# Contents

A Message from President Daniele C. Struppa ....................................................................................... 1  
Section 1 | Security Report ........................................................................................................................ 2  
  Phone Numbers & Resources ................................................................. 2  
  Campus Overview ............................................................................ 4  
  Access to Campus Facilities .......................................................... 4  
  Residential Access ......................................................................... 4  
  Chapman Department of Public Safety ............................................. 5  
  Authority and Jurisdiction .............................................................. 6  
  Crime Prevention ........................................................................... 6  
  Substance Abuse Policies ............................................................... 10  
  Campus Security Authorities ......................................................... 11  
  Timely Warnings and Emergency Notifications ............................ 13  
  Monitoring Criminal Activity ......................................................... 15  
  Megan's Law and Sex Offender Registrant Information .................. 16  
  Missing Student Notification ........................................................... 17  
Harassment, Discrimination and Sexual Harassment .................................................. 19  
Policy ................................................................................................. 19  
  I. Introduction ............................................................................... 19  
  II. Policy Statements .................................................................... 19  
  III. Scope of Harassment and Discrimination and Sexual Harassment Policy .......... 23  
  IV. Standard of Proof ................................................................... 24  
  V. Reporting Complaints & Policy Violations ................................... 24  
  VI. Procedures ............................................................................... 28  
  VII. Appeals .................................................................................. 33  
  VIII. Confidentiality ....................................................................... 34  
  IX. Academic Freedom ................................................................... 34  
  X. Consensual Relationships ......................................................... 35
A Message from President Daniele C. Struppa

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 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.

Daniele C. Struppa 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](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
Section 1 | Security Report

Phone Numbers & Resources

Orange Police Department .............................................Non-emergency (714) 744-7444 Emergency dial 911
Orange Fire Department .............................................Non-emergency (714) 633-1313 Emergency dial 911

POLICE & FIRE (CHAPMAN GRAND)

Anaheim Police Department .............................................Non-emergency (714) 765-1900 Emergency dial 911
Anaheim Fire Department .............................................Non-emergency (714) 765-4000 Emergency dial 911

POLICE & FIRE (RINKER CAMPUS)

Irvine Police Department ..................................................Non-emergency (949) 724-7000 Emergency dial 911
Orange County Fire Authority ...........................................Non-emergency (714) 573-6000 Emergency dial 911

CHAPMAN UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Communications Center/Front Desk ..................................(714) 997-6763
Patrol Operations ...............................................................(714) 997-6763
Investigations .................................................................(714) 289-3104
Fire and Life Safety .........................................................(714) 744-7875 or (714) 289-2071
Parking/Transportation Services .......................................(714) 997-6560 or (714) 997-6543
Website .............................................................................www.chapman.edu/publicsafety

OTHER UNIVERSITY RESOURCES (Main and Rinker Campus)

Dean of Students ...............................................................(714) 997-6721
Student Engagement .........................................................(714) 997-6761
Student Health Center ......................................................(714) 997-6851
Student Psychological Services .........................................(714) 997-6778
Residence Life and First Year Experience .........................(714) 997-6603
Facilities Management ....................................................(714) 997-6658
Chapman Information .......................................................(714) 997-6815
Campus Shuttle Services ..................................................https://www.chapman.edu/shuttle

RESOURCES OUTSIDE OF CHAPMAN UNIVERSITY (Main and Rinker Campus)

Chapman Global Medical Center ......................................(714) 633-0011
Saint Joseph Hospital .......................................................(714) 633-9111
UCI Medical Center .......................................................... (714) 456-7890
Anaheim Memorial Medical Center............................... (714) 774-1450

**CRISIS HOTLINES (Main and Rinker Campus)**
Chapman University Sexual Assault Crisis Counselor .... (714) 744-7080
CSP Sexual Assault Hot Line (24 Hours) .........................(714) 957-2737
Sexual Violence Crisis Hotline ......................................(800) 656-4673
Local Rape Crisis Hotline ..............................................(714) 831-9110
Rape, Abuse & Incest National Network (RAINN) ..........https://www.rainn.org
(Find services for victims in your area) ...........................(800) 656-HOPE (4673)
National Domestic Violence Hotline .........................(800) 799-SAFE (7233)
http://www.thehotline.org
Suicide Prevention Hotline ............................................(800) 273-8255
Drug and Alcohol Abuse Hotline .................................(800) 662-HELP
**Campus Overview**

Chapman University is a 158-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 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.

**Access to Campus Facilities**

Chapman University is a private university. Our facilities are primarily used by University staff, faculty and students. Both the Orange and Rinker campus are generally open to those persons with legitimate reasons during normal business hours. There are many persons who may be invited to the campus outside of the normal business hours during public events or as a guest. There is mutual benefit from such use; however, there are also those who come to Chapman University for unacceptable reasons. Department of Public Safety officers and other university officials are authorized to enforce university policies and may restrict or prohibit access to university property based on their discretion.

Some buildings and offices, however, are not open to the general public. Entrance may be denied, and local trespass laws invoked for persons found in or around our buildings without legitimate reasons. After 11 p.m., both campuses are closed to all but faculty, staff, students, and their invitees.

**Residential Access**

Residential buildings are governed by specific access and occupancy rules. These rules are specifically described for students in the Chapman Student Conduct Code and the Residence License Agreement. The exterior doors to all residential facilities are kept locked. Each residence
unit is equipped with electronic card-key-access systems that restricts access to residents only and other users permitted by the university. Trespassing laws are strictly enforced within the residence life areas of campus by the Department of Public Safety personnel.

**Chapman Department of Public Safety**

The Chapman University Department of Public Safety consists of forty 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 the Main Campus. If you are located at the Rinker Health Science campus, all 9-1-1 calls go directly to the local jurisdiction. Officers receive training in criminal law, patrol procedures, investigations, report writing, first aid, CPR, and in the use of Automatic External Defibrillators (AED).

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**Contact Us**

Public Safety - Operations
418 North Glassell Street Orange, CA 92866
Tel: (714) 997-6763 (24 hours)
Fax: (714) 516-5711
publicsafetystaff@chapman.edu

Public Safety - Administration
348 N. Olive Orange, CA 92866
Tel: (714) 744-7681
Fax: (714) 516-5711
Web site: www.chapman.edu/publicsafety
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.

Authority and Jurisdiction

The authority to enforce Chapman University Policy is established by the Board of Trustees. Public Safety officers have the authority to make a citizen’s arrest, pursuant to the California Penal Code and the California Business and Professions Code for persons committing crimes 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 respond and render assistance as needed. If such an arrest occurs on the Chapman University Rinker Health Science Campus, the department shall notify the Irvine Police Department to respond and render assistance as needed.

The patrol jurisdiction of the Department of Public Safety is generally limited to Chapman University owned property. The Patrol Division of the Department of Public Safety is primarily responsible for handling all emergency calls and crimes in progress within their geographical area of responsibility. DPS will request assistance from local police and emergency services as necessary.

DPS has a Memorandum of Understanding (MOU), with the Orange Police Department and the Irvine Police Department, which outlines the primary agency for the investigation of alleged criminal offenses. The primary agency for investigating crimes on Chapman’s Main Campus lies with the Orange Police Department; however, the Department of Public Safety assists in investigating non-violent property crimes that occur at the university. The primary law enforcement authority at Chapman Grand Residence Hall is the Anaheim Police Department.

For the Rinker Health Science Campus, the main jurisdiction for investigating all crimes lays with the Irvine Police Department. All crime victims and witnesses should immediately report crimes to the Department of Public Safety and/or the Orange Police Department if they are on Chapman University Main Campus and/or the Irvine Police Department if they are on Chapman University Rinker Health Science Campus. Prompt reporting may aid in apprehension of the offender and ensure issuance of timely warning notices and disclosure of crime statistics.

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 several 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 several seminars and workshops annually on such topics as personal protection, sexual assault education, property protection, residence security and others upon request. These services are for both the Main Campus and the Rinker Health Science Campus.

**R.A.D. (Rape Aggression Defense)**
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 Sergeant Josephine Wright at jjwright@chapman.edu or call Public Safety at (714) 997-6763.

Register for RAD Classes and other Public Safety training sessions at Public Safety Training Calendar.

**Operation Safe Ride**
Students, faculty, staff and visitors can utilize this FREE escort service. Operation Safe Ride operates during the Spring and Fall semesters. Hours of operation: Monday-Wednesday: 7:30pm-12:15am. Thursday: 7:30pm-1:45am. Friday-Saturday: 7:30pm to 2:15am. 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 Operation Safe Ride Webpage.

**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 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**
At Public Safety we feel your safety is very important, so we continue 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.
**Panther Guardian Safety App**

Turn your phone into a personal safety device. Download the FREE Panther Guardian App powered by Rave Guardian to check in with family, friends, the Chapman University Department of Public Safety, or others you trust to help you stay safe both on and off campus. The Panther Guardian app is an effective way for students, staff, and faculty to communicate with Public Safety via a smart phone.

Panther Guardian is one of the best ways to improve your personal safety and your fellow guardians within your own private safety network. This application provides rapid and proactive communications with friends, family, co-workers, Public Safety, and even participating 9-1-1 call center in the event of an emergency.

![Panther Guardian App Image]

**Use Panther Guardian to Protect Yourself and Others**

Set a Safety Timer – Notify people you trust to check in on you if you are alone or in an unfamiliar place.

Manage & Message Your Guardians – Invite family, friends, or others to be your Guardian, and communicate with them within the app as needed.

Easy Emergency Communication – Call Public Safety directly for help if you are in trouble and send text tips – including photos – if you see something suspicious.

- Download the [iPhone App](#)
- Download the [Android App](#)

In addition to these crime prevention 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.

