;

Harassment: For purposes of this policy, the term "harassment" refers to conduct that meets all of the three criteria defined below:

• Unwelcome;

- For purposes of this policy, conduct is considered "unwelcome" if, under the totality of the circumstances it is 1) neither solicited nor incited; and 2) it is regarded by the recipient as undesirable or offensive.
• Directed or related to an individual’s race, color, religion, ancestry, national origin, gender, marital status, sexual orientation, age, disability, veteran status or any other classification protected by law;

• When either of the following conditions exist:

  - It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions, evaluations, or permission to participate in a University activity; or

  - The conduct would be offensive to a reasonable person under the circumstances in question and, if not corrected, could interfere with an individual’s academic or work performance or create or substantially contribute to an intimidating or hostile work, academic, or student living environment. In determining whether the alleged conduct constitutes discrimination or harassment under this policy, consideration of the incident will include but not limited to the totality of the circumstances, the context in which the alleged incident(s) occurred, the relationship of the parties, whether the alleged offending party was asked to cease the offending conduct and principles of academic freedom.

Examples of types of harassment prohibited by this policy include:

• Verbal harassment, such as harassing phone calls, jokes, slurs, epithets, anecdotes, or other derogatory statements directed to an individual’s or group of individuals’ race, color, religion, ancestry, national origin, gender, marital status, sexual orientation, age, disability, veteran status or any other classification protected by law other than in an appropriate academic study of such activity; or

• Visual, through the use of writings, graffiti, e-mail, posters, objects, or symbols that ridicule or demean an individual’s or group of individuals’ race, color, religion, ancestry, national origin, gender, marital status, sexual orientation, age, disability, veteran status or any other classification protected by law other than in an appropriate academic study of such material; or

• Physical, such as unwanted touching, stalking, or impeding an individual’s free movement on the basis of a protected characteristic.
Sexual harassment, for purposes of Chapman University’s Sexual Harassment Policy, is sexual conduct meeting the above criteria and is the subject of further definitions contained in the University’s Sexual Harassment Policy.

**SCOPE OF THE UNIVERSITY’S HARASSMENT AND DISCRIMINATION POLICY**

This policy applies to all Chapman University administrators, faculty, and staff. This policy also applies to all students, although alleged violations of this policy and disciplinary actions involving students shall be conducted and determined by the Dean of Students or his/her designee in accordance with the Student Conduct Code. Independent contractors and others conducting business at the University are also expected to conform their conduct to the University’s Harassment and Discrimination Policy, and alleged violations of this policy by such persons should be reported.

This policy applies to all on campus activities at the Chapman University campus or any other University facility. This policy also applies to "off campus" activities that are University related. Examples of activities that normally would fall into the “off campus” category are:

- For all persons (University administrators, faculty, staff, and students):
  - off-campus activities that are sponsored by or associated with the University; or
  - off-campus activities that derive from class assignments or for which credit may be received;

- For University personnel (University administrators, faculty and staff):
  - off-campus activities that occur during their normal working hours;
  - off-campus activities that involve students; or off-campus activities that occur outside their normal working hours that materially derive from, relate to, or bear upon their official capacities.

**CONFIDENTIALITY**

To the extent possible, the University will make a reasonable effort to conduct all proceedings related to harassment and discrimination allegations in a manner which will protect the confidentiality and privacy interests of all parties. Examples of situations where confidentiality cannot be maintained
include circumstances when the University is required by law to disclose information, when disclosure is warranted by the University in order to protect the rights of others or is necessary to facilitate legitimate University processes including investigation and resolution of harassment and discrimination allegations. In addition to these efforts by the University, all parties to the alleged complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

ACADEMIC FREEDOM

Chapman University is an institution dedicated to learning and teaching and for this reason it is committed to the protection of the principle of academic freedom. All members of the University community have a right to use the academic forum provided by the University to discuss subjects and to express ideas with which members of the community may disagree or be uncomfortable. Within a University committed to the principle of academic freedom there can be no forbidden ideas. Consequently, faculty members, as experts in their disciplines, have not only the right but also the responsibility to select those materials and pedagogical tools which are appropriate to the content of the courses they teach.

Faculty members and students engaged in the creation and presentation of works of the visual and the performing arts are as much engaged in pursuing the mission of the University as are those who write, teach, and study in the other academic disciplines. These presentations, therefore, merit no less protection.

This policy fairly balances the imperative of protecting academic freedom while providing a learning and working environment free of harassment and discrimination. Words, visual images, and behavior which are disturbing to an individual or group of individuals are not necessarily a violation of this policy. Concerns or alleged charges regarding a violation of this policy will, therefore, be carefully reviewed with full consideration given to the protection of freedom of speech, academic freedom, and the pedagogical requirements of the course. As an academic institution, Chapman is obliged to ensure that regulations and procedures do not impair freedom of expression or discourage creativity by subjecting artistic work to tests of propriety or ideology.

In the context of conduct, speech, or ideas that occur or are shared as part of a class or course, the following considerations should be applied in assessing
whether the conduct is harassing conduct and whether the conduct would be "offensive to a reasonable person under the circumstances":

• whether the conduct seeks to demean or ridicule a specific individual, such as a class participant on the basis of that individual’s protected characteristic;

• whether the conduct involves an offensive touching;

• whether the conduct was directed to a particular person; and

• whether the conduct was persistent and pervasive.

PROTECTION AGAINST RETALIATION

Retaliation against an individual who in good faith brings a charge of harassment or discrimination, otherwise reports harassment or discrimination, or participates in an investigation under this policy is prohibited by University policy and state and federal law. Retaliation is a serious violation which can subject the offender to sanctions independent of the merits of the harassment or discrimination allegation.

EDUCATION

The University recognizes that educating faculty, staff, students and administrators about this policy and the problems it addresses plays a significant role in maintaining a campus environment that is free of harassment and discrimination. There are at least four major goals to be achieved through education: (1) ensuring that all victims and potential victims are aware of their rights; (2) notifying individuals of conduct that is proscribed; (3) informing administrators about the proper way to address complaints of alleged violations of this policy; and (4) helping educate the uninformed about the behavior this policy addresses.

In keeping with this objective, the University’s Harassment and Discrimination Policy will be reviewed annually. The University’s Equal Opportunity Officer will send periodic announcements to all faculty, administrators and staff about the schedule for live training, as well as access to the self-paced online training module that is always available. An overview of the policy is included in student, faculty, and employee orientations, and
this policy is incorporated by reference in the Student Conduct Code, and the applicable handbooks and manuals for faculty, staff, and students. In addition, copies of this policy are available online and in the Office of Human Resources.

SEXUAL HARASSMENT POLICY

SEXUAL HARASSMENT POLICY OVERVIEW

Chapman University is committed to providing an environment which is free of sexual harassment in any form. The policy applies regardless of the gender of the alleged victim or of the alleged offending party and would include within its scope harassment directed to members of the same sex as well as harassment of members of the opposite sex. Sexual harassment is a form of harassment and discrimination strictly prohibited under the University’s Harassment and Discrimination Policy. Accordingly, the provisions of that policy shall apply fully to the interpretation, application, and enforcement of this Sexual Harassment Policy.

Because the University’s goal is to create an environment free of any form or degree of sexual harassment, the scope of conduct prohibited under this policy is intended to be broader in scope than the definition of unlawful sexual harassment under state and federal non-discrimination laws while still including such unlawful conduct within its scope. Thus, a person may be found to be in violation of Chapman's Sexual Harassment Policy even though the conduct in question does not rise to the level of unlawful sexual harassment.

DEFINITIONS

Sexual Harassment: For purposes of this Policy, the term "sexual harassment" refers to unwelcome conduct of a sexual nature when:

- it is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions, evaluations, or permission to participate in a University activity; or

- the conduct would be offensive to a reasonable person under the circumstances in question and, if not corrected, could interfere with an
individual’s academic or work performance or create or substantially contribute to an intimidating or hostile work, academic, or student living environment.

In determining whether the alleged conduct constitutes sexual harassment under this policy, consideration shall be given to the record of the incident as a whole including but not limited to repetitive, persistent, and accumulative alleged incidents. Harassment and discrimination as defined by this policy constitutes a form of intimidation which is inconsistent with a campus that fosters a free and supportive learning and academic environment. Conduct of a Sexual Nature: This includes conduct that is verbal, visual, or physical. Conduct of a sexual nature may either be explicitly sexual or may involve conduct that derives its sexual nature from the circumstances in which the conduct occurs or when combined with other conduct that occurs in a sexual context. Conduct does not need either to express any sexual desire or to be directed to a specific person and can include conduct that attempts to demean, control, or stereotype others on the basis of their sex. While it is not possible to list every form that sexual conduct may take, the following are illustrative:

- sexual jokes, innuendoes, slurs or sexually suggestive comments other than in an appropriate academic study of such activity;
- sexually explicit or sexist statements or anecdotes or questions or statements about sexual activity other than in an appropriate academic study of such activity;
- unwanted sexual advances, propositions, invitations, or other forms of pressure (either blatant or subtle) for sexual activity;
- offensive touching, including engaging in unwanted hugging, patting, kissing, or brushing up against someone’s body, or other inappropriate sexual touching;
- knowingly invading another's personal space in a sexually suggestive manner;
- displaying sexually suggestive pictures, objects, posters, cartoons, or calendars other than in an appropriate academic study of such activity;
- making sexual gestures;
• sending suggestive or obscene notes or phone calls or e-mail.

Unwelcome conduct: For purposes of this policy, conduct is considered "unwelcome" if, under the totality of the circumstances it is 1) neither solicited nor incited; and 2) if it is regarded by the recipient as undesirable or offensive. Offensive to a Reasonable Person: For purposes of this policy, a determination whether the conduct would be offensive to a reasonable person shall be determined under the totality of the circumstances, including but not limited to the nature and context of the conduct, its frequency, the relationship of the parties, whether the offending party was asked to cease the offending conduct, and whether the offending party did so.

PROHIBITED CONDUCT

The following conduct is strictly prohibited:

• Engaging in sexual harassment as defined by this policy;

• Engaging in threats or reprisals to dissuade another from reporting sexual harassment under this policy;

• Impeding or obstructing the investigation under this Policy of complaints of sexual harassment; or

• Retaliating in any manner against someone from pursuing or participating in a charge of sexual harassment.