**Prevention Education** There are sexual assault, domestic violence and alcohol presentations put on by the P.E.E.R. (Proactive Education Encouraging Responsibility) and Health Education...
Department. Chapman’s PEER and Health Education Department also provides students with opportunities to explore how these life issues affects a person’s ability to succeed in our society. Wise decision-making, responsibility, and awareness of consequences are key components of these programs. 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 P.E.E.R Webpage

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. We assess student behaviors of concern in the community and develop appropriate intervention plans. Concerned about a student? Fill out the Student Concern Informational Report to help us identify students of concern.

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 Crime Survivor’s Webpage.

Preparation of the Annual Security & Fire Safety 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 and Fire Safety report, the crime statistics are submitted to the U.S. Department of Education.

You may request a free paper copy of the Annual Security & Fire Safety Report for 2018 by written request addressed to: Dr. Rick Gonzalez, Deputy Chief of Public Safety, Department of Public Safety Administration, located at 348 N. Olive Orange, CA 92866 or email at rigonzalez@chapman.edu. In person at the front desk of Department of Public Safety at 418 North Glassell Street Orange, CA 92866; or by calling (714) 997-6763 (24 hours).

**Substance Abuse Policies**

The information detailed in this section applies to both the Chapman University Main Campus (Orange) and the Chapman University Rinker Health Science Campus (Irvine). Even though the campuses are not located in the same city, the policies described are identical at both locations.

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 illegal drugs and alcohol by students and employees. This includes providing alcoholic beverages to a person under 21, and the possession or consumption of alcoholic beverages by a person under 21. Any student or employee who violates this policy may be subject to disciplinary action, up to and including permanent expulsion or termination of employment. To read the entire policy: Federal Drug Free Schools and Community Regulations.

Importantly, university disciplinary action is taken independently and regardless of any criminal action that may ensue. Specific regulations are contained in the student handbook and in the Alcohol and Substance policy established by university committee. Chapman University cooperates fully with the Orange Police Department (Main Campus), the Anaheim Police Department (Chapman Grand Residence Hall) and Irvine Police Department in the investigation and enforcement of suspected illegal drug and/or alcohol use in the university.
community. This includes all state and federal drug laws. Primary responsibility rests with the Orange Police Department for the Main Campus and the Irvine Police Department for the Rinker Health Science Campus because of the university’s private status. Visit the Student Conduct Website or the Staff and Administrative Handbook to read the full substance abuse policies.

**Campus Security Authorities**

The information detailed in this section applies to both the Chapman University Main Campus (Orange) and the Chapman University Rinker Health Science Campus (Irvine). Even though the campuses are not located in the same city, the policies described are identical at both locations.

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 the guidelines established under the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998,” and subsequent rules.

Campus Security Authorities (CSAs) are individuals, who by virtue of their responsibility and under the Clery Act, are designated to receive reports of criminal incidents that occur on campus, in student housing, on public property surrounding the campus and in non-campus property controlled by the University. As a CSA, 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. Additional information can be found here: [CSA Training PowerPoint](#).

**Confidential Crime Reporting through CSAs**

Occasionally, a person may want to seek assistance anonymously. For example, if you are a victim of sexual assault and wish to seek help, medical or otherwise, without contact with law enforcement, you can confidentially report the incident to a designated CSA. Your CSA can provide you with information and resources and serve as your agent to obtain the support you need without filing a police report. A designated CSA generally is not required to disclose to the Department of Public Safety information that would identify a victim of a crime who wishes to remain confidential. However, CSAs are required to inform the department of all incidents reported to them of which they become aware, including confidential incidents, so that DPS may determine whether statistics concerning must be recorded in the university’s Annual Security Report.

**Examples of CSAs include but are not limited to:**

**Public Safety:** Any member of the Department of Public Safety.

**Residence Life and First Year Experience:** Director of Residence Life and First Year Experience; Associate Director; Assistant Directors; Area Coordinators, Resident Directors; Residential Graduate Assistants, and Resident Advisors.

**Athletics:** Director of Athletics; Associate Director of Athletics; Assistant Director of Athletics; all Head Coaches & Assistant Coaches.
Student Affairs: Vice President & Dean of Students; Associate Vice President & Senior Associate Dean of Students; Director of Student Conduct; Assistant Directors for Student Conduct; Director of Student Health Services; and Director of PEER and Health Education; and Case Manager.

Student Engagement: Director of Student Engagement; Associate Director, Civic Engagement Initiatives; Program Coordinators, Cross-Cultural Engagement; Associate Director, Student Union; Program Specialist of Student Engagement; and Assistant Director, 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 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:

- **Clergy Privilege.** A person who is associated with a church, religious organization or denomination, is recognized by that church, religious organization or denomination as someone who provides confidential communications, and is functioning within the scope of that recognition as a

  Clergy role and under the discipline or tenets of his or her church, religious organization or denomination has a duty to keep those communications secret.

- **Psychotherapist.** 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, clergy members or psychotherapists must be acting in the role of clergy member or professional counselor. 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 psychotherapist 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. The pastoral or professional counselors, when appropriate, verbally inform persons they are counseling, of procedures to report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report.
The university urges all community members who are not CSAs to report any criminal incident to the Department of Public Safety or law enforcement for the geographical jurisdiction in which an incident occurs, particularly where a victim is unable to do so.

**Timely Warnings and Emergency Notifications**

The information detailed in this section applies to both the Chapman University Main Campus (Orange) and the Chapman University Rinker Health Science Campus (Irvine). Even though the campuses are not located in the same city, the policies described are identical at both locations.

The Clery Act requires universities to issue a “timely warning” to the campus community regarding any Clery Act crime that is reported to a campus security authority or to the Department of Public Safety; occurred on Clery geography and represents a serious or continuing threat to the university community.

The Clery Act also requires universities to immediately issue an “emergency notification” to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

**Timely Warnings**

The Chief of Public Safety or his designee will generally analyze the incident and consult, when relevant with the local police department. In certain circumstances, it may be necessary to consult with other university departments (e.g. Student Affairs or the University’s Title IX Office) if the crime involves rape, sexual assault, domestic or dating violence, stalking or discrimination against a protected class. The purpose of a timely warning is to prevent similar crimes from occurring and enable the community to protect themselves. The timely warning will not include any victim information to preserve confidentiality and will include the type of crime, the date & time of occurrence, the location and a brief description of the incident.

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, in such case; 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. DPS typically issues timely warnings through mass email notification to all enrolled students, faculty and staff.

**Crime Alert Bulletin**

The Chief or a designee may also distribute a “Crime Alert Bulletin” for other crimes as determined necessary. The Department of Public Safety issues crime alert bulletins via email and the department website. These are information bulletins to increase situational awareness of non-Clery crimes that have occurred on campus or in the proximity of the university.

**Emergency Notifications**

The Department of Public Safety receives information from offices and departments on-campus, local law enforcement and other media sources, regarding emergencies or dangerous situations that pose an immediate threat to the health or safety of the Chapman University community.
The university will, without delay, and taking account the safety of the community, determine the content of an emergency notification and activate the Panther Alert emergency notification system; unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an 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 validating the information received with local police/fire authorities.

If it is determined that notifications are to be made, the Chief, Deputy Chief, Captain, or their designee shall notify the dispatcher and initiate the notification. In determining an appropriate communication, DPS will take into account several factors, including, but not limited to, the building or segment of the population threatened, the nature of the threat, and the credibility of the information. DPS will notify the local police department, who may choose to send an emergency alert to surrounding community that is not affiliated with the university.

The university will continue to communicate updates and revised health and or safety guidance, as necessary, throughout the duration of the incident. Once emergency conditions subside, the university will distribute a final notification confirming that emergency conditions have subsided. If necessary, additional health or safety instructions will accompany any final notification. Anyone who believes they have information that may justify issuance of a timely warning or other emergency notification to the Chapman community should report that information to the Department of Public Safety by phone at (714) 997-6763.

**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 emergencies using voice, email and text messaging. To find out more and register to receive emergency notifications visit [Panther Alert Webpage](#). The Panther Alert Emergency Notification system will be tested at least once per academic year. It is the responsibility of students, staff, and faculty to register their mobile devices and phone numbers in Panther-Alert system in order to receive text messaging, phone calls or voicemail messages.
Every member of the Chapman community has their Chapman email address automatically enrolled in Panther Alert but will not receive phone calls or text messages unless they log in and register those numbers at [Sign up for Panther Alert](#).

**Public Emergency Alert Notification Systems**

Every member of the Chapman community is encouraged to sign up to receive emergency alerts from their local police department. This will ensure that you get notified of all emergencies occurring in your area. [Sign up for City of Anaheim Alert](#). [Sign up for City of Irvine Alert](#). [Sign up for City of Orange Alert](#).

**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 Chapman University Main 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 housing. The university does not have any off-campus student organizations.

Additionally each year the Department of Public Safety makes an official request to the Irvine Police Department for statistics of criminal offenses which have not been reported to Public Safety but occurred on Chapman University Rinker Health Science Campus, university-owned or -controlled non-campus property or on public property adjacent to the campus. The university does not have any off-campus student organizations or non-campus buildings at the Rinker Campus.

**Public Safety Daily Crime and Fire Log**

Public Safety maintains a daily crime and fire log. The crime log describes the nature of the crime, date the crime was reported, date and time the crime occurred, general location of the crime and disposition of the complaint, if known. The fire log reflects on-campus residential fires reported to Public Safety. To access the fire log visit [Daily Fire Log Web Page](#).

Public Safety enters or updates reports within two business days of receiving the information. The Daily Crime Log records all crimes reported to Public Safety within our geographical area of responsibility. However, there are times when information may be withheld from the log, such as if there is clear and convincing evidence that releasing such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection or result in the destruction of evidence. In such instances, information may be withheld until the adverse effect is no longer likely to occur. In addition, updates are not required after 60 days have passed from the date of the initial entry. To access the daily crime log visit [Daily Crime Log Web Page](#).
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. 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 Chapman University Department of Public Safety; or the Orange Police Department if they are on Chapman University Main Campus; the Anaheim Police Department if they reside at Chapman Grand apartments; the Irvine Police Department if they are on Chapman University Rinker Health Science Campus.

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 owned or controlled property. The department tracks these crimes to assist us in developing crime suppression measures and prevention programs.

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 or full- or part-time employee within five days of enrolling or being hired (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 for Chapman University Main Campus and the City of Irvine Police Department for Chapman University Rinker Health Science Campus.

In the state of California, convicted sex offenders must also 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).

**Missing Student Notification**

The information detailed in this section applies to both the Chapman University Main Campus (Orange) and the Chapman University Rinker Health Science Campus (Irvine). Even though the campuses are not located in the same city the policies described are identical at both locations.

**How to Report:**

Chapman University takes student safety very seriously. To this end, individuals having reason to believe that a student has been missing should immediately notify the Chapman University Department of Public Safety at 714-997-6763.

These reports may also be made to Residence Life and First Year Experience in the Davis Community Center or the Dean of Students Office in Argyros Forum 101. If the missing person report is made to staff or organizations other than Chapman University Department of Public Safety, the entity must contact Public Safety immediately.

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 their intended whereabouts to the Residence Life and First Year Experience 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 their 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.

**Contact Procedures:**

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 during the housing application process. It is suggested that students living off campus also designate a Confidential Contact. Every student (resident and non-resident) has a 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.

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 also be contacted within 24 hours in addition to the student’s Confidential Contact. 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 their records immediately.

**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 steps 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 them 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.

When Public Safety makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the Department of Public Safety will initiate the emergency contact procedures in accordance with the student’s Confidential Contact designation and will also notify local law enforcement that has jurisdiction in the area the student went missing. This will be done within 24 hours, regardless of whether or not the student had a Confidential Contact, is above the age of 18 or is an emancipated minor.

Additionally, Public Safety may release a photo of the missing student as a tool to assist in locating the individual and may seek information and/or assistance from a variety of campus resources during the course of the investigation.
Harassment, Discrimination and Sexual Harassment Policy

I. Introduction

Chapman University is committed to creating and maintaining a community where all individuals who participate in University programs and activities can achieve their academic and professional aspirations free from harassment and discrimination, including sexual harassment.

In furtherance of the University’s commitment in maintaining an environment that encourages an educational and work environment free from all forms of prohibited discrimination and harassment, 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 University Officials who investigate allegations of policy violations. Harassment and discrimination, in any form prohibited by this policy, impedes the realization of the University’s mission to provide an education of distinction in a dignified and respectful learning environment.

When the University becomes aware that a member of the University community may have been subjected to discrimination and/or harassment based upon their protected class, the University will take prompt action reasonably intended to stop any form of harassment discrimination, and/or related retaliation, eliminate any hostile environment, prevent its recurrence and as appropriate, remedy its effects.

II. Policy Statements

A. Harassment and Discrimination Policy Overview and Definitions (not including Sexual Harassment which is addressed in Section II. B.)

Chapman University prohibits of any form of harassment, discrimination and/or related retaliation in admissions and access to, and treatment in University employment, educational programs and activities, based upon an individual’s race, color, religion, sex, gender identity, gender expression, 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. Accordingly, such discrimination or harassment is prohibited and violates University policy and will not be tolerated. Furthermore, any form of retaliation against anyone who in good faith brings a charge of harassment or discrimination, supports an individual bringing a complaint, otherwise reports harassment or discrimination, or participates in an investigation under this policy is prohibited by University policy and state and federal law.

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.

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 or under this policy, consideration of the incident will assess whether the alleged conduct is severe and/or pervasive based upon the totality of the circumstances.
    - Considering the constellation of the surrounding circumstances and expectations, including but not limited to the nature and context of the conduct, the type, frequency,
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.

B. Sexual Harassment Policy Overview and Definitions

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, Discrimination and Sexual Harassment Policy. It is strictly prohibited to engage in threats or reprisals to dissuade another from reporting sexual harassment under this policy; impede or obstruct the investigation under this policy of complaints of sexual harassment; or retaliate in any manner against someone for pursuing or participating in a charge of sexual harassment.

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 Discrimination and 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 severity and/or pervasiveness of the alleged incident(s).

**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.
  - Sexual assault, sexual battery, stalking, sexual exploitation, and intimate partner violence and abuse as defined in the Student Sexual Misconduct Policy.

**Unwelcome** conduct: For purposes of this policy, conduct is considered “unwelcome” if, under the totality of the circumstances it is 1) not solicited and 2) if it is regarded subjectively by the recipient as undesirable or offensive.

**Offensive to a Reasonable Person:** 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 environment 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
assess whether the alleged conduct is severe and/or pervasive based upon but not limited to the totality of the circumstances. Considering the constellation of the surrounding circumstances and expectations, including but not limited to the nature and context of the conduct, the type, frequency, and duration of the conduct, the identity of and relationship between the parties, the number of individuals involved, the degree to which the conduct affected the complainant or other students, staff and/or faculty and the principles of academic freedom.

C. Title IX and Sexual Misconduct Policy Overview

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. Examples of 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. All students are protected from sexual harassment and/or violence in all educational programs and activities operated by Chapman University.

A student who believes that they have been discriminated against based on their 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.

Student sexual misconduct complaints and appeals are handled pursuant to the policies and procedures set forth in the Student Conduct Code, including the Sexual Misconduct, Sex-Based/Gender Discrimination, and Title IX, Policies and Procedures, available online in the Student Sexual Misconduct Policy.

Additional Information and resources can be found in the Title IX Information brochure online, Know Your Rights and Options.

D. Protections Against Retaliation

Retaliation against an individual is an adverse action or treatment taken against anyone for reporting, supporting, or assisting in the reporting and/or adjudication of any of the behaviors prohibited in the Harassment, Discrimination, and Sexual Harassment Policy herein or against anyone perceived to be involved in any of these actions. This includes intimidation, violation of a No Contact Order, harassment, efforts to impede an investigation, or filing a false or bad faith cross-complaint.

Retaliation under this policy is prohibited by University policy, 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. Acts of alleged retaliation should be reported immediately to the Equal Opportunity and Diversity Officer, Title IX Coordinator, or Associate Dean of Students.

III. Scope of Harassment and Discrimination and Sexual Harassment Policy

This policy applies to all Chapman University employees including 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 their designee in accordance with the Student Conduct Code.
Independent contractors and other third parties ("Third Parties") at the University are also expected to conform their conduct to the University's Harassment, Discrimination and Sexual Harassment Policy, and alleged violations of this policy by such persons must be reported. A Third Party is an individual who is not a University student, faculty, or staff employee. Third Parties may be any participant in any University related program or activity, for example visitors, guests, independent contractors and vendors. The University’s ability to take action against third parties may be limited and is determined by the context of the prohibited conduct and the nature of the relationship to the parties to the University. The Equal Opportunity and Diversity Officer will determine the appropriate manner of resolution, which may include referral to area law enforcement, restriction from access to campus or University activities, or referral to the home school of the third party.

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.

**IV. Standard of Proof**

The standard of proof to find a violation of University policy is the preponderance of the evidence. Preponderance of the evidence means that a decision of responsibility for a policy violation will be made on whether it is more likely than not that the respondent violated the policy based on the totality of information gathered during the investigation.

**V. Reporting Complaints & Policy Violations**

Any person who believes that they have been subjected to harassment, discrimination, retaliation or sexual harassment, including sexual assault, sexual violence or other misconduct prohibited under this policy or who feels they are aware of prohibited harassment or discrimination directed toward others should immediately report the circumstances to the Equal Opportunity & Diversity Officer, Title IX Investigators, or Title IX Coordinator.

The University requests that complaints be made in writing to assure the accuracy of the charge, although verbal complaints will also be accepted. Information about the informal and formal complaint procedures, as well as the complaint form, can be found on the Equal Opportunity and Diversity Officer Webpage. While there is no time limit for reporting a complaint, reports of misconduct should be brought forward as soon as possible to enable the university to respond and investigate the complaint.

*A. Where to Report*
This section specifies the University staff responsible for responding to complaints depending on the status of the alleged harasser. However, students should feel free to report violations of Title IX to any of the individuals below for investigation, regardless of the status of the alleged harasser.

**Complaints of Harassment and Discrimination against Faculty and Staff.**

Students, faculty and staff who believe that they or others have been subjected to harassment, discrimination, sexual harassment based upon their protected class, by University faculty and/or staff, should freely and without fear of retaliation report such misconduct or file a complaint with Human Resources:

**Misha Martinez, Deputy Title IX Coordinator**
Equal Opportunity and Diversity Officer
*Wilkinson Hall 226*
One University Drive
Orange, CA 92866
Tel: (714) 997-6847
mismarti@chapman.edu

**Albert Roberson, Title IX Investigator**
*Wilkinson Hall 225*
One University Drive
Orange, CA 92866
Tel: (714) 997-6827
aroberson@chapman.edu

*Temporarily located in Wilkinson Hall

**Complaints of Sexual Harassment, Sexual Assault, or other Sexual Misconduct against a Student**

Students who believe that they have been or are the victims of sexual harassment, including sexual assault, sexual violence or other sexual misconduct, by another University student, should freely and without fear of retaliation report such misconduct or file a complaint under Title IX with:

**DeAnn Yocum-Gaffney, Lead Title IX Coordinator** (Complaints against students)
Associate Vice President for Student Affairs and Senior Associate Dean of Students
Argyros Forum 101
One University Drive
Orange, CA 92866
Tel: (714) 997-6721
Fax: (714) 532-6009
Email: gaffney@chapman.edu

**Christopher Toutain**, Assistant Director for Student Conduct
Argyros Forum 302B
One University Drive
Orange, CA 92866
Complaints of Sexual Harassment, Sexual Assault, or other Sexual Misconduct by a Student against Staff or Faculty

Students who believe that they have been subjected to sexual harassment, including sexual assault, sexual violence or other sexual misconduct, by University faculty or staff or experience any other form of gender discrimination prohibited by Title IX should freely and without fear of retaliation report such misconduct or file a complaint under Title IX with:

**Misha Martinez**, *Deputy Title IX Coordinator* (complaints against employees & faculty)
Equal Opportunity and Diversity Officer
*Wilkinson Hall 226*
One University Drive
Orange, CA 92866
Tel: (714) 997-6847
Email: mismarti@chapman.edu

**Albert Roberson**, Title IX Investigator
*Wilkinson Hall 225*
One University Drive
Orange, CA 92866
Tel: (714) 997-6827
aroberson@chapman.edu

*Temporarily located in Wilkinson Hall

Complaints against Third Parties

Student, staff or faculty who believe that they have been subjected to harassment, discrimination, sexual harassment, including sexual assault violence or other sexual misconduct, or any other form of discrimination by a Third Party should freely and without fear of retaliation report such misconduct or file a complaint with:

**Misha Martinez**, *Deputy Title IX Coordinator*
Equal Opportunity and Diversity Officer
*Wilkinson Hall 226 DeMille Hall 102*
One University Drive
Orange, CA 92866
Tel: (714) 997-6847
Fax: (714) 997-6901
DeAnn Yocum-Gaffney, Lead Title IX Coordinator  
Associate Vice President for Student Affairs and Senior Associate Dean of Students  
Argyros Forum 101  
One University Drive  
Orange, CA 92866  
Tel: (714) 997-6721  
Email: gaffney@chapman.edu

B. Duty to Report

It is the duty and responsibility 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 and Diversity Officer or Title IX Coordinators. The University’s administration, faculty, staff, and students, are responsible for cooperating with University officials who investigate allegations of policy violations.