CONSENSUAL RELATIONSHIPS

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions (such as teacher and student, supervisor and employee, student and administrator, or student resident and the individual who supervises the day-to-day student living environment).

These risks are particularly high in relationships involving students. Because of the respect and trust accorded a professor or administrator by a student and the power exercised by the professor or administrator in giving praise or blame, grades, recommendations for further study or future employment, the students actual freedom of choice is greatly diminished when sexual demands are made. Therefore, consenting romantic and sexual relationships between faculty or administrators and students, while not expressly forbidden, are generally deemed unwise. Codes of ethics for most professional associations forbid professional-client sexual relationships.
Therefore, faculty and administrators need to be aware of the possible costs of even an apparently consenting relationship, in regard to the academic efforts of both faculty member and student.

A faculty member or an administrator who enters into a sexual relationship with a student (or supervisor with an employee) where a professional power differential exists, must realize that if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to prove immunity on grounds of mutual consent. Parties in such a relationship assume those risks. Such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the student-faculty relationship. They may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Romantic and sexual relationships between supervisor and employee are also discouraged, and for the same reasons. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint when that relationship gives undue access or advantage, restricts opportunities, or creates a hostile environment for others. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

In any such relationship, mutual consent will not guarantee immunity from charges of sexual harassment.

PROCEDURES FOR ADDRESSING CONCERNS ABOUT HARASSMENT AND DISCRIMINATION

OVERVIEW

The University has developed a range of resources to address issues of harassment and discrimination. They have been structured to offer a range of options for resolving questions and concerns. The procedures range from
training designed to assist persons in understanding this policy, the conduct prohibited by this policy, and their rights and duties hereunder, to complaint proceedings where disciplinary action, up to and including termination or expulsion, may be taken.

Persons seeking assistance under this policy may select at their option which step or steps to take. These steps are not required to be followed in any specific order, and initiating the process at one step does not preclude a party from changing to another step at a later point in time.

Persons desiring more information about these procedures are invited to contact the University’s Equal Opportunity Officer.

**TITLE IX STUDENT SEXUAL ASSAULT AND HARASSMENT**

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination on the basis of sex in educational programs operated by institutions that receive federal financial assistance. Programs and activities which may be included are: admissions, recruitment, financial aid, academic programs, athletics, housing and employment.

Sexual harassment of students is a form of sex discrimination prohibited by Title IX and includes acts of sexual violence. Both male and female students are protected from sexual harassment and/or violence in all educational programs and activities operated by Chapman University.

A student who believes that she or he has been discriminated against based on her or his sex, or subjected to sexual harassment and/or assault should consult one of the University’s Title IX Coordinators. The Title IX Coordinators are responsible for coordinating the University’s compliance with and responsibilities under Title IX. Major duties include, but are not limited to:

- Being available to meet with students who believe sexual harassment or assault has occurred
• Ensuring that complaints are handled in accordance with established practices and standards

• Personally investigating the incident or overseeing the investigation

Regardless of the alleged status of the harasser students should feel free to report violations of Title IX to any of the above individuals for investigation. The University will not tolerate retaliation against any individual who files a complaint under Title IX or who participates in an investigation of a complaint.

COMPLAINTS OF HARASSMENT OR DISCRIMINATION

Any person who feels he or she has been subjected to harassment or discrimination in violation of this policy or who feels he or she is aware of prohibited harassment or discrimination directed toward others may file a complaint with the University Equal Opportunity Officer ("EOO"), whose office is located in Human Resources, DeMille Hall, Room 103.

The University requests that complaints be made in writing to assure the accuracy of the charge, although verbal complaints will also be accepted.

The Human Resources Department also maintains a toll free Harassment Complaint Line for the purpose of reporting incidents applicable to this policy. The toll free number is (877) 527-7533.

Upon receipt of a complaint, the EOO will conduct a preliminary assessment of the complaint to determine whether the complaint can be handled through an informal resolution process. To resolve a complaint informally, it is necessary to obtain the written consent of 1) the complaining party; 2) the accused; and 3) the University. Faculty may instead choose to file a grievance related to this policy in accordance with the Faculty Manual, however, a faculty member must choose one process or the other and may not have the complaint reheard or removed from one process to the other once it has been filed. Likewise, students may seek to have their concerns heard as a violation of the Student Code of Conduct but must choose one process or the other and may not have the complaint reheard or removed from one process to the other once it has been filed.
Complaints that are not eligible for informal resolution and that are not under review in accordance with the Faculty Manual or Student Conduct Code shall be further investigated by the University’s EOO, and the results of such investigation shall be submitted for formal resolution to the appropriate vice-president. The applicable procedure for formal resolution shall depend primarily upon the status of the person or persons accused of a policy violation. The status of the accusing party may be taken into consideration in cases in which the accusing party is a student and modification of the procedures is necessary to protect the well-being of the student while still assuring a full and fair investigation for the accused. Complaints of harassment or discrimination against students shall be reviewed and resolved in accordance with the disciplinary procedure for student conduct violations. Complaints against faculty generally will be reviewed and resolved under the disciplinary procedure in the Faculty Manual, and charges directed against staff or administration generally will be reviewed and resolved under the disciplinary procedures in the University’s Staff and Administrative Handbook.

False or bad faith complaints of harassment, discrimination or retaliation undermine the purposes of this Policy, may result in the waste of valuable time and resources and/or may improperly implicate University employees or others. No employee shall be discriminated against or otherwise treated unfairly for filing a complaint or assisting in the investigation process pursuant to this Policy; however, it is a violation of this Policy to misuse or abuse the procedures available under this Policy, for example, by knowingly misrepresenting facts in a complaint or investigation, or initiating multiple complaints based on the same facts and circumstances previously addressed in a prior complaint which has been previously investigated. Employees found to have violated this Policy are subject to disciplinary action under the policies governing his or her position.

ANONYMOUS INQUIRIES AND COMPLAINTS

Members of the University community may contact the Office of Human Resources and students may contact the Dean of Students Office at any time to ask questions about discrimination, harassment, retaliation, or complaint procedures without disclosing their names and without filing a complaint. Because of the inherent difficulty in investigating and resolving allegations from unidentified persons, the University discourages individuals from making anonymous complaints. However, if an individual desires to make a
complaint anonymously, then the University will weigh factors such as the following to determine the appropriate response to an anonymous allegation:

- The source, specificity and nature of the information provided;
- The seriousness of the alleged conduct;
- The objectivity and credibility of the source of the report;
- Whether other individuals potentially can be identified who were privy to the alleged policy violation; and
- Whether those individuals are willing to pursue the matter.

OTHER RESOURCES

Persons who feel they may have been subjected to unlawful harassment or discrimination may also file a charge with the California Department of Fair Employment and Housing (DFEH), the United States Equal Employment Opportunity Commission (EEOC), or for students: the U.S. Department of Education, Office for Civil Rights (OCR). The nearest offices are listed in the telephone book or available by web search at www.eeoc.gov, www.dfeh.ca.gov and www2.ed.gov/ocr.

Sexual Misconduct Policies

It is the University’s desire to create a supportive climate that will encourage the reporting of sexual misconduct incidents. The University encourages students to report these incidents promptly to law enforcement and University personnel. Reporting of these incidents is the only mechanism by which offenders can be officially sanctioned, thereby reducing the risk of repeat occurrences. Reporting provides the opportunity for an understanding of the role the University can and should play in providing compassionate, effective intervention, support and remediation, and most importantly, to help prevent such incidents from occurring.

Definition of Terms

Consent – means an affirmative, conscious, voluntary agreement by both partners to engage in sexual activity. Affirmative consent must be continuously present throughout an interaction, for all sexual
activities, and may be revoked at any time. It is the responsibility of each person involved in the activity to ensure that he/she has the affirmative consent of the other or others to engage in sexual activity.

- **The existence of a dating relationship between the persons involved, or the fact of a past sexual relations between them, can never by itself assumed to be an indicator of consent.**
- Past consent does not constitute present consent.
- Equal partners requires individuals who have the capacity to consent.
- Voluntary means subject to modification or withdrawal at any time.
- Consent **cannot** be any of the following:
  - Inferred from silence, the absence of a "no", or lack of protest or resistance
  - Obtained from a person who is asleep or otherwise mentally or physically incapacitated and this condition was known or reasonably should have been known by the other individual(s) involved in the designated incident.
  - Obtained from a person who is incapacitated by intoxicants such as alcohol or drugs, and this condition was known or reasonably should have been known by the other individual(s) involved in the designated incident. Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction). Note: a person may still be conscious, but lack the capacity to consent to a sexual act(s).
  - Obtained by threat or force.
  - Obtained through coercion. Coercion is the application of verbal, emotional, or physical manipulation to convince another person to do something he/she may not want to do, in this case to engage in sexual acts that the individual does not want to do. This includes tactics of post-refusal sexual persistence; in other words, verbally or physically persisting with a sexual act (attempting to wear him or her down) after the individual has already refused to participate in it. Coercing someone into having sex or performing specified sexual acts violates the boundaries of consent.

The intoxication of the respondent does not diminish his or her responsibility for an act of sexual misconduct. It is also important to note that intent is not an acceptable defense for violating the sexual misconduct policy. For instance, it is no defense to a report of sexual harassment that the respondent did not intend to harass.
Prohibited Behaviors – Any sexual or romantic behavior, attempted or completed, that goes beyond the boundaries of consent (as described above). Intoxication of the respondent does not diminish his or her responsibility for an act of sexual misconduct. The following behaviors are prohibited:

- **Relationship Abuse and Domestic/Interpersonal Violence** – Relationship abuse and violence involves one or more of the following elements:
  - Domestic Violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction and/or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence of the jurisdiction.