Students are also strongly encouraged to report any alleged violations of this policy and may do so by contacting the Equal Opportunity and Diversity Officer, the Dean of Students, or Title IX Coordinators listed in this document.

C. Other Reporting Options and Resources

i. 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. 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. Because of the inherent difficulty in investigating and resolving allegations from unidentified persons, the University encourages individuals to provide their identity when filing 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.

ii. Outside 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 at the web addresses above. An individual may make a report to law enforcement directly by calling 911, Orange Police Department (714) 744-7444 and Irvine Police Department (949) 724-7000.

**iii. Interim and Supportive Measures**

When a student, staff or faculty reports to the University that they have experienced harassment, discrimination, intimate partner violence, sexual harassment, sexual assault, sexual battery, sexual exploitation or stalking, whether the incident(s) occurred on or off campus, the University will provide the individual with written information about resources and options. Student resources are discussed in the [Student Sexual Misconduct Policy](Student Sexual Misconduct Policy). Interim and supportive measures for employees may include but are not limited to: assistance in changing work schedule; providing an escort to ensure employee can move safety around campus, No Contact Orders, Transportation and parking assistance. Please contact the Equal Opportunity and Diversity Officer (“EODO”) at (714) 997-6847 or on the (EODO) webpage, [Equal Opportunity and Diversity Officer](Equal Opportunity and Diversity Officer) for more information regarding available supportive measures.

**VI. Procedures**

**A. Overview of Procedures for Responding to Reports of Prohibited Conduct**

The University has developed informal and formal procedures to address issues of harassment and discrimination, sexual harassment, and Title IX Sexual Misconduct as set forth herein. This section provides an overview of the procedures the University uses to respond to reports of prohibited conduct. Persons desiring more information about these procedures are invited to contact the University’s Equal Opportunity and Diversity Officer (“EODO”). The EODO can assist persons in understanding this policy, the conduct prohibited by the University’s [Harassment, Discrimination, and Sexual Harassment Policy](Harassment, Discrimination, and Sexual Harassment Policy) and their rights and duties hereunder, informal and formal complaint procedures, and possible disciplinary actions, which may be taken, up to and including termination or expulsion.

- **Informal Process:** The informal process is intended to resolve concerns at the earliest stage possible. Employees are encouraged to resolve their complaints directly with the alleged offender/respondent and/or with the alleged offender’s supervisor. Supervisors must consult with the Office of Human Resources prior to initiating the informal process.

  If the complainant does not feel comfortable directly addressing their concerns with the respondent and/or the respondent’s supervisor, then the complainant may also elect to consult with the Equal Opportunity and Diversity Officer. The use of the informal reporting process serves the dual purpose of educating the University community about discrimination, harassment, retaliation and sexual harassment while working directly and confidentially, to the extent possible, with the parties involved. Informal resolution may include discussions with the parties (individual or joint discussions), speaking with the respondent, the respondent’s supervisors, targeted training, written or verbal apologies, or other appropriate resolutions designed to address the particular circumstances. Both parties must mutually agree in writing in order to utilize the informal process. See Section VI.B below for more details regarding the informal process.

- **Formal Process:** A formal investigation may also be utilized to handle complaints. A complainant’s request for a formal investigation will be considered but is not
determinative. The formal process may be utilized when the informal process for early resolution is inappropriate (e.g., when the facts are in dispute regarding allegations of serious misconduct or there are reports of a pattern of inappropriate behavior/alleged criminal acts such as stalking, sexual assault or physical assault), when the complainant or respondent have not consented to the informal process, or in cases where the informal process is unsuccessful.

- 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.

Complainant Requests No Investigation

If the complainant requests that no investigation occur, the Investigator shall determine whether the allegations nonetheless require an investigation to mitigate potential risk to the campus community. Based upon the potential risk to the community, the Investigator may proceed with the investigation without the participation of the complainant. The Investigator shall attempt to keep the complainant’s identity confidential from the respondent, but depending on the investigation and allegations brought forth, this may not be possible. The Investigator shall inform the complainant that confidentiality may not be able to be maintained.

Relevant Policies and Procedures Utilized in Investigation

Faculty may instead choose to file a grievance related to this policy in accordance with the Faculty Manual or to utilize the Harassment and Discrimination Policy, however, faculty must choose one process and may not have the complaint reheard or removed from one process to another once it has been filed.

Student with dual status

If respondent is a student and a staff employee, the University’s Equal Opportunity and Diversity Officer/Deputy Title IX Coordinator and Lead Title IX Coordinator will determine which policies and procedures apply, either the Student Sexual Misconduct Policy or the University’s Harassment, Discrimination and Sexual Harassment Policy. The determination will be based upon the facts and circumstances of the alleged behavior, including the context of the prohibited conduct, the roles of the parties at the time of the conduct, and the location of the incident. Once that determination is made, the Title IX Coordinator, Title IX Deputy Coordinator/Equal Opportunity and Diversity Officer or designee(s) will notify the parties which policies and procedures will apply. If the matter is referred for review under the student policies and procedures, then the University will apply the procedures outlined in the Student Sexual Misconduct Policy. If the matter is referred for review under the staff and faculty procedures, the University will apply the procedures outlined in this document.

If respondent is a student and also teaches a class at the University (i.e. is a lecturer, instructor, or adjunct faculty), the University’s Equal Opportunity and Diversity Officer/Deputy Title IX Coordinator and Lead Title IX Coordinator will determine which policies and procedures apply either the Student Sexual Misconduct Policy or the University’s Harassment, Discrimination and Sexual Harassment Policy.
The determination will be based upon the facts and circumstances of the alleged behavior, including the context of the prohibited conduct, the roles of the parties at the time of the conduct, and the location of the incident. Once that determination is made, the Title IX Coordinator, Title IX Deputy Coordinator/Equal Opportunity and Diversity Officer or designee(s) will notify the parties which policies and procedures will apply. If the matter is referred for review under the student policies and procedures, then the University will apply the procedures outlined in the Student Sexual Misconduct Policy. If the matter is referred for review under the staff and faculty procedures, the University will apply the procedures outlined in this document.

Third Parties

If the respondent is a third party, the University ability to take action may be limited and is determined by the context of the prohibited conduct and the nature of the relationship of the third party to the University. The Title IX Coordinator and/or Equal Opportunity and Diversity Officer/Title IX Deputy Coordinator will determine the appropriate manner of resolution, which may include referral to area law enforcement, restriction from access to campus or University activities, or referral to the Title IX Coordinator of the home school of the third party. Although Third Parties do not have the same standing in the University’s internal process as members of the University Community, they may report prohibited harassment and discrimination to the Equal Opportunity and Diversity Officer by calling (714) 997-6847.

B. The Informal Process

When is the informal reporting process appropriate? An informal process is appropriate when both the complainant and respondent mutually desire to resolve the situation cooperatively; the Equal Opportunity and Diversity Officer makes a determination that an informal process is appropriate; and (iii) the complaint does not involve sexual assault or serious prohibited conduct. The University encourages early resolution of a complaint. However, the formal report process may be used when the informal process for early resolution is not appropriate.

The Equal Opportunity and Diversity Officer will make the preliminary assessment of the complaint to determine whether the complaint can be handled through an informal resolution process. However, mediation cannot be utilized for sexual assault complaints.

Either party may, at any time, end the informal process and/or opt to utilize the formal grievance or complaint process. Use of this informal process is not required prior to making a formal grievance or complaint.

What is the informal complaint process?

Step 1: If an individual believes they have been the victim of discrimination or harassment, it is important to discuss the incident with the Equal Opportunity and Diversity Officer. A meeting and/or discussion of the incident(s) with the EODO can be arranged at a time and place on campus that is convenient for the complainant. The EODO will explain the informal and formal complaint process to the complainant, explain the reporting options, and inform the complainant that at any time the complainant or respondent may end the informal process and move to the formal process.

Step 2: If a complainant elects in writing to proceed with the informal process, the Equal Opportunity and Diversity Officer will make a preliminary assessment to determine if the reported incident is eligible for informal resolution. When making this determination the EODO
will interview the complainant, review the details of the reported incident, and severity of the circumstances.

**Step 3:** If the informal resolution is appropriate given the circumstances, the EODO will contact the respondent to request consent to the informal process. The EODO will inform the respondent of the reported incident and provide written notice of the allegations and explain the informal and formal process to the respondent. If the respondent does not agree to an informal resolution, the complainant then may choose to move forward with the formal complaint process or may decide not to go further with the complaint. However, based upon the severity and circumstances of the incident the EODO may proceed with formal investigation if the health and welfare of the students, staff, and faculty are at risk or if the alleged conduct interferes with the academic or workplace environment. See below for more details on the formal complaint process.

Both respondent and complainant must agree in writing in order for the informal process to be initiated and to move to Step 4.

**Step 4:** The Equal Opportunity and Diversity Officer will arrange and participate in an informal resolution meeting/mediation, either upon their own initiative or at the request of the complainant or respondent. The EODO will explain the options available to resolve the situation. Early informal resolution could encompass a full range of possible appropriate outcomes including but not limited to, speaking with the respondent, the respondent’s supervisor, or the parties together, targeted training, written or verbal apologies, referring the parties to counseling programs or other appropriate resolution designed to address the particular circumstances. The Vice President and Chief Human Resources Officer will review the reported incident and approve any proposed resolution.

**Possible Step 5: Move to Formal Process** - If either party is not satisfied with the results of the informal resolution or if the informal resolution was unsuccessful, then the complainant may elect to make a formal complaint. See below for process of formal complaint procedure.

**Documentation of Informal Process** - Documentation of the names of complainant and respondent, a summary of the concerns/allegations and resolution measure(s) taken shall be documented and maintained by the Equal Opportunity and Diversity Officer.

**C. The Formal Process**

*When is the formal reporting process appropriate?* The formal report process will be used when the informal report for early resolution is inappropriate or in cases when either party has not consented to the informal process, in cases where the informal process for early resolution is unsuccessful, or complaints are under review with the Faculty Manual or Student Conduct Code.

If an individual believes they have been the victim of discrimination or harassment, it is important to discuss the incident with the Equal Opportunity and Diversity Officer (“EODO”), at DeMille 102. A meeting and/or discussion of the incident(s) with the EODO can be arranged at a time and place on campus that is convenient for the complainant. The EODO will explain the formal and informal complaint process to the complainant and inform the complainant that at any time the complainant or Respondent may end the informal process and move to the formal process.

**Step 1: Report Complaint** - The University requests that complaints be made in writing to assure the accuracy of the charge. However, it is not required that complaints be made in writing, verbal complaints are also accepted. The complaint form can be found on the *Equal*
Opportunity and Diversity Officer webpage. The Human Resources Department also maintains a toll free Harassment Complaint Line for the purpose of reporting incidents applicable to the Harassment, Discrimination and Sexual Harassment policy. The toll-free number is (877) 527-7533. Upon receipt of the complaint, the EODO will request to meet with the complainant.

**Step 2: Preliminary Assessment of Complaint** - Upon receipt of the complaint, the Investigator will conduct a preliminary assessment of the complaint to determine whether the complaint can be handled through the informal resolution process. Please see Informal Process for information on the informal process. **Note: a sexual assault complaint can never be handled through mediation.**

The Investigator will also make an assessment to determine if a formal investigation is warranted by determining whether: (i) the report, on its face, alleges an act of prohibited conduct under the policy; and (ii) such conduct is within the scope of the University’s Policy.

If the Investigator determines to conduct a formal investigation, the complainant and the respondent will be provided a written summary of the allegations, an explanation of the procedures and resources available to them and a copy of the policy.

**Step 3: Notification of complaint and allegations to respondent** - The Respondent will be notified in writing of the complaint and allegations and the investigator will request a meeting with the respondent to provide the respondent an opportunity to respond to the allegations. At the meeting with the investigator, the investigator will explain the formal and informal process and provide a copy of the Harassment, Discrimination and Sexual Harassment Policy to the respondent.

**Step 4: Investigation discovery process** - The investigator will interview the parties, interview relevant witnesses, interview relevant available documentation, and view other evidence as may be available. The investigator will also explain to the parties the type of information that may be gathered in the investigation, including but not limited to emails, text messages, photos, university video footage, door access records and social media information.

The investigator has the discretion to determine how many witnesses will be interviewed, as well as the order of such interviews. The investigator may re-interview witnesses as needed, such as when evidence is disputed or when further information is required. The parties may continue to provide additional evidence throughout the investigation.

During the investigation, the parties will receive regular notices of status of the investigation.

**Step 5: Complete investigation and findings letters to the parties** - At the conclusion of the investigation the complainant and respondent will receive written finding letters of the determination of the investigation. The length of time it will take to complete the investigation will vary based on the complexity of the complaint and other factors such as witness availability and holiday closures of the campus. Absent extenuating circumstances, the University endeavors to complete investigations within 60 calendar days from the date of the completion of the intake interview. If the investigation extends beyond 60 calendar days, written notification of the extension will be provided to both the complainant and respondent.

**Step 6: Possible disciplinary action based upon finding determination** - If there is a determination of a violation(s) of the policy, the University shall take prompt steps reasonably calculated to stop the conduct and prevent recurrence. The Investigator shall refer the report to the appropriate administrator responsible for discipline. Note that neither the Investigator or the Equal Opportunity and Diversity Officer determines what discipline, if any, is appropriate,
regardless of whether the respondent is staff, faculty, student, Independent contractors, guests, visitors and other third parties at the University. Any disciplinary action, which may be taken as the result of findings made in these investigations is made in accordance with university policies, which include but are not limited to, the Staff and Administrative Handbook, Faculty Manual, Student Code of Conduct and the Harassment, Discrimination and Sexual Harassment Policy.

**Documentation of Formal Process** - Documentation of the names of complainant and respondent, documentation used in the investigation, investigation report, findings letters and interim measures provided to the parties, shall be maintained by the Equal Opportunity and Diversity Officer. A copy of the investigation report and findings letters are not included in the personnel file of either party.

**D. Conflict of Interests**

For cases involving employees, faculty and/or third-party respondents, the Equal Opportunity and Diversity Officer/Deputy Title IX Officer will work to identify and avoid potential bias and/or conflict of interest in the assignment of the investigator(s). Complainants and respondents may object, within two calendar days of being contacted by the investigator, to their selection on the basis of bias or conflict of interest. If a party objects, the Equal Opportunity and Diversity together with the Title IX Coordinator will evaluate whether the objection is substantiated. If it is determined that a conflict and/or bias for or against any party involved exists, a different investigator(s) will be assigned.

**VII. Appeals**

**Appeal of Investigation Findings Determination**

Both the complainant and the respondent will be advised of the outcome of the investigation in writing and either party may appeal the findings of the investigation by filing an appeal to the Vice President and Chief Human Resources Officer. Request for appeal must be substantive and demonstrative of at least one of the following criteria:

1. A substantive investigation procedural error that could have affected the outcome of the investigation.
2. New evidence that was not reasonably available at the time of the investigation has become available and is potentially sufficient to alter the outcome of the investigation.
3. The appeal must be filed within five business days from the date of the written outcome and must clearly state the grounds for the appeal. The non-appealing party shall receive a copy of the appeal and has the option of submitting a written response within five business days of the date of the appeal. Upon the receipt of the request for appeal, the Vice President and Chief Human Resources Officer will determine if the appeal has merit. The appeal will be determined to have merit if either criteria is met. If none of the criteria for an appeal is determined to have been met, the investigator’s finding shall be upheld. If the appeal has merit, the Vice President and Chief Human Resources Officer will review the appeal and supporting documentation and make a determination on the appeal. Both parties will be advised of the outcome of the appeal in writing within 30 business days of the receipt of the written appeal. The Vice President and Chief Human Resources Officer’s determination is the final decision on the appeal.

**Appeal of Disciplinary Action**
Either party may appeal the disciplinary action taken as a result of the investigation by filing a written appeal within 10 business days of the date of written outcome. This appeal only reviews the disciplinary action taken as a result of the investigation and not the outcome or findings of the investigation itself. The non-appealing party shall be provided a copy of the appeal and permitted up to 10 business days to submit a reply. The process for reviewing the appeal shall be conducted as follows:

1. Staff and Administrators - in accordance with the Staff and Administrative Handbook, Section 2.14.1 and Section 2.14.4
2. Faculty - in accordance with Faculty Manual, Section X.
3. Student - in accordance with Student Code of Conduct, Sections H and I.
4. Third Parties – Although Third Parties do not have the same standing in the University’s internal process as members of the University Community, they may report prohibited harassment and discrimination to the Equal Opportunity and Diversity Officer by calling (714) 997-6847.

Appeals are to be submitted to the Vice President and Chief Human Resources Officer. Both parties will be advised as to the outcome of the appeal in writing within 30 business days of the receipt of the non-appealing party’s written reply (if any) to the appeal. The determination of the Vice President and Chief Human Resources Officer is the final decision on the appeal.

**Documentation of Appeals** - Documentation of the names of complainant and respondent, Appeal Report and interim measures provided to the parties, shall be maintained by the Equal Opportunity and Diversity Officer. A copy of the investigation report is not included in the personnel file of either party.

**VIII. 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 disclosure 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.

**IX. 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. This policy against harassment and discrimination is consistent with the University’s value of academic freedom. Chapman University is committed to the free and vigorous discussion of ideas, which the University believes is protected by this policy. The Harassment, Discrimination, Sexual Harassment Policy shall be applied in a manner that protects the academic freedom of all parties to a complaint.

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, the University 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.

X. 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 student's 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 regards 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.

**XI. 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. All employees are required to complete prevention training, including but not limited to harassment, discrimination and sexual harassment training, on a periodic basis, which is provided by the University, utilizing both live and online training (EVERFI).

In keeping with this objective, the University’s Harassment, Discrimination and Sexual Harassment Policy will be reviewed annually. The University’s Equal Opportunity and Diversity 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 located in Wilkinson Hall-2nd floor.
XII. Questions

Persons desiring more information about these procedures are invited to contact the University’s Equal Opportunity and Diversity Officer (EODO). The EODO can assist persons in understanding this policy, the conduct prohibited by the University’s Harassment, Discrimination and Sexual Harassment, and their rights and duties hereunder, informal and formal complaint procedures, and possible disciplinary actions, which may be taken, up to and including termination or expulsion.