- **Dating Violence** is defined as violence committed by a person who:
  - (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (b) where the existence of such a relationship shall be determined based on consideration of the following factors:
    - Length of the relationship
    - The type of the relationship
    - The frequency of interaction between persons involved in the relationship

- Domestic or dating violence may include, but is not limited to, the following types of behavior:
  - Battering that causes bodily injury.
  - Emotional abuse reflecting apprehension of bodily injury or property damage.
  - Repeated telephonic or other forms of communication – anonymously or directly – using coarse language or threats in order to intimidate, terrify, annoy, harass, threaten, or offend.
  - Sexual assault or harassment.
  - Forcible denial of use of or access to owned or shared assets, or limiting or controlling access to educational or work opportunities.
  - Coercion used to compel another to act as directed.
  - Isolation used to deprive another of personal freedom of movement or access to friends, family, or support systems.
• **Retaliation** – retaliating against anyone for exercising the right to report or make a complaint for any of the behaviors prohibited in the Sexual Misconduct policy. This includes attempts or threats of retaliation, violation of a no-contact order harassment, or efforts to impede an investigation. Retaliation is a violation of policy whether or not the underlying complaint of harassment, discrimination, or any type of sexual misconduct is proven.

• **Sexual Assault** – an offense that may be committed by a stranger or an individual(s) known to the reporting person that is classified as forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigations. This may include but not be limited to an act accomplished by force or by threats of bodily injury and involving penetration of a person’s genitalia or anal openings in relation to the following: sodomy (anal intercourse); forced oral copulation (oral genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); vaginal-penile penetration (intercourse). Any penetration, however slight the penetration, is sufficient to complete the act of sexual assault.

• **Sexual Battery** – touching without consent the sexual or other human parts of another, directly or through clothing, in order to gratify sexual desire or to cause injury, humiliate, harass, or degrade another.

• **Sexual Exploitation** – examples of sexual exploitation include, but are not limited to, causing or attempting to cause the incapacitation of another person to gain a sexual advantage, prostituting another student; non-consensual video or audio-taping of sexual activity or distribution of such; going beyond the boundaries of consent (such as letting your friends surreptitiously watch you having consensual sex); engaging in sexual activity in the presence of a third party; engaging in voyeurism; exhibitionism; and knowingly transmitting an STI/STD or HIV to another student.

• **Sexual Harassment** – Events or actions (verbal, visual, or physical in nature) that are unwelcome (neither solicited nor incited and are regarded by the recipient as undesirable or offensive) conduct of a sexual nature that would be offensive to a reasonable person, which could interfere with an individual’s academic pursuits or create or substantially contribute to an intimidating or hostile work, academic, or student living environment. Sexual harassment may be found in a single episode, as well as in persistent behavior.

**Stalking** – Please see Student Conduct Code for a full definition of stalking at this link: [https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx](https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx)
Sanctioning for sexual misconduct
The sanctions generally applicable to a student who is found responsible for violating Chapman’s Student Conduct Code are found within the sanctions section of the Code. Engaging in Sexual Misconduct is a violation of the Student Conduct Code and will result in the imposition of one or more of such sanctions from warnings, educational sanctions, up to and including suspension or expulsion, depending on the severity of the incident in question and the student’s prior conduct history.

Sanctions against an employee who is found to have engaged in behavior that violates the Harassment and Discrimination policy (including sexual harassment or sexual violence) or may include, but are not limited to, verbal or written warnings, suspension, or termination from employment. If termination of a faculty member is contemplated, applicable governing rules will be followed.

Amnesty
Chapman University strongly advocates the reporting of sexual misconduct (including sexual assault, domestic abuse and violence, dating abuse and violence, stalking, and sexual harassment). To encourage and support the reporting of such matters, it is important to note that the complainant or any witnesses will not be held accountable for violations of the Code (including alcohol or illegal substances policies) that may have occurred at the time of or as a result of the incident in question, provided that these violations did not endanger others or are not egregious in nature or do not violate the academic integrity policy.

Available Assistance
At the request of the reporting person, interim or permanent changes can be made to help reduce the impact of any incident of sexual misconduct that may have occurred, including but not limited to institutional no-contact orders. Similar orders may be available to reporting persons as determined by a civil or criminal court, upon application by the reporting person. Adjustments can also be made to living, academic, transportation, or working situations at the request of the reporting person, when reasonably available, regardless of whether he or she wishes to file a formal complaint or report with Public Safety or local police.

For additional information about reporting, support services for students, contact persons, grievance and conduct procedures, and Title IX coordinators and compliance, please review the information at the links below:
Key contact persons and Title IX information
http://www.chapman.edu/students/health-and-safety/title-ix.aspx

Support Services and Rape Crisis Counseling
http://www.chapman.edu/students/student-health-services/peer/index.aspx
http://www.chapman.edu/students/student-health-services/health-services/index.aspx
http://www.chapman.edu/students/student-health-services/psychological-counseling/index.aspx

Equal Opportunity
http://www.chapman.edu/faculty-staff/human-resources/eoo.aspx

Conduct Policies and Procedures:
https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx

Harassment and Discrimination Policy:

Reporting Abuse or Neglect of Minors:
All incidents of suspected abuse or neglect of individuals under the age of 18 should be reported immediately to the Chapman University Department of Public Safety at 714-997-6763 and/or the Orange Police Department at 714-744-7444. A second report shall also be made to the Child Abuse Reporting Hotline at 714-940-1000 or 800-207-4464. These reports may be made 24 hours per day. If assistance is needed in making such a report, please do not hesitate to call the Department of Public Safety.

Title IX

Sexual Misconduct and Sex-Based/Gender discrimination can take many forms, including sexual harassment, sexual misconduct, rape, sexual assault, sexual battery, domestic or dating violence, interpersonal violence, stalking, or other forms of sex-based or gender harassment or discrimination. These types of conduct are prohibited by the Student Conduct Code, Chapman University’s Harassment and Discrimination Policy and by law.

To report an incident or file a grievance regarding a University department, employee, or student, there are many places you can start, including the following:
Non-Confidential Reporting:

- Public Safety Department. Available 24 hours 7 days a week
  (714) 997-6763
- Dean of Students Office
  (714) 997-6721
- Office of Human Resources. Available 8 a.m.-5 p.m. M-F
  (714) 997-6686
  • Resident Directors
  • Resident Advisors

Confidential Reporting:

- Student Psychological Counseling Services
  (714) 997-6778
  • Dani Smith, Rape Crisis Counselor
  (714) 744-7080
  • Rev. Gail Stearns, Dean of Chapel
  (714) 628-7289
  • Rev. Nancy Brink
  (714) 997-6760

Any one of these individuals can help get you to the appropriate person to handle your specific concern. However, incidents involving gender discrimination or sexual misconduct in education programs – including rape, sexual harassment, and sexual assault – have specific regulations prescribed by Title IX of the Education Amendments of 1972 (“Title IX”).

While incidents of sexual misconduct, sexual harassment, and sexual assault still can be reported to any of the persons or departments mentioned above, please note that Title IX regulations require that these reports then be referred to one of Chapman’s designated Title IX Coordinators for investigation or you may make a report directly to a Title IX Coordinator.

Title IX refers to the following federal regulation:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. 20 U.S.C. § 1681, et seq.
The Title IX Coordinators are responsible for coordinating the University’s compliance with and responsibilities under Title IX. Major duties include, but are not limited to:

- Being available to meet with individuals who believe sexual misconduct (including rape, assault, and harassment) has occurred.
- Ensuring that reports and complaints are handled in accordance with established practices and standards
- Personally investigating the incident or overseeing the investigation.

**Prevention of Dating Violence, Domestic Violence, Sexual Assault & Stalking**

Chapman University prohibits dating violence, domestic violence, sexual assault, stalking, and other sexual misconduct and harassment. The definition of these terms is as follows:

Any sexual or romantic behavior, attempted or completed, that goes beyond the boundaries of consent (as described above). Intoxication of the respondent does not diminish his or her responsibility for an act of sexual misconduct. The following behaviors are prohibited:

- **Relationship Abuse and Domestic/Interpersonal Violence** – Relationship abuse and violence involves one or more of the following elements:
- Domestic Violence is defined as felony or misdemeanor crimes of violence committed by a current of former spouse of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction and/or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence of the jurisdiction.
- Dating Violence is defined as violence committed by a person who:
  - (a) who is or has been in a social relationship of a romantic or intimate nature with the victim: and
(b) where the existence of such a relationship shall be determined based on consideration of the following factors:

- Length of the relationship
- The type of the relationship
- The frequency of interaction between persons involved in the relationship

Domestic or dating violence may include, but is not limited to, the following types of behavior:

- Battering that causes bodily injury.
- Emotional abuse reflecting apprehension of bodily injury or property damage.
- Repeated telephonic or other forms of communication – anonymously or directly – using coarse language or threats in order to intimidate, terrify, annoy, harass, threaten, or offend.
- Sexual assault or harassment.
- Forcible denial of use of or access to owned or shared assets, or limiting or controlling access to educational or work opportunities.
- Coercion used to compel another to act as directed.
- Isolation used to deprive another of personal freedom of movement or access to friends, family, or support systems.

- **Retaliation** – retaliating against anyone for exercising the right to report or make a complaint for any of the behaviors prohibited in the Sexual Misconduct policy. This includes attempts or threats of retaliation, violation of a no-contact order harassment, or efforts to impede an investigation. Retaliation is a violation of policy whether or not the underlying complaint of harassment, discrimination, or any type of sexual misconduct is proven.

- **Sexual Assault** – an offense that may be committed by a stranger or an individual(s) known to the reporting person that is classified as forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigations. This may include but not be limited to an act accomplished by force or by threats of bodily injury and involving penetration of a person’s genitalia or anal openings in relation to the following: sodomy (anal intercourse); forced oral copulation (oral genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); vaginal-penile penetration (intercourse). Any penetration, however slight the penetration, is sufficient to complete the act of sexual assault.
• **Sexual Battery** – touching without consent the sexual or other human parts of another, directly or through clothing, in order to gratify sexual desire or to cause injury, humiliate, harass, or degrade another.

• **Sexual Exploitation** – examples of sexual exploitation include, but are not limited to, causing or attempting to cause the incapacitation of another person to gain a sexual advantage, prostituting another student; non-consensual video or audio-taping of sexual activity or distribution of such; going beyond the boundaries of consent (such as letting your friends surreptitiously watch you having consensual sex); engaging in sexual activity in the presence of a third party; engaging in voyeurism; exhibitionism; and knowingly transmitting an STI/STD or HIV to another student.

• **Sexual Harassment** – Events or actions (verbal, visual, or physical in nature) that are unwelcome (neither solicited nor incited and are regarded by the recipient as undesirable or offensive) conduct of a sexual nature that would be offensive to a reasonable person, which could interfere with an individual’s academic pursuits or create or substantially contribute to an intimidating or hostile work, academic, or student living environment. Sexual harassment may be found in a single episode, as well as in persistent behavior.