For the latest version of this policy, visit Harassment, Discrimination and Sexual Harassment Policy.

All investigators receive annual training on the issues related to dating violence, domestic violence, sexual assault, stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Additional off-campus informational resources

These off-campus resources provide trained crisis response hotlines, support for individuals who have experienced sexual or domestic violence and advocacy services.

Waymakers Website 24-hr. crisis hotline (714) 957-2737

North Orange County Office: (714) 834-4317

Sexual Assault National Crisis Hotline: RAINN (800) 656-4673

Anaheim Regional Medical Center: The Safe Place – where forensic exams (rape kits) are done in Orange County. To contact Anaheim Regional, call at (714) 774-1450

Rape Treatment Center – Santa Monica, UCLA Medical Center (310) 319-4000

The University shall also provide the employee with written notification of available health and mental health resources as well as other referrals or services as requested and available both on and off campus. This includes written notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and student financial aid. Additional written notifications will be provided on how to request changes to academic, living, transportation, and working situations or protective measures. The university will implement reasonable protective measures regardless whether the employee chooses to report the crime to Chapman Public Safety or local police.


Student Sexual Misconduct Policy

I. Policy Statement

Chapman University is deeply committed to creating and sustaining an educational, working, and living environment that is conducive to learning and scholarship and is supportive of students and employees. Part of this commitment is fostering a campus free of Sexual Misconduct in all its forms.

Sexual Misconduct and gender/sex-based harassment or discrimination can take many forms, including, sexual battery, sexual assault, intimate partner violence and abuse, stalking, sexual exploitation, or other forms of sex-based or gender-based harassment or discrimination. These types of conduct are prohibited under this policy, Chapman University’s Harassment, Discrimination, and Sexual Harassment Policy, the Student Conduct Code, and applicable State and Federal laws.

The University’s goal is to foster an open and safe community where these behaviors are deemed unacceptable, where those who are affected are provided support, and where a fair and impartial review process is provided to all parties. The University’s response to allegations of prohibited conduct is grounded in the fair application of policy and procedure.

The University is firmly committed to complying with all applicable laws and governmental regulations. This commitment applies to all educational programs and activities, including admissions, financial aid, and University programs.

II. To Whom Policy and Procedures Apply

This policy applies in its entirety to Chapman University students and student groups. The sections on information, resources, and procedures also apply to faculty and staff members and third parties who report allegations of Sexual Misconduct they have experienced by students. Although the University is at times limited in its control of third parties, the prohibited behaviors defined in this policy articulate the behavioral expectations Chapman University holds for third parties.

Chapman University shall have jurisdiction over the behavior of students and student groups on University premises, at University-sponsored events, or at other off-campus locations if the behavior adversely affects the University community, the pursuit of its objectives as determined by University officials, and/or may contribute to a hostile living, learning, or work environment.

For the purposes of this policy, when the individual who is reported to have experienced prohibited conduct is a student, faculty, or staff member, that person is referred to as the complainant. When the individual who is reported to have experienced prohibited conduct is a third party, that person is referred to as the complaining witness. The respondent is the individual who is alleged to have committed the prohibited conduct.

III. Definition of Terms
A. Complainant—the Chapman University student, faculty, or staff member or student group reported to have experienced the prohibited conduct from a Chapman University student.

B. Complaining witness—an individual, who is a third party, reported to have experienced the prohibited conduct.

C. Hearing Officer(s) (may also be referred to as hearing board/body or conduct officer/board/body)—any person(s) authorized by the Vice President for Student Affairs/Dean of Students or designee to determine whether a student(s)/group(s) has violated the Code and to assign sanctions when a policy violation is determined to have been committed.

D. Hearing Coordinator—any person appointed by the Vice President for Student Affairs/Dean of Students or the Vice President’s designee to manage hearings under the Code.

E. Investigator—any person appointed by the Title IX Coordinator to gather information to be considered as part of a hearing or other adjudicative process.

F. Presiding Officer—an individual authorized by the Vice President for Student Affairs/Dean of Students or the Vice President’s designee to organize, administer and make decisions regarding the proceedings of a hearing within the conduct process.

G. Respondent—the individual or student group alleged to have committed the prohibited conduct.

H. Sexual Misconduct—Any sexual behavior, attempted or completed, that goes beyond the boundaries of consent (as defined in the Section IV). This includes intimate partner violence, sexual assault, sexual battery, sexual exploitation, sexual harassment, stalking, discrimination, retaliation for reporting or supporting the reporting any of these behaviors, or filing a false complaint of Sexual Misconduct.

I. Student—a person taking courses at or through Chapman University (including Study Abroad, travel courses, internships, externships, independent studies, online courses, and off-site study trips) either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled but who have a continuing academic relationship with the University are considered “students.” This includes students not currently enrolled who are making up incompletes and former students still living in University-owned housing. This policy also applies to persons who have been accepted for admission to the University but have not yet begun coursework.

J. Student Group (may also be referred to as student club, chapter, or organization)—any number of persons organized in manners including but not limited to: clubs and organizations, Greek lettered organizations, athletic teams, club sports, governing bodies, societies, departmental student organizations or committees, any other University recognized student organization, any student organization seeking University recognition, or any student organization not recognized or sponsored by the University.

K. Third Party—Any individual who is not a University student, faculty or staff member. Third parties may be guests who enter University property or attend a University sponsored event.

L. Title IX Coordinator—the person designated by the University to coordinate the University’s efforts to comply with its responsibilities under Title IX of the Education Amendments of 1972.
M. **Witness**—any person(s) who can be called upon to provide relevant information about an incident in which they are not the respondent or complainant. Witnesses may be excluded from a hearing if:

1. They do not have first-hand information about the reported incident;
2. They did not respond to or investigate the incident in question;
3. They can only provide repetitive information;
4. They did not communicate with the respondent or complainant about the incident in question; or
5. They can only present information that is deemed to be unnecessary for the deliberation process.

IV. **Prohibited Conduct**

The behaviors prohibited by this policy are outlined below, in section B. These behaviors are defined by an affirmative consent standard, as follows:

A. **Consent**

Consent is an affirmative, conscious, voluntary agreement by all participants to engage in sexual activity, communicated through mutually understandable words and/or actions.

Affirmative consent must be continuously present throughout an interaction, for all sexual activities, and may be modified, withdrawn or revoked at any time. It is the responsibility of each person involved in the activity to ensure that affirmative consent has been obtained from the other or others before engaging in any sexual activity. Existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, can never by itself be assumed to be an indicator of consent.

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 incident.
- Obtained from a person who is incapacitated by intoxicants such as alcohol, drugs or medication, and this condition was known or reasonably should have been known by the other individual(s) involved in the 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 use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual contact. When a person makes clear that they do not want to participate in a particular form of sexual contact, that they want to stop, or that they do not want to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, (iv) the duration of the pressure, and (v) the relative positions within the University community of those involved.
- Obtained through an unreasonable belief in affirmative consent that arose from an individual’s own intoxication, recklessness, or failure to determine affirmative consent.
B. Prohibited behaviors – Sexual Misconduct

The following behaviors are prohibited:

1. Intimate partner violence and abuse
   - Intimate partner violence and abuse, also referred to as domestic violence or dating violence, is violence committed against a person by a person who is their spouse or former spouse, cohabitant or former cohabitant, a person with whom they have a child, or a person with whom they have a previous or current dating, romantic, intimate or sexual relationship.
   - The existence of such a relationship shall be determined based on the complainant’s and respondent's statements and/or other information collected and with consideration of the following:
     - Length of the relationship
     - The type of relationship
     - The frequency of interaction between persons involved in the relationship
   - Intimate partner violence and abuse may include, but is not limited to, the following types of behavior within the context of an intimate partner relationship:
     - Battering that causes bodily injury
     - Emotional abuse reflecting apprehension of bodily injury or property damage
     - Sexual assault
     - Sexual battery
     - Sexual exploitation
     - Sexual 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 attempt 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

2. Retaliation – Adverse action taken against anyone for reporting, supporting, or assisting in the reporting and/or adjudication of any of the behaviors prohibited in the Student Sexual Misconduct Policy, or against anyone perceived to be involved in any of these actions. Retaliation may include intimidation, violation of a No Contact order, harassment, efforts to impede an investigation, or filing a false or bad faith cross-complaint. Retaliation under this policy is prohibited by University policy, state, and federal law. Retaliation is a violation of policy whether or not the underlying complaint of Sexual Misconduct is found to be a violation of policy.

3. Sexual assault – Any non-consensual act of penetration, however slight, of person’s vaginal or anal openings with any body part or object (including a finger) or non-consensual oral-genital penetration.

4. Sexual battery – Any intentional sexual contact, however slight, with any object, without consent. Sexual contact includes contact above or beneath clothing with the breasts, buttocks, genitals, or areas directly adjacent to genitals (for instance, the inner thigh); touching another with any of these body parts; making another touch someone or themselves with or on any of these body parts; or any other bodily contact in a sexual manner.
5. **Sexual exploitation** – Taking non-consensual or abusive sexual advantage of another person for the benefit or advantage of anyone other than the exploited party. Examples of sexual exploitation include, but are not limited to, the following:

- Causing or attempting to cause the incapacitation of another person to gain a sexual advantage
- Prostitution of another student
- Non-consensual streaming, sharing, or recording of audio, video or photography of any type or distribution of such
- Engaging in sexual activity in the presence of a non-consenting third party
- Exposing genitals to a non-consenting individual (including sending pictures, video, etc.) or in a public area
- Watching others when they are naked or engaged in sexual activity without their consent
- Knowingly transmitting a sexually transmitted infection/disease to another individual without their consent
- Stealing of clothing

6. **Sexual harassment** – 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 is sufficiently severe, and/or pervasive and objectively offensive that it unreasonably interferes with, denies or limits an individual’s ability to participate in or benefit from a University educational, employment, social and/or residential program.

*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 to express any sexual desire or be directed to a specific person and can include conduct that attempts to demean, control, or stereotype others on the basis of their sex.

*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) is regarded by the recipient as undesirable or offensive.

*Objectively Offensive:* Conduct that would be offensive to a reasonable person under similar circumstances and with similar identities; considering the totality of the known circumstances.

7. **Stalking** – Repetitive and menacing behavior towards another, or pursuit, tracking, surveilling, or harassing another in such a way that would cause a reasonable person, under similar circumstances and with similar identities, to fear for their safety or the safety of others, the safety of their property, or to otherwise suffer substantial emotional distress.

8. **Bad faith complaint of Sexual Misconduct** – Reporting a knowingly false allegation of any kind of Sexual Misconduct or making a knowingly false counter-complaint. A University determination that no policies were violated following an investigation process is not, in and of itself, evidence of a bad faith complaint.

9. **Discrimination** – Any conduct that subjects an individual to disparate treatment on the basis of gender identity, gender expression, pregnancy, marital status, or sexual orientation. 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. This may include but is not limited to refusing access or admission to educational or social groups or activities on the basis of such protected characteristics. Discrimination in membership selection based on sex is permitted from those organizations exempt from Title IX. See also the University’s Harassment, Discrimination, and Sexual Harassment Policy.

10. Engaging in sexual contact with an individual under the age of 18.

V. Other Potentially Relevant Policies and Procedures

A. If the respondent is a staff employee

The policy and procedures for responding to reports of prohibited conduct committed by University staff employees, including postdoctoral candidates, are described in the University Harassment, Discrimination, and Sexual Harassment Policy. These procedures do not apply to non-student respondents.

B. If the respondent is both a student and a staff employee

If respondent is a student and a staff employee, the University’s Equal Opportunity and Diversity Officer/Deputy Title IX Coordinator and Lead Title IX Coordinator will determine which policies and procedures apply, either the Student Sexual Misconduct Policy or the University’s Harassment, Discrimination and Sexual Harassment Policy. The determination will be based upon the facts and circumstances of the alleged behavior, including the context of the prohibited conduct, the roles of the parties at the time of the conduct, and the location of the incident. Once that determination is made, the Title IX Coordinator, Title IX Deputy Coordinator/Equal Opportunity and Diversity Officer or designee(s) will notify the parties which policies and procedures will apply. If the matter is referred for review under the student policies and procedures, then the University will apply the procedures outlined in the policy. If the matter is referred for review under the staff and faculty procedures, the University will apply the procedures outlined in the University’s Harassment, Discrimination and Sexual Harassment Policy.

C. If the respondent is faculty

If the respondent is a faculty member, the University’s Deputy Title IX Coordinator and Equal Opportunity and Diversity Officer will coordinate the investigation and follow the policy and procedures set forth in the University’s Faculty Handbook, which is available in the Office of Human Resources.

D. If the respondent is a student and teaches classes at the University

If the respondent is a student and also teaches a class at the University (i.e. is a lecturer, instructor, or adjunct faculty), the University’s Equal Opportunity and Diversity Officer/Deputy Title IX Coordinator and Lead Title IX Coordinator will determine which policies and procedures apply, either the Student Sexual Misconduct Policy or the University’s Harassment, Discrimination and Sexual Harassment Policy. The determination will be based upon the facts and circumstances of the alleged behavior, including the context of the prohibited conduct, the roles of the parties at the time of the conduct, and the location of the incident. Once that determination is made, the Title IX Coordinator, Title IX Deputy Coordinator/Equal Opportunity and Diversity Officer or designee(s) will notify the parties which policies and procedures will apply. If the matter is referred for review under the student policies and procedures, then the University will apply the procedures outlined in the Student Sexual Misconduct Policy. If the
matter is referred for review under the staff and faculty procedures, the University will apply the procedures outlined in the University Harassment, Discrimination, and Sexual Harassment Policy.

E. If the respondent is a student group

The University may address prohibited conduct alleged to be committed by and in relation to student groups as set forth in the Student Conduct Code. Policies and honor codes promulgated by individual schools and colleges that govern student groups or internal accountability processes that some groups may have may also address prohibited conduct committed by student groups but may not serve in place of the procedures set forth in this policy.

F. If the respondent is a third party

If the respondent is a third party, the University ability to take action may be limited and is determined by the context of the prohibited conduct and the nature of the relationship of the third party to the University. The Title IX Coordinator and/or Equal Opportunity and Diversity Officer/Title IX Deputy Coordinator will determine the appropriate manner of resolution, which may include referral to area law enforcement, restriction from access to campus or University activities, or referral to the Title IX Coordinator of the home school of the third party.

Note: Complaints involving third-party contractors, employees of third-party contractors, and temporary employees will be referred to Human Resources for review and appropriate action. Policies and procedures for University employees will govern the review of the complaint and can be found in the University’s Harassment, Discrimination, and Sexual Harassment Policy.

The University will offer resources and assistance to all community members who experience or are affected by alleged prohibited conduct. In instances when this policy does not apply, the University will assist in identifying and contacting external law enforcement agencies and appropriate campus or community resources.

VI. Resources, Support and Protective Measures

B. Supportive measures are available regardless of whether or not the complainant chooses to report full details (such as the name of the respondent) to the University or to law enforcement. Supportive measures shall be confidential, to the extent that maintaining confidentiality does not impair the University’s ability to provide such measures.

When a student or employee reports to the University that they have experienced Sexual Misconduct, whether the incident(s) occurred on or off campus, the University shall provide the individual with written information about resources and options. The University shall also provide the individual (hereafter referred to as the complainant) with written notification of health and mental health resources as well as other referrals or services as requested and available both on and off campus.

1. Supportive measures for students – The University shall provide supportive measures (temporary and/or ongoing) as reasonably available. Students who are complainants, respondents, and witnesses may make requests for supportive measures to the Title IX Coordinator, who will help identify all available options and determine which measures to take to support the student. Supportive measures for students may include, but not be limited to, the following options:
   a. Academic Assistance
• Transferring to another section of a lecture or laboratory
• Rescheduling an academic assignment or test
• Accessing academic support (e.g., tutoring)
• Arranging for incompletes, a leave of absence, or withdrawal from course(s)
• Preserving eligibility for academic, athletic, or other scholarships, financial aid, internships, study abroad, or international student visas

b. Medical and mental health services, including counseling
c. Change in campus housing and/or dining locations
d. Assistance in finding alternative housing
e. Consultation with the Department of Public Safety or local police agency as appropriate
f. Assistance in arranging for alternative University employment arrangements and/or changing work schedules
g. Providing an escort to ensure that the student can move safely between school programs and activities
h. Transportation and parking assistance
i. Assistance identifying any additional resources including off-campus support and services
j. No contact orders

Interim actions for students – For most cases, the enrollment status of a respondent will not be changed upon receipt of a report or during an investigation. If the University determines there is a credible safety concern, interim actions may be taken by the University after receiving a report of prohibited conduct but prior to a hearing outcome. These measures are taken against a respondent based upon the totality of the circumstances known at the time and may be adjusted as necessary. They may be kept in place until a final investigation decision is released. These measures are designed to protect complainant(s), witness(es), and/or the University community from additional or ongoing prohibited conduct. Failure to comply with protective interim measures may result in a separate policy violation. Protective interim measures include, but are not limited to, the following:

k. No contact orders
l. Change in campus dining locations
m. Interim suspension from an on-campus employment position
n. Interim suspension from a student organization, athletic team or other University recognized group
o. Limiting access to campus and/or University events
p. Schedule modifications to separate a respondent from a complainant or other involved party
q. Interim suspension (as set forth in the Student Conduct Code)
r. Interim removal from on-campus housing or changing of housing assignment

2. Supportive measures for employees – For employees, supportive measures may include, but not be limited to:

a. Assistance in arranging for alternative University employment arrangements and/or changing work schedules
b. Providing an escort to ensure that the employee can move safely around campus
c. Consultation with the Department of Public Safety or local police agency as appropriate.
d. Transportation and parking assistance
e. Assistance identifying any additional resources including off-campus support and services
f. No contact orders
g. Life Assistance Program (LAP)

C. Privileged and confidential resources
The University has identified individuals and departments on campus who have a professional requirement to maintain confidentiality* of a conversation with a complainant, respondent, or witness who wants someone to talk to, but does not want to report the incident to the University. If a complainant, respondent, or witness discloses Sexual Misconduct to a below mentioned individual when that individual is not acting in the role that provides them privilege (such as when a counselor is serving as a professor rather than in their counseling role), the individual is required to make a report to the Title IX Coordinator. The following are individuals and departments on campus who are privileged and confidential resources when working in the following roles:

**Advocates**
- Dani Smith, Ed.D., Chapman University Sexual Assault/Rape Crisis Counselor  
  - (714) 744-7080, dasmith@chapman.edu
- Reverend Gail Stearns, Ph.D., Dean of Chapel  
  - (714) 628-7289
- Reverend Nancy Brink, Director of Church Relations  
  - (714) 997-6760
- Rabbi Cori Yutkin  
  - (714) 628-7260
- Father Rafael Luévano  
  - (714) 532-6098
- Shaykh Jibreel Speight, Director of Muslim Life  
  - (714) 628-2646
- Reverend Cisa Payuyo, Associate Director of Church Relations  
  - (714) 997-6760

**Support Services**
- Student Psychological Counseling Services  
  - During business hours: (714) 997-6778
- Frances Smith Center for Individual & Family Therapy  
  - (714) 997-6746

*While the individuals listed above have professionally required confidentiality, there are certain, specific situations in which they are not able to maintain information confidentially. Those situations are: (1) if someone may be a danger to themselves or others, (2) information about any minor or elder currently being subjected to abuse or neglect – including intentional access to unlawful sexual images, or (3) if the information is subpoenaed for court proceedings.

### VII. Information on Reporting

Prohibited conduct may be reported to local law enforcement (such as Orange Police or Irvine Police), the Dean of Students Office, Human Resources, or Public Safety. Supportive measures and resources are available to a complainant regardless of how they choose to report.