**Stalking** – Please see Student Conduct Code for a full definition of stalking at this link: [https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx](https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx)

It is the University’s desire to create a supportive climate for all students and prevent sexual misconduct and violence within the Chapman community. For this reason, several Chapman departments and organizations develop educational, preventative programming annually for the community that is comprehensive and intentionally designed to end dating violence, domestic violence, sexual assault, and stalking.

Several groups within Chapman University contribute to the body of preventative education and programming on campus each year. Together, these groups help ensure that the programming is culturally relevant, inclusive of diverse experiences and identities, are sustainable year-to-year, respond appropriately to the needs of the Chapman community, and are research-based. The following groups are involved in the development of these annual programs and opportunities for dialogue:
The P.E.E.R. (Proactive Education Encouraging Responsibility) department is dedicated to educating students regarding subjects of sexual assault, domestic violence, alcohol abuse, and other general health issues. P.E.E.R. also hosts interactive presentations and many other prevention education and awareness programs throughout the year. P.E.E.R. is directed by Dr. Dani Smith, who oversees programming such as the Healthy Panther Initiative as well as C.A.R.E.S., a student group that develops educational opportunities for students hosted by students.

C.A.R.E.S
C.A.R.E.S. (Creating a Rape Free Environment for Students) is a group of students who are committed to raising awareness regarding rape and sexual assault. The mission includes disseminating prevention information and stimulating discussion with the aim of impacting the rape mentality that pervades our culture. The formal C.A.R.E.S. rape prevention program, the Clothesline Project, Men of Integrity / Women of Action and Take Back the Night are some of the programs that are utilized to educate and raise awareness regarding sexual assault. C.A.R.E.S. members have committed themselves to confronting the very serious and sensitive topic of rape and sexual assault prevention education. To find out more information and updates on C.A.R.E.S., please visit their Facebook page at: www.Facebook.com/ChapmanCares

Public Safety
In hosting its safety programs, publicizing and managing mobile apps such as the Panther Guardian app, and facilitating risk reduction workshops such as R.A.D., Public Safety contributes to programs develops to prevent the occurrence of dating violence, domestic violence, sexual assault, and stalking.

Office of Housing & Residence Life
The Office of Housing & Residence Life hosts the Vagina Monologues annually to raise awareness for V-Day, an international non-profit working to end violence against women and girls. The play raises awareness to issues of dating violence, domestic violence and sexual assault through theater performance and accompanying passive programs and events leading up to the production. Additionally, the Office of Housing & Residence Life trains student staff to effectively share bystander intervention and risk reduction techniques with students at meetings, programs, and through passive programming.
Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault & Stalking

The following educational programs and campaigns are designed by faculty, staff, and students to promote the awareness of dating violence, domestic violence, sexual assault, and stalking as well as equip students with knowledge and skills to prevent their occurrence:

Clothesline Project
The Clothesline Project is an annual outdoor exhibit to increase awareness about gender violence through a display of t-shirts designed by survivors of violence and the people it has impacted. The goal of the program is to help break the silence surrounding violence against women and to illustrate the impact that it can have on the entire community. The Clothesline Project is a visual depiction of the prevalence of interpersonal violence in society.

Healthy Panther Initiative
The Healthy Panther Initiative (HPI), a required program for all new first-year and transfer undergraduate students, provides culturally relevant and inclusive prevention information, skills, and resources that help in the overall development and success of Chapman students. The program is designed to empower students with information and skills to help them make positive decisions regarding the use of alcohol and drugs, sexual relationships, personal health, social health, and bystander intervention skills related to the prevention of sexual misconduct incidents. Prevention information and skills are conveyed to students utilizing video clips, lecture, sharing of real life experiences and the use of humor, but central to the program is the integration of the three topics: alcohol use, sexual assault prevention, and safer sex choices. Following the mandatory Healthy Panther presentation during Orientation for all incoming first year and transfer students, the following components are required:

Choicepoints Lite
Choicepoints Lite, the interactive educational component of the Healthy Panther Initiative, has been written, designed, and is presented by Dr. Dani Smith, Director of PEER and Health Education. The program not only provides information, but also challenges students to utilize effective strategies and skills that can
help keep them on track as they accomplish their educational/academic goals. The interactive, educational presentation reminds students of the many potential physical, mental, and social consequences that can occur as a result of drug and alcohol abuse, including driving under the influence, the potential for sexual assault, the spread of STD/STIs, the dangers of alcohol poisoning, and other related high risk behaviors. The model is anchored in the expectation that possessing accurate information about alcohol, sexual assault, and safer sex empowers students to make informed decisions regarding their health and safety. Particular emphasis is given to the ways that alcohol relates to sexual assault and risky sexual behaviors. Bystander intervention skills are presented, discussed, and emphasized during the program. (Sessions are scheduled during Orientation)

Healthy Panther Initiative Follow-Up Survey
Approximately four-to-six weeks after students attend a Choicepoints Lite session, they will receive another Chapman email with a follow-up survey containing the same questions they were asked during the Choicepoints Lite presentation. The students’ responses will help the university gauge student community behavior and assess our Healthy Panther Initiative.

Note: Alternatives and make-up sessions of Healthy Panther are available for students during the semester.

Denim Day
Each year, Chapman observes denim day and encourages all campus community members to wear jeans in solidarity against rape, sexual assault, and survivor-shaming. The event draws participants from the student body, faculty, and staff alike.

The Listen Project
This exhibit consists of life size silhouettes that display the stories of Chapman survivors with the goal of breaking the silence surrounding violence against men and women.

Men of Integrity, Women of Strength
The Annual Men of Integrity and Women of Strength, Courage and Action Event has occurred at Chapman for the last twelve years to honor students who take action to promote a safer environment for all students by speaking out against abusive or degrading speech, promoting safe and healthy relationships, living by their convictions, and actively supporting the development of a safer, more respectful Chapman community. A presentation on the topic of violence against women is often a showcase at the event.
Office of Housing & Residence Life Student Staff Training
Each fall, the student staff working in the residence halls receive extensive 2-week training on a variety of topics, including sexual assault prevention and response, incident reporting, mental health, campus resources, FERPA, Title IX, emergency procedures, first responder responsibilities, crime prevention, safety, and security measures within the halls.

Online Courses
Staff and faculty members are required to regularly complete online courses related to the awareness and prevention of sexual harassment and sexual misconduct in the workplace and among students. The courses are interactive and contain many challenging and interesting real-life situations in an academic and workplace environment. One specific required course is titled, “Preventing Discrimination and Sexual Violence: Title IX, VAWA and Clery Act for Faculty and Staff.”

Rape Awareness Defense (R.A.D.)
R.A.D. is a crime prevention and risk reduction program specifically for women that focuses on women’s safety and self-defense techniques. The program offers intensive training on technique and strategy and offers students, faculty, and staff hands-on experience with self-defense practice.

SAVS (Sexual Assault Victims) Drive
This clothing, blankets, and stuffed animal drive benefits adult and child survivors of sexual assault who undergo a forensic examination and must have a change of clothes to leave the hospital. The drive takes place in partnership with CSP, Orange County’s Community Service Programs, which include sexual assault advocates, a hotline, and shelter services for children and families.

Sexpectations
This program provides students with useful techniques and skills to better develop healthy habits in their relationships. The program educates attendees on how to identify the signs of a unhealthy relationship through skits and discussion.

Staff Summit
Each summer, the Staff Summit offers a variety of workshops and sessions for staff members, including annual offerings related to FERPA, Title IX, incident reporting, CPR, safety and security guidelines, and supporting students.
Tabling Events (Various)
Throughout the academic year, several student groups and Chapman departments host tables with resources, giveaways, information, pledges, and other activities to raise awareness and increase students’ skills to become active bystanders and reduce their risk of sexual assault. One such tabling event is Mocktails, which takes place for students and their families during Orientation. Juice is served and all participants receive a safety whistle and information about risk reduction, bystander intervention, and sexual assault resources on campus. Another tabling event utilizes a large poster depicting a baseball field and explains the “rules” of consentual sex, including the definition of affirmative consent and information about safer sex.

Take Back the Night
This four-part evening, held in the Wallace All Faiths Chapel on campus, gives students and the community the opportunity to share stories and honor the strength of sexual assault survivors in the Chapman community. The event consists of a reading of sexual assault accounts submitted by Chapman survivors, an open microphone, a candle light march, and a reception following the event.

The Vagina Monologues
Reaching its tenth year on campus, The Vagina Monologues is a student-run production of the play by Eve Ensler. The purpose of the production is to raise awareness of sexual assault, dating violence, domestic violence, and the impact that gender violence can have on an individual and their community. Additionally, the play serves as a fundraiser to support anti-violence groups that benefit the local community. Staff, faculty, and students all contribute to the production.

Walk Against Violence
The Walk Against Violence hosted at Chapman University connects with the award-winning Walk a Mile in Her Shoes march, which is an international movement to raise awareness, and staff are encouraged to wear high heels and walk from Attallah Piazza to Old Town Orange and back as a way of speaking out against rape, sexual assault, and other violent acts that target women.

How to Be an Active Bystander
Each individual has incredible potential as an active bystander in situations related to potential dating violence, domestic violence, sexual assault,
stalks, or other sexual misconduct. Active bystanders are people who make a specific, proactive choice to recognize a situation as potentially dangerous and intervene safely and positively to prevent harm. These individuals may directly or indirectly observe violence or witness the conditions that perpetuate violence, and they interpret those conditions as problematic. Although active bystanders are not directly involved, they make the powerful decision to intervene by taking a friend home, speaking up, seeking help or resources, or encouraging others to reconsider their behavior. At Chapman, all community members should be active bystanders who help foster a culture of care, community and individual responsibility, and accountability.

**Defining Active Bystanders**
An active bystander, by definition, does the following:

- **Notice the situation or conditions that perpetuate violence:** Be aware of who you are with, how they are acting, and what is happening in your surroundings.

- **Interpret the situation or conditions as problematic:** Once you notice the situation, it is crucial to see it as an issue and understand why or how it could perpetuate violence.

- **Feel responsible to act:** Understand that your actions and words can make a significant difference in someone else’s life or in a situation you witness. You have the power and the incredible potential to influence a situation for the better.

- **Understand what to do:** Active bystanders understand actions they can take to safely and positively intervene in a potentially harmful situation to prevent harm or further harm.

- **Intervene safely:** Not only do active bystanders see a situation and know what to do, but they actually take action to end a situation or prevent the occurrence of violence.

**Safe and Positive Options for Preventative Action**

- **Stay in groups and develop plans together.** When going out, make sure to go out in groups and have a collective plan for transportation, socializing, and getting home safely together. Do you all intend to drink? Are any of you planning on getting together with another person or group when you arrive to your destination? What time do you want to head home? If you notice a friend or member of your group is not with the group or does not seem to be following the plan you all developed at the beginning of your outing, reach out to that person and ask if they are okay or they would like to go home.
• **Drink responsibly.** Alcohol can affect your judgement and that of those you are with in any given situation. Drink responsibly so that you can recognize situations and take action if necessary.

• **Watch out for others.** If you see a person walking by themselves or headed home by themselves and you are headed in the same direction, offer to have them walk with your group so that you all can be safer in each other’s company. If you see someone who appears highly intoxicated pouring or asking for another drink, approach them and mention that you are concerned that they have had enough to drink.

• **If you see something suspicious, remove yourself and your friends from the situation.** Trust your instincts and encourage friends to leave a potentially dangerous situation. Sometimes simply asking, “Are you okay?” or saying, “It’s getting late. Why don’t we head home?” can prevent a sexual assault. Use these low-key, safe ways to intervene and confront people who isolate, hit on, try to touch, try to make out with, or try to have sex with others who are incapacitated.

• **Diffuse situations casually and safely.** If you perceive that one person is advancing too quickly on someone else who might seem too intoxicated to give consent, or if you see someone who seems to be isolating another person from the crowd, casually jump in and redirect the conversation or ask if the isolated person is okay. Offer to direct the intoxicated or isolated person home or find another activity away from the other individual. If you do not feel comfortable jumping in casually or safely, try to get another person or authority to intervene.

• **Tell someone.** If something does not seem right and you notice a situation or conditions that might be problematic, mention it to another friend or acquaintance. You might be able to develop a way to intervene safely and positively together.

• **Contact resources or authorities if needed.** Do not hesitate to call the Department of Public Safety at 714-997-6763 or call 9-1-1 if you perceive that there is immediate danger, threat, or harm.

**How to Help a Friend Who Says They Were Sexually Assaulted**

It’s not always easy to know what to say when someone tells you they’ve been sexually assaulted, especially when that person is a family member, friend, or loved one. Don’t judge. It is important to be accepting of the way the person is behaving. People react differently to traumatic situations. Consider the following ways of showing support:

• Believe the person.

• Listen attentively.
• Let the person know it was NOT their fault.

• Encourage the person to get support. Share campus resources. You can also share the local CSP 24 hour hotline number.

*Community Service Programs – 24 hour Orange County Rape Hotline/Support: 714-957-2737*

• Encourage the person to seek medical attention. Even if the person does not want to take the assault to the police. The person may have injuries and also should be tested (and receive treatment) for any sexually transmitted infections.

• Talking to privileged and confidential resources on campus can help the person know what options are available. The following individuals can let you know what your report options are and provide resource information, as they are each privileged and confidential resources:
  o Dr. Dani Smith—Rape Crisis Counselor: 714-744-7080
  o Student Psychological Counseling Services: 714-997-6778
  o Rev. Dr. Gail Stearns: 714-628-7289
  o Rev. Nancy Brink: 714-628-6760

• Help to empower your friend. Instead of offering advice, ask how you can be supportive.

• Remember, only the individual can make the decision to get help.

• Be patient. Remember, there is no timetable for recovering from trauma. Avoid putting pressure on them to engage in activities they aren’t ready to do yet.

• Encourage them to practice good self-care during this difficult time.

It’s important that you take care of yourself, too. Talk to someone in counseling services or other support people on or off campus.

**Risk Reduction Information**

It is imperative that each individual in our community works toward not sexually assaulting others. However, there are also guidelines available for everyone to reduce their risk of being targeted. Please note that this
information is shared to empower Chapman community members and is not intended to blame survivors or suggest that sexual assault is ever the fault of the survivor. Sexual assault and other sexual misconduct are never the fault of the survivor. Below are tips for reducing your risk:

- Be aware of your surroundings and how to navigate to the closest, safe exit. Always know where you are and how to navigate home, even if by memorizing addresses to type into a GPS or tell a taxi driver. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.

- Always have access to a form of communication with someone you trust. Whether that means keeping your call phone charged and available or knowing where you can borrow someone’s phone, it’s important to have a way to call and have emergency and trusted friends’ numbers memorized or written down.

- Trust yourself and your instincts. If something seems odd or a situation feels uncomfortable or possibly unsafe, listen to your instincts and remove yourself from the situation as soon as possible.

- When you go to any social function, be sure to head to the event with friends with a plan for what you want to do and when you will leave. Check in with one another throughout the event or night and meet back up at a set time to go home together.

- Try to avoid isolated areas or situations. If someone asks you to come with them or meet them in a secluded area, consider staying in a public place instead if you do not feel comfortable.

- Try to keep your hands free if you are travelling from place to place. Being weighed down with bags or having your hands occupied while walking down the street, for example, makes it difficult to get away from an unsafe situation and may make you appear vulnerable.

- Walk with purpose and scan your surroundings as you walk. Even if you do not have a specific destination or are not sure about where you are going, act like you do and take each step with conviction. As you walk, look around at who and what is around you.

- If you are travelling on a sidewalk or in public, try to choose the route that is best lit. If you do not have appropriate lighting, use a flashlight or a flashlight app on a smartphone to ensure that you can accurately scan your surroundings.
• Always lock your vehicle when you leave and immediately once you get inside the car. For example, if you get into a car but plan to do something such as organize your items or send a text before you drive away, lock the doors of the car so you are in a secure environment in the meantime.

• Avoid any sort of travelling with two headphones so that you can hear anything out of the ordinary or someone approaching you.

• If you choose to drink – even just water or a soda – at any social gathering, never leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you accidentally lose sight of your drink for even a moment, dump it out and get a new one.

• Do not allow others to get drinks, pour drinks, or mix drinks for you, especially if you do not know or trust the other people. Always watch any drink poured and mixed in front of you, and always carry your own drink. At parties, do not drink from any large, communal punch bowls or other common containers.

• If you suspect that you or someone else has been drugged, contact law enforcement immediately.

• Below are some tips for removing yourself from an uncomfortable or possibly unsafe situation:
  
  o Remember that you can say no if you do not want to do something. It is not rude, it is being true to your convictions. Simply saying, “No, I do not want to,” is enough of a reason. Never do something or go somewhere if you feel uncomfortable about it.

  o Be firm and repetitive. If you must say no to something, say it firmly and do not be afraid to repeat yourself.

  o If you are with someone else and one or both of you have been drinking, but they want to do something that you do not feel comfortable with, tell that person that you would rather wait until you both are sober and can make sound decisions before you do anything.
Call or text a friend to come help you out of a situation, or ask to have a friend call you at a certain time if you have not met up with one another by that time. Having someone else intervene is okay and can help you feel more safe leaving a situation and getting home safely.

Consider setting up a code word or phrase with your friends or family so that they know to come help you if you do not feel comfortable and you choose to call them. This way, you can share with them that you need help without saying anything outright. Your friends or family can then come to get you or make up an excuse for you to leave.

If all else fails and you do not want to hurt another person’s feelings or feel unsafe saying no directly, make up a lie. Come up with some reason to leave, such as having dropped something elsewhere, not feeling well, or having a friend to meet up with at another location.

Scan the room for exits and begin to move toward the door, window, or another person who can help you leave the situation.

Remember that if, for any reason, something were to happen, it is not your fault. Consider your options to get help and reach out to someone you trust or an authority to help you resolve any given situation.

Procedures to Follow if Sexual Assault, Dating Violence, or Domestic Violence Has Occurred

If you or someone you know has been sexually assaulted or has been exposed to any form of sexual or gender misconduct, you are strongly encouraged to consider taking the following actions:

1. **Go to a safe environment.** You may want to call a trusted family member, friend, or individual to stay with you for support.
   
   Know that the incident was not your fault.

2. **Get medical care as soon as possible.**
   
   For life-threatening conditions, call 911 or go to the nearest hospital Emergency Department. If you need assistance getting there, call Public Safety at (714) 997-6763.

   Even if you think that you do not have any physical injuries, you should still have a medical examination.


- Discuss with a health care provider the risk of exposure to sexually transmitted infections and the possibility of pregnancy resulting from sexual assault.

- For treatment of less serious injuries, use the Student Health Center. You may call to set up an appointment at (714) 997-6851 or to learn more about the center’s walk-in hours.

- If you need medical care after hours and need help, contact Public Safety at (714)-997-6763 or the CSP 24 Hour Rape Crisis Hotline at (714) 957-2737.

- If you suspect that you have been given some type of drug, ask the hospital personnel where you receive medical care to take a urine sample. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood. However, they DO leave the body quickly.

3. **If necessary, consider conducting a forensic exam/rape kit.**

   - You may have evidence collected to aid criminal prosecution if you later decide to file criminal charges or if you would like to obtain a protection order. It is best for any physical evidence to be collected immediately, ideally within the first 72 hours.

   - You have the option to notify local police if you would like to do so. If you wish to contact police and/or have a forensic exam rape kit done, try to preserve evidence. The following will help preserve evidence:

     - Try not to wash your face or hands, bathe, brush your teeth, drink or eat, douche, or change clothes if you can avoid it.

     - If you do change your clothes, put all clothing you were wearing at the time of the assault in individual paper bags (not plastic).

     - Do not clean or disturb anything in the area where the assault occurred. It is important to preserve as much evidence as possible if you wish to file a report with law enforcement.

   - Note: All rape kits in Orange County are conducted at Anaheim Regional Medical Center. Specially trained nurses are on call to perform the evidence collection exam.
Additionally, a sexual assault advocate from Community Service Programs or a support person of your choice may be present throughout the procedure.

- If you do not want to contact law enforcement but would like a rape kit, contact CSP Rape Hotline at: 714-957-2737 and discuss this with online advocates.