**A. Timely warnings**

When an incident of Sexual Misconduct that is reported to the University involves an alleged crime that constitutes a possible ongoing or continuing threat to the campus community, the University will evaluate each incident on a case-by-case basis to determine if a timely warning notice will be distributed to the community in a manner consistent with the requirements of the Clery Act. The University shall not publish the name or other identifiable information about the victim of a crime in the daily crime log or other statistics that are disclosed as a requirement of the Clery Act. If a timely warning is issued to the campus community due to a report of intimate...
partner violence and abuse, sexual assault, sexual battery, sexual exploitation or stalking, the University will not release the name or identifying information about the complainant.

B. Preserving information
Complainants, respondents, and witnesses should consider whether there is information to gather that might be helpful to investigator(s) and should preserve relevant items. For example, receipts, text messages, pictures, videos, emails, Facebook posts or messages, Snapchats, or other social media posts may be helpful during an investigation or hearing. It may be helpful not to delete this information and to preserve it for later. If a complainant, respondent, or witness has already deleted text messages or other materials, they may wish to contact their phone carrier to find out if they can be recovered. Also, complainants, respondents, and witnesses are encouraged to write down a list of possible witnesses to submit to investigator(s).

Any individual considering reporting an allegation of Sexual Misconduct to law enforcement is encouraged to take steps to preserve evidence for use in the legal process. Please see Part C below for information about preserving physical evidence. Additionally, preserving evidence may be helpful in obtaining a protection order from the court and may also be helpful during a University investigation.

C. Reporting to hospitals and medical professionals
In Orange County, forensic exams (commonly referred to as rape kits) are only conducted at Anaheim Regional Medical Center located at 1111 W. La Palma Ave, Anaheim, CA 92801. Other Orange County hospitals (including St. Joseph’s Hospital, Hoag Hospital, Chapman Global Medical Center, and Orange County Global Medical Center) or urgent care facilities do not conduct forensic exams. More information can be gathered from these exams the sooner the exam is performed following the alleged incident. Individuals are encouraged to not bathe, shower, douche, or brush their teeth before the exam, if possible. Additionally, individuals are encouraged to maintain any physical objects such as clothing worn during an alleged incident or other relevant materials. If clothing is changed, each garment should be placed in a separate paper (not plastic) bag.

Under California law, any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a person who he or she knows or reasonably suspects is suffering from: (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury where the injury is the result of assaultive or abusive conduct (including Rape, Sexual Assault, and Dating and Domestic Violence). This exception does not apply to sexual assault and domestic violence counselors and advocates.

D. Reporting to law enforcement or Public Safety
The University supports any complainant who wishes to make a police report and will inform that individual of this reporting option. Complainants are encouraged to contact local police in the city where the incident occurred, but it is their choice whether or not to report to law enforcement. If an individual reports an alleged incident to law enforcement, the University will cooperate with any investigation to the extent possible under federal and state law.

An individual who wishes to report prohibited conduct to Public Safety may contact Public Safety directly at 714-997-6763. When prohibited contact is reported to Public Safety, Public Safety immediately notifies:

- **The Orange, Anaheim, or Irvine Police Department, as appropriate, or the local law enforcement agency if outside of these cities** – The complainant can request that their name not be provided to the police and Public Safety will honor that request.
- **The Title IX Coordinator** – The Title IX Coordinator or designee will provide outreach to the impacted student or employee to provide resources and reporting options.
Should a student or employee obtain a restraining order against another individual, the student or employee is encouraged to share that information with the Title IX Coordinator and/or Public Safety so that the University can be prepared to assist in the enforcement of the restraining order.

An individual who wishes to make a report to law enforcement in addition to, or instead of, making a report to the University may contact law enforcement directly by calling:

- 911 (for emergencies)
- Orange Police Department: 714-744-7444
- Irvine Police Department: 949-724-7000
- Anaheim Police Department: 714-765-1900

An individual over the age of 18 has a right to report, or to not report, prohibited conduct to law enforcement. Reporting to law enforcement may start a criminal investigation and adjudication within the criminal justice system. A criminal investigation and process is separate from a University administrative investigation and process.

E. Reporting to Title IX Coordinator or Investigators

The University encourages individuals to report prohibited conduct to a Title IX Coordinator. They are available to talk if you have a concern you want to share, have questions about the Title IX investigative process, or want to report an incident.

These individuals work with matters involving students:

DeAnn Yocum Gaffney, Ed.D., Associate Vice President for Student Affairs and Senior Associate Dean of Students
Lead Title IX Coordinator
Argyros Forum 101
gaffney@chapman.edu
(714) 997-6721

Chris Toutain, Title IX Investigator and Assistant Director for Student Conduct
Argyros Forum 302B
toutain@chapman.edu
(714) 532-6039

Kristen Entringer, Title IX Investigator and Assistant Director for Student Conduct
Argyros Forum 302D
entringe@chapman.edu
(714) 532-6056

These individuals work with matters involving faculty and staff:

Misha Martinez, Equal Opportunity and Diversity Officer
Title IX Deputy Coordinator
*Wilkinson Hall 226
mismarti@chapman.edu
(714) 997-6847

Albert Roberson
1. **Reports by individuals who want to remain anonymous or do not wish to pursue an investigation** – If a complainant requests anonymity or that the University not pursue an investigation or take any other action, the University will balance this request with its obligation to protect the complainant and provide a safe and non-discriminatory environment for all University community members. The University will take reasonable steps to protect the privacy of the individuals who participate in the process. The University will take all requests for anonymity and non-investigation seriously, but neither can be guaranteed.

When a complainant has requested anonymity, the University will take all reasonable steps to investigate and respond to the report consistent with the request for anonymity or request not to pursue an investigation, but its ability to respond may be limited by these requests. The University will weigh the request against various factors, including but not necessarily limited to the following:

- The severity of the alleged conduct
- Any potential threats to community safety
- The respective positions of the complainant and respondent
- Whether there have been other complaints against the respondent
- Whether the respondent has a record of any prior acts of violence
- Whether the circumstances suggest there is an increased risk of future acts of sexual violence under similar circumstances

The University will seek to respect the request of the complainant, and where it cannot do so, Chapman will keep the complainant informed about the University’s chosen course of action. The Title IX Coordinators are responsible for evaluating requests for anonymity.

2. **Timeframe for reporting** – There is no time limit for making a report. In fact, the University recognizes the sensitive nature of these incidents, and acknowledges that many reports of Sexual Misconduct are delayed. If the report is delayed to the point where one of the parties has graduated by the date of institutional notice, the University will still seek to meet its Title IX obligation by taking steps to end the harassment, prevent its recurrence, and remedy its effects, when appropriate.

The University does encourage the prompt reporting of prohibited conduct as prompt reporting allows for the collection and preservation of evidence, digital media and witness statements. The University’s ability to investigate and respond may be limited by delay.

3. **Amnesty for students who report or participate as witnesses** – To encourage and support the reporting of incidents of Sexual Misconduct, students who participate as witnesses or complainants in Sexual Misconduct investigations will not be held accountable for violations of the Code that may have occurred at the time of or as a result of the incident in question (for example, being under the influence of alcohol or other drugs), unless the University determines that the violation was egregious. Egregious violations include, but are not limited to, actions that place the health or safety of another person at risk or that involve academic dishonesty.
Not participating in an investigation as a complainant or respondent – While the University does not compel complainants or respondents to participate in investigations or hearings, complainants and respondents should be aware that participating in investigative interviews is almost always a crucial component of the University’s ability to fully gather and analyze information. Should a complainant choose not to participate in the investigation, the investigator(s) shall notify the Title IX Coordinator so that the Coordinator may determine if the complainant’s lack of participation has created an obstacle requiring the investigation and any subsequent hearing be discontinued.

Should a respondent choose not to participate in the investigation the University will proceed with the process, and the findings will be made based upon the available information.

Not participating in a hearing as a complainant or respondent – If, after having the opportunity to review the finalized summary report, the complainant and/or respondent choose not to participate in a hearing or requests an alternate resolution outside of hearing, the Title IX Coordinator shall determine whether a hearing shall be convened.

Should a complainant not wish to participate in the hearing, the Title IX Coordinator must consider the need for the hearing officer(s) to have an opportunity to assess the complainant’s credibility and for the respondent to pose questions to the complainant (through the hearings officers). A complainant’s decision to not participate in the hearing may likely result in the hearing being cancelled and the process discontinued.

Should a respondent choose not to participate in the hearing, the hearing will likely be held in the respondent’s absence and the hearing officer(s) will make a decision based upon the information available.

F. Reporting to University faculty and staff

Students may report to faculty or staff member of their choice, but students should be aware that all University employees (faculty, staff, administrators, and student employees) are required to report any sex or gender based discrimination to a Title IX Coordinator. The only exceptions to this requirement are those individuals who are designated as privileged and confidential resources as noted above. For more information about reporting obligations see the Harassment, Discrimination, and Sexual Harassment Policy.

G. Reporting to governmental authorities

University employees, including student employees, who feel they may have been subjected to unlawful harassment or discrimination may also file a complaint with the California Department of Fair Employment and Housing (DFEH), the United States Equal Employment Opportunity Commission (EEOC). Students may file a complaint with the U.S. Department of Education, Office for Civil Rights (OCR).

Department of Fair Employment and Housing (DFEH) contact.center@dfeh.ca.gov
www.dfeh.ca.gov

United States Equal Employment Opportunity Commission
1-800-669-4000 (TTY 1-800-669-6820)
www.eeoc.gov

Office for Civil Rights
VIII. General Principles of Investigation and Adjudication

A. General principles

1. Standard of proof – The standard of proof to find a violation of University policy is a preponderance of the evidence. Preponderance of the evidence means that a decision of responsibility for a policy violation will be made on whether it is more likely than not that the respondent violated the policy based on the totality of information gathered during the investigation.

2. Information collected during investigation – The University will collect and consider information that is relevant