- For more information, visit https://www.rainn.org/get-information/sexual-assault-recovery/rape-kit

4. **Consider discussing your options or talking to privileged offices/individuals for confidential support.** These individuals and groups are confidential places to discuss what happened without immediately initiating a formal report.

- Dr. Dani Smith—Rape Crisis Counselor: 714-744-7080
- Student Psychological Counseling Services: 714-997-6778
- Rev. Dr. Gail Stearns: 714-628-7289
- Rev. Nancy Brink: 714-628-6760

5. **Consider your reporting options.** You may choose to do one or more of the following:

- **Report the incident to local police** – You are encouraged to contact local police in the city where the sexual assault took place, but this is your choice. You also have the choice whether or not to contact Chapman University’s Department of Public Safety to report to them and/or to request their assistance in notifying the police. Keep these numbers at hand:

  - Medical Emergencies: 911
  - Department of Public Safety: 714-997-6763
  - Orange Police Department: 714-744-7444
  - Irvine Police Department: 949-724-7000

- **Report the incident to Chapman University** – If you wish to file a report with Chapman University, contact any of the following Title IX Coordinators or Investigators:
• For Students:

1. Dr. DeAnn Yocum Gaffney: 714-997-6721 (Lead Title IX Coordinator)
2. Chris Toutain: 714-532-6039 (Title IX Investigator)
3. Kristen Entringer: 714-532-6056 (Title IX Investigator)

• For Faculty & Staff:

1. Mia Basic: 714-516-4539 (Title IX Coordinator) Equal Opportunity/Diversity Officer: 714-997-6847 (Title IX Coordinator)

   o **Decline to report the incident** – Students have the right not to file a report, however it is encouraged students seek professional help including counseling, on or off campus. A student can file a report at a later date with the University and/or police. Please note a delay in reporting could affect the outcome of the investigation as witnesses may no longer be available or other evidence may be compromised by the lapse of time. A report can also be filed anonymously.

6. **Write down as much as you can remember about the circumstances of the assault, including a description of the assailant.** This information may be minimal at first, so continue to add details as you remember them. It is not unusual for survivors of trauma to have minimal recall at first. As time goes by, you may remember more details.

7. **Obtain information, support and counseling to take care of yourself.** Know your options:

   o To learn more about your options from completely privileged and confidential sources, contact the individuals or offices listed below. Privacy laws prohibit some of these individuals from disclosing your identity without your written permission with a few exceptions (i.e. in the case of a minor – under 18 years of age). These individuals can let you know what your report options are and provide resource information:
• Dr. Dani Smith—Rape Crisis Counselor: (714) 744-7080 or dasmith@chapman.edu or call Public Safety at (714) 997-6763

• Student Psychological Counseling Services: (714) 997-6778

• Rev. Dr. Gail Stearns: (714) 628-7289

• Rev. Nancy Brink: (714) 628-6760

  o Consider off-campus resources. The county-wide Community Service Programs (CSP) offer a 24 Hour Hotline for support. Certified Sexual Assault Counselors respond 24 hours a day, seven days a week via a rape crisis hotline, to police departments and hospitals, and through two rape crisis centers. Comprehensive and confidential services are available at either (714) 957-2737 or (949) 831-9110.

  Procedures to Follow if Stalking Has Occurred

There are many ways to increase your level of safety, whether you are dealing with a stalking/harassment situation or ending an abusive relationship. Here are some things to consider:

• Do not try to handle this problem on your own.

• Call 911 or police if you are in immediate danger.

• Call Chapman Public Safety at 714-997-6763.

• Program emergency numbers into all your phones, especially cellphones, or tape the numbers to your phone.

• Talk to a counselor or a trusted person to help keep you mentally healthy and emotionally strong. Being stalked can be very frightening. Contact Student Psychological Counseling Services at (714) 997-6778.

• Call the Dean of Students Office if you would like guidance and assistance at 714-997-6721.

• Look at these online resources:
  
  o What to do if you are being stalked – http://www.justice.gov/sites/default/files/ovw/legacy/2013/01/31/tips-for-victims.pdf

  o Stalking information – http://www.justice.gov/ovw/stalking
Confidentiality When Reporting Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Chapman University will make every reasonable effort possible to preserve an individual’s privacy and protect the confidentiality of information that it receives in connection with a report of sexual misconduct. All individuals receiving a report understand the desire to keep the information confidential. Although our goal is to limit the number of individuals who may learn about any report or grievance, we cannot guarantee confidentiality and maintaining it is not always possible (except as discussed above). The University will treat information that it receives in a manner that respects both the sensitivities and rights of the complainant and the respondent. If the University make interim arrangements, accommodations, or protective measures such as No Contact Orders, the University will maintain these arrangements as confidential as much as possible to the extent that maintaining such confidentiality would not impair the ability of the institution to provide such accommodations.

State and federal regulations may dictate a course of action that will require making portions or all of the report known to others – including possibly the alleged respondent – during the course of the investigation. Additionally, recognizing that sexual misconduct undermines the safety and freedom of an educational environment and could be criminal behavior, depending on the nature of the incident, there may be instances where it is the University’s ethical and legal responsibility to disclose information regarding the circumstances related to a specific incident.

The University’s ability to act to protect the interests of the complainant and the community is limited by the information provided to it. There is no obligation for the complainant to identify the respondent. However, complainants are encouraged to do so. As previously noted, the University is required to investigate all reports of sexual misconduct. As such, the identity of the complainant, respondent, reporter, witnesses, or other circumstances may be discovered during the course of the investigation even if this information was not disclosed in the initial report. If the complainant is a minor, or the alleged incident took place while the complainant was a minor, the law requires disclosure to law enforcement authorities.

Chapman University is also obligated to complete publicly available record-keeping, including Clery Act reporting and disclosures, as included in this
report. The records maintained and provided publicly will not include any personally identifying information about the complainant.

Anonymous Reporting

Individuals may submit a form filed anonymously in order to report incidents of sexual misconduct. An anonymous report does not require the disclosure of the name of the person making the report or the names of the individuals involved. However, individuals submitting anonymous reports should understand that while the University will do its best to address anonymous reports, it may be limited in its ability to investigate and otherwise respond to or address them. The anonymous report form is available at the following web address, and may be submitted to Public Safety, the CARES Coordinator, or the Dean of Students:


Assistance for Complainants

At the request of the reporting person, interim or permanent changes can be made to help reduce the impact of any incident of sexual misconduct that may have occurred, including but not limited to institutional no-contact orders. Similar orders may be available to reporting persons as determined by a civil or criminal court, upon application by the reporting person. Additional adjustments can also be made to living, academic, transportation, or working situations at the request of the reporting person, when reasonably available, regardless of whether a formal complaint or report is filed with Public Safety or local police. These adjustments may include, but are not limited to:

- Temporary or permanent changes to residential housing assignment
- Assistance with transportation accommodations, including parking assignments
- Changes to academic schedule, including course section assignment and course assistance
- Receiving incompletes in a course
- Accessing academic support
- Assistance with changes to on-campus employment
• Safety consultations with Public Safety

Please note that these measures are intended to be applied in individualized ways that are tailored to context and those involved. As such, the University encourages students to inquire about a potential adjustment that may offer assistance but is not present on this list. The University will provide for any accommodations requested by the complainant that are reasonably available regardless of where or not the complainant chooses to report the incident to the Department of Public Safety or local police. To begin the process of requesting any of the above changes, contact the Dean of Students Office.

Rights of the Complainant

It is Chapman’s responsibility to assure students who report an incident of sexual misconduct that:

• Complainants have the right to a fair, impartial, prompt investigation and proceedings, including an appropriate resolution of the complaint.

• University officials will treat the incident seriously and that the incident will be investigated and adjudicated by appropriate University officials. Proceedings shall be conducted by officials annually trained on sexual assault and other gender and/or intimate partner violence issues. Such proceedings shall use preponderance of the evidence standard, which means the officials will determine if it is “more likely than not” that misconduct occurred.

• Complainants will be treated with dignity, respect, and in a non-judgmental manner.

• University officials will inform complainants of their option to notify appropriate law enforcement authorities, including on-campus security and local police, and offer assistance in notifying proper authorities when an individual discloses an incident of sexual misconduct.

• University personnel will not discourage anyone from reporting, nor encourage them to under-report or report the incident as a lesser crime.

• University officials will prohibit retaliation and will not only take steps to prevent retaliation, but they also will take strong responsive action if it occurs. They will also follow up with complaints to determine whether any retaliation or new incidents of harassment have occurred.
• Complainants will be provided with written notification of on- and off-campus services available to them for mental health, complainant advocacy, and other available community resources.

• Complainants will receive written notification from the University about the availability of interim measures and assistance, which can include but not be limited to academic, living, transportation, and working adjustments as well as other protective measures.

• Complainants will be afforded the opportunity to request immediate alterations in housing, academics, transportation, or other steps to prevent unnecessary or unwanted contact or proximity to an alleged perpetrator when reasonably available. For this, complainants can obtain no contact/restraining orders or enforce an order already in existence to prevent such unnecessary or unwanted contact or proximity.

• Complainants will be provided with a written explanation of their rights and options as well as an explanation of the Chapman University policies and procedures for cases of potential sexual misconduct.

• Complainants are informed that he/she is entitled to be accompanied to any related meeting or proceeding by an advisor of their choice (including attorneys), knowing that the respondent also has the same opportunity to have others present during any proceeding. For more information on the role of an advisor/support person, please see the Student Conduct Code.

• Complainants are informed that he/she is entitled to receive, in writing, the outcome (if any) of an investigation or hearing and sanctions related to him/her once the investigator/hearing officer makes a determination.

Rights of the Respondent

It is Chapman’s responsibility to assure students who are accused of sexual misconduct that:

• Respondents have the right to a fair, impartial, prompt investigation and proceedings, including an appropriate resolution of the complaint.

• University officials will treat the incident seriously and that the incident will be investigated and adjudicated by appropriate University officials. Proceedings shall be conducted by officials annually trained on sexual assault and other gender and/or intimate partner violence issues. Such proceedings shall use preponderance of the evidence standard, which means
the officials will determine if it is “more likely than not” that misconduct occurred.

- University officials will prohibit retaliation and will not only take steps to prevent retaliation, but also take strong responsive action if it occurs. They will also follow up with respondent to determine whether any retaliation or new incidents of harassment have occurred.

- The respondent will be treated with dignity, respect, and in a non-judgmental manner.

- The respondent will be advised of on- and off-campus organizations and services that may be of assistance.

- The respondent will be informed of available counseling and psychological services.

- Respondents are informed that he/she is entitled to be accompanied to any related meeting or proceeding by an advisor of their choice (including attorneys), knowing that the complainant also is provided with the same opportunity to have others present during any proceeding (currently institutions may deny both parties and advocate or support person). For more information about the role of advisors/support person, please see the Student Conduct Code.

- Respondents are informed that he/she is entitled to receive, in writing, of the outcome (if any) of an investigation or hearing, and recommendations or sanctions, if appropriate, once the investigator/hearing officer makes a determination.

Investigation Procedures for Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Once a complainant or other reporting party makes a report with any professional staff member of alleged sexual misconduct, the case will be referred to Chapman’s designated Title IX Coordinators. The complainant will then meet with a Title IX Coordinator or designee so the Coordinator may review the details of the report and explain the next investigative steps involving sexual misconduct violations. The Coordinator or designee will determine if an investigation should be initiated.

In the event that an investigation is deemed necessary, the Title IX Coordinator or designee will begin by notifying both parties – the complainant and respondent – that the investigation has been initiated. The investigation will then begin by separately interviewing the complainant,
respondent, and any identified witnesses. Both parties will be given the opportunity to present evidence and provide names of witnesses. Both parties may also have an advisor of their choice (including an attorney) to attend meetings or hearings with them. For more information regarding the role of an advisor/support person, please see the Student Conduct Code.

After the interviewing of all parties and witnesses, the investigator will review the information collected. Using the preponderance of evidence standard, the investigator will determine if it is more likely than not that any policy violation occurred. These determinations are referred to as findings. An investigation can result in no findings, or it may result in findings and recommendations. Recommendations are likely to include subsequent sanctions imposed on the respondent. Both parties will be informed of the findings and recommendations.

After the investigation outcome is provided to the respondent and complainant, each party has the opportunity to accept or reject the investigation outcome. Should either party reject the investigation outcome, a hearing will be held on the matter.

**Hearing Procedures for Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence, or Stalking**

Hearings shall be conducted by a conduct body according to the following guidelines:

a.  Hearings shall be conducted in private.

b.  Admission of any person to the hearing shall be at the discretion of the hearing officer in consultation with its Conduct Advisor (when applicable).

c.  In hearings involving more than one respondent, the Presiding Officer or Hearing Officer, at his or her discretion, may permit the hearings concerning each student to be conducted together with the consent of all respondents.

d.  The complainant and the respondent each have the right to be accompanied by one Support Person at the hearing, as defined in Article I.Y., at their own expense,

e.  The complainant and/or the respondent each are responsible for presenting his or her own case. Support Persons are not permitted to speak to the members of the conduct body unless directly questioned by the conduct body. Support Persons may not participate directly in the hearing other than quiet communication with the student they are accompanying. This communication must not interfere with the conduct process.
Failure to comply will result in the removal of the Support Person(s). One 5-minute recess may be requested during the course of a hearing if the complainant and/or the respondent wish to consult with his/her Support Person. Additional requests may be granted at the discretion of the hearing board/officer.

f. The respondents and complainants must identify their respective Support Persons and if the individual(s) are attorneys through written notification to the conduct body 2 business days prior to the hearing.

g. Except as provided in this section, the presence of attorneys at hearings is not permitted, as the conduct proceeding is not meant to function as a court of law. An exception may be made only where the respondent has been charged with a crime arising out of the same operative facts as the charge under the Code and the criminal charges are presently pending.

h. In hearings for incidents involving allegations of domestic violence, dating violence, stalking and/or sexual assault, both the respondent and the complainant have the right to have an advisor of their choice, which may include an attorney, subject to the terms of subsection(k) below.

i. Where an attorney is permitted, the attorney must conform to the same requirements as applied to a Support Person.

j. With reasonable written notification to the conduct body (2 business days prior to the hearing), the complainant and the respondent shall have the privilege of presenting witness statements (12-pt. font, 5 double-spaced pages maximum). In the event that witnesses are permitted or requested by the board to attend a hearing, the conduct body and the other party shall have the right to provide suggested questions for the witness(es) to the board. The board retains the authority to determine which questions would be helpful in its deliberation.

k. Any pertinent materials and written statements (in 12-pt. font, 5 double-spaced pages maximum) must be submitted for consideration to the conduct body at least 2 business days prior to the hearing.

l. All procedural questions are subject to the final decision of the conduct body or Conduct Officer in consultation with the Conduct Advisor (when applicable).

m. After the hearing, the conduct body or Conduct Officer shall excuse all parties, engage in deliberation and determine (by consensus, or if necessary, by majority vote) which portion of the Code, if any, the respondent has violated.
n. The conduct body’s determination shall be made on the basis of whether it is more likely than not that the respondent violated the Code.

o. All decisions of a conduct body or Conduct Officer shall be based solely upon material presented at the hearing.

p. Should new charges surface as a result of, or during, a conduct process, and no additional investigation is needed, the charges will be verbally introduced and heard during the current hearing. If additional investigation is needed, the conduct body or Conduct Officer will question the respondent, clarify items in report, and send findings following the hearing.

q. Hearings before a conduct body shall ordinarily be recorded (the deliberation phase is exempt) although written notes may serve as a substitute. This record shall be the property of the University. Student respondents or complainants at the hearing are free to take their own notes, but they may not use an electronic recording device. At the discretion of the Vice Chancellor for Student Affairs/Dean of Students, student respondents or complainants may request the opportunity to review the recording of the hearing under the supervision of the Vice Chancellor for Student Affairs/Dean of Students or delegate. Hearing records are confidential.

r. Formal rules of process, procedure and/or technical rules of evidence, such as applied in criminal or civil court, are not used in Code proceedings.

Note: Students charged with violations of the Code of Conduct during Study Abroad, Interterm or other travel courses will be notified of the charges and have the opportunity to respond to those charges, as well as the opportunity to appeal the outcome of their cases. However, the condensed duration of these courses and the limited availability of on-site administrators necessitate a modified conduct process in some situations.

2. No student may be found to have violated the Code solely because the student failed to appear before the conduct body. However, failure to appear, without board approved documented proof supporting extenuating circumstances preventing such appearance, will result in the loss of the right to an appeal. In all cases, should there be a hearing, the material in support of the charges shall be presented and considered regardless of whether or not the student(s) attended the conduct hearing. If the Respondent does not appear at the hearing after being noticed, the information in support of the charges may be presented and considered even if the respondent is not present.
3. An individual’s (or group’s) cumulative community conversations, deferred incidents, and conduct history will not be considered by the conduct body until the sanctioning phase of the deliberations.

4. The Conduct Body or Conduct Officer may accommodate the concerns for personal safety, well-being, and/or fear of confrontation by the Respondent, Complainant and/or other witness by permitting

The appeals process is guided by the following provisions:

A complainant may not request an appeal of a decision made by a conduct body or Conduct Officer except in instances of violence or sexual misconduct.

2. Failure of the respondent to appear at the initial hearing involving the original charges, without board-approved, documented proof supporting extenuating circumstances preventing such appearance, will result in the loss of the right to an appeal.

3. There is only one appeal available for any and all sanctions imposed per incident.

4. A respondent(s) or group may request an appeal of a hearing outcome. Appeals are not granted automatically. They must be thoughtful, well-reasoned, substantive, and demonstrative of at least one of the following criteria:

   a. That there was a substantive procedural error that may have prohibited the hearing from being conducted fairly in light of the charges. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

   b. The facts in the case were insufficient to establish that a violation of the Code occurred.

   c. The sanction(s) imposed was not appropriate for the violation of the Code for which the student was found to be responsible.

   d. New evidence that was not available at the time of the hearing has become available, and is potentially sufficient to alter a decision.

4. A request for appeal must be submitted in writing within 5 business days of the decision dated by the Conduct Body or Conduct Officer (date listed on the Hearing Outcome letter). The request for appeal must clearly demonstrate the grounds for appeal, and not exceed 5 double-spaced pages in length with 12-pt. font. All appeal requests, regardless of the hearing body, should be submitted to the Director of Student Conduct electronically or via the web link provided in the Hearing Outcome letter.

5. For situations in which the Vice Chancellor for Student Affairs/Dean of Students serves as the Hearing Officer, an appeal body or person will be appointed by the University Chancellor.
6. The Vice Chancellor for Student Affairs/Dean of Students or designee has the discretion to submit a request for appeal if deemed necessary.

7. Upon receipt of the request for appeal, the request will be reviewed to determine if the appeal has merit. A request for appeal must be limited to review of the documentation associated with the initial hearing, supporting documents and testimony. If none of the criteria for appeal is determined to have been met, the appeals body shall sustain the decision of the respective conduct body. If, however, any of the conditions is found to exist, the appeals body may:
   a. Hear the full appeal;
   b. Hear only a circumscribed portion of the appeal;
   c. Render a decision without a hearing involving the parties.

8. If warranted by the appeals body, the advisor to the initial hearing board or hearing officer may be requested to appear in an appeal hearing.

9. In determining whether to modify any given sanction(s), the appeals body has the option to take any of the following actions:
   a. Elect not to change any of the sanctions imposed by the original hearing body;
   b. Reduce or increase the severity of the conduct status;
   c. Adjust Educational Sanctions.

10. At the discretion of the Vice Chancellor for Student Affairs/Dean of Students, the complainant(s) may receive the appeal documentation of the respondent(s) only in the event that an appeal hearing is deemed appropriate. In this case, the complainant will be offered the opportunity to submit a rebuttal statement to the appeals board. Rebuttal statements must be within 5-double space pages with 12-pt. font and must be received 2 business days prior to the hearing.

11. At the discretion of the Vice Chancellor for Student Affairs/Dean of Students, the complainant may be notified of the outcome of the respondent’s appeal of the case, in accordance with FERPA (See Appendix 2).

12. All appeal decisions are final and binding to all parties and shall be given to the respondent in written form.

Proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
Disclosure of Results of Disciplinary Proceedings

Following investigations/hearings for cases related to sexual misconduct, the complainant and respondent will be simultaneously notified of the outcome. If a request for appeal is submitted the other party will be notified of the submission, any appeal proceedings, and the outcome of any appeal or request for appeal. Upon request, Chapman University will disclose the results of any disciplinary proceeding conducted by the institution against a student who is alleged to have committed a crime of violence or a non-forcible sex offense.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act Compliance

To comply with the disclosure requirement regarding crime statistics, the Department of Public Safety annually publishes crime statistics for the past three years of crimes mandated by the Act. There are seven crimes that make up that mandate: Criminal Homicide; Sex Offenses; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson. To better understand the explanation of what the statistics represent a definition of terms follows.

Definitions:

Criminal Homicide is divided into two categories: Murder and Non-Negligent Manslaughter, and Negligent Manslaughter.

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex Offenses are separated into two categories: Forcible and Non-Forcible.

Sex Offenses—Forcible is defined as any sexual act directed against another person, forcibly and/or against that person’s will; or not forcible or against the person’s will where the victim is incapable of giving consent. There are four types of forcible sex offenses:

Forcible Rape is the carnal knowledge of a person, forcible and/or against that person’s will; or not forcible or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
**Forcible Sodomy** is oral or anal sexual intercourse with another person, forcible and/or against that person’s will; or not forcibly or against the person’s will 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** is the use of 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 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.

**Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental capacity.

**Sex Offenses—Non-Forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:

- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence** Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim who is the offender’s spouse or former spouse, the offender’s cohabitant or former cohabitant, the offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, the mother or father of the offender’s child, Holding oneself out to be the husband or wife of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section. (CPC 273.5)

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

**Stalking** 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. (CPC 646.6)
**Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

**Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** is the theft of attempted theft of a motor vehicle.

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal or of another, etc.

**Hate Crime Reporting**

Previous regulations required that any Clery Act crime, or a crime that involved bodily injury, that was committed against a person because of the actual or perceived race, gender/gender identity, religion, sexual orientation, ethnicity/national origin or disability or that person and that was reported to local law enforcement agencies or a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias was reported as a hate crime. New legislation has added the crimes of theft, simple assault, intimidation, and destruction/damage/vandalism of property to the list of crimes that are reported in hate crime statistics.
When it leaves the harbor for the
ever sailed the seas but had to
return, well maintained
way. So you will meet
honest, trusting for
life, you will
Fire Safety

The Fire & Life Safety Division (FLS) is responsible for the safety of the Chapman community by mitigating potential fire hazards on campus. Prevention is accomplished through code compliance, coordinating inspections and maintenance of fire protection systems, and by means of educating and training the campus community. The Fire & Life Safety Division serves as the university liaison with the City of Orange Fire Department in matters of permits, inspections, and pre-incident planning.

The Higher Education Opportunity Act

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Chapman University.
Fire Protection Systems

The table below lists the fire safety systems in place at each residence hall and apartment complex at Chapman University. It also includes information on university-owned student houses.

<table>
<thead>
<tr>
<th>On-Campus Housing</th>
<th>Fire Sprinkler System</th>
<th>Smoke Detectors Monitored by Fire Alarm System</th>
<th>Single Station Smoke Alarms</th>
<th>Fire Drills Conducted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glass Hall</td>
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<td>Henley Hall</td>
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<td>Pralle-Sodaro Hall</td>
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<td>Sandhu Hall</td>
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<td>North Morlan Hall</td>
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<td>South Morlan Hall</td>
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<tr>
<td>Davis Apartments</td>
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<td>Harris Apartments</td>
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<td>Student Houses</td>
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</table>
Fire Drills

Fire drills are conducted in each residence hall at the start of the fall and spring semesters. The drills are coordinated by the Department of Public Safety with participation by the Housing and Residence Life staff. Drills are unannounced to students and occur at varying times and days. Residents are required to evacuate anytime a fire alarm sounds and failure to do so is subject to conduct review.

Building Evacuations

Be familiar with the locations and use of all emergency exits, manual fire alarms, and fire extinguishers in your area. You are encouraged to know the identity of the Floor Warden/Resident Advisor and Building Coordinator/Resident Director for your area and work with them to map out a personal strategy to use in the event of a fire or other disaster.

ALWAYS treat every alarm as an emergency and exit the building immediately if an alarm sounds. Evacuate the building using the shortest and safest route, proceeding to the pre-designated emergency evacuation site.

In the Event of a Fire

Immediately pull the nearest fire alarm as you exit the building. When evacuating the building, remember to feel doors with the back of your hand before opening them to be sure that there is no fire danger on the other side. If you notice smoke, use an alternate escape route. If you must enter a smoke-filled room or hallway, stay low, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit, keeping your head near the floor.

Always proceed to the emergency exit stairs and do not use the elevators. A fire can disrupt the operation of elevators and trap occupants inside. Once you are safely away from danger, call Public Safety at (714) 997-6763 and communicate the details of the fire. If you are off campus, dial 911.

If you become trapped in a fire emergency, close all doors between you and the fire and stuff towels around the door cracks to keep out smoke. Wait at a safe window and signal for help by hanging a white sheet from the window.

NEVER RETURN TO A BUILDING UNTIL TOLD TO DO SO BY A CHAPMAN UNIVERSITY PUBLIC SAFETY OFFICER OR OTHER UNIVERSITY OFFICIAL.
Reporting of Fires

All fires on campus, even if already extinguished and regardless of size, should be reported to Fire & Life Safety by contacting the Department of Public Safety at (714) 997-6763. Federal law requires the university to report on an annual basis all fires which occur in student housing.

Fire Safety Policies

Housing fire safety policies can be found in the Student Conduct Code at [http://www.chapman.edu/students/policies-forms/student-conduct/residence-life.aspx](http://www.chapman.edu/students/policies-forms/student-conduct/residence-life.aspx) and in the Residence Living License Agreement at [http://www.chapman.edu/students/housing-and-residence/on-campus/resources/housing-forms.aspx#Housing Forms](http://www.chapman.edu/students/housing-and-residence/on-campus/resources/housing-forms.aspx#Housing Forms)

Student Conduct Code

15. **Fire Safety and Equipment** – The following behaviors are prohibited:

   a. Causing a false alarm, arson, and tampering with or obstructing the fire alarm system, smoke detectors, sprinkler system, emergency exits, carbon monoxide detectors, fire extinguishers, exit signs, and other equipment. These are federal offenses.

   b. Failing to evacuate a University building during any fire and/or emergency alarms, including drills, or re-entering the building before the all clear sign is given.

   c. Propping open doors in residence buildings with enclosed corridors (e.g. Pralle-Sodaro, Henley, Sandhu Residence Center, and Glass Hall).

   d. Possessing and/or using candles, incense, oil lamps, helium tanks, and other combustible and/or flame-producing items in the residence areas. Burning candles in any campus building is prohibited (except for those events specifically scheduled through the Fish Interfaith Center and other approved events).

   e. Trees, such as Christmas trees, may only be used if they have been treated with a fire retardant (resident must present proof of this to his or her Resident Director), are artificial, or are still alive and planted in a pot. Extension cords may not be used for holiday lights or other electric lights or items.
f. Possessing and/or using multi-plugs, halogen lamps and extension cords in the residence area. However, power strips with surge protectors are permitted.

g. Possessing and/or using of fireworks, CO2 cartridges, explosives, chemicals and other hazardous materials.

h. Possessing and/or using barbeques and other outdoor cooking equipment in the residence halls and apartments except those provided by and installed by University officials. University-provided outdoor cooking equipment can be used in designated areas.

i. Attaching excessive wall coverings or other items to walls and/or ceilings.

Housing and Residence Life Policies and Procedures

Cooking / Kitchens - Cooking is allowed only in kitchens. Cooking in residence hall student rooms or in non-kitchen areas is strictly prohibited. Microwaves other than approved combination microwave/refrigerator units are prohibited in the residence halls. For residents living in the residence halls, the Morlan kitchen is available. See the Morlan Hall Office assistant for entry to the kitchen.

Electrical Appliances - Clothing Irons, Coffee Makers, and Micro-Fridges are approved appliances in the residence halls. Surge protectors and power strips are approved and must be used; there are absolutely no extension cords allowed in residence halls, apartments or houses. Due to the health and safety issues inherent in high-density living environments, the following are prohibited in the residence halls: hot plates, electric skillets, electric indoor grills, toaster ovens, toasters, hot oil popcorn poppers, halogen lights, sun lamps, hibachi’s, electric heaters, rice cookers, tanning beds, sandwich makers, extension cords, multi-plug adaptors, decorative lights, refrigerators larger than 4.0 cubic feet, microwaves (other than the approved combination microwave/refrigerator) and other major appliances. Possession of these items in a residential room, whether in use or not, constitutes a violation of this policy. Students found in violation of the policy may be subject to fines of up to $100 per item. See Fire Safety policies. Small kitchen appliances are permitted in Residence Center Suites (rooms with common living areas) as well as Glass, Davis, and Harris Apartments.
Health & Safety Inspections

At least twice a year, the Residence Life staff will conduct Health and Safety inspections. During inspections, if a room is found to have violations, action will be taken to address those violations. Residents who are found to be in violation of university policies during these inspections will be subject to fines, conduct review and/or loss of current or future housing assignments. Fines for violations range from $25-$35 per violation, and violators may also be subjected to conduct review. Residents may be fined if found with prohibited appliances listed under the fire safety policy.

Potentially dangerous items found during Health and Safety inspections may be confiscated without the option of being returned. In addition to fines and confiscation, some items may be destroyed, including but not limited to: drugs, drug paraphernalia, directional signs, weapons, alcoholic beverages, or containers and candles.

Fire Safety Training

Each summer, prior to the return of students, the Fire & Life Safety Division conducts annual training for the Resident Advisors and Residence Life professional staff. Training covers:

- Fire prevention
- Current trends and national statistics of fires and causes on college campuses
- Building evacuations and emergency preparedness
- Life safety systems
- Hands-on fire extinguisher training
- Active Shooter training
Plans for Future Improvements

The Fire & Life Safety Division continually works with Facilities Management to identify aging fire alarm systems in the residential and campus buildings and strives to provide reliable and nuisance-free systems. Life safety systems are assessed for additional detection or sprinkler protection requirements whenever the university plans building renovations.
## Chapman University

### 2014 Criminal Offenses

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## 2013 Clery Act Reportable Offenses

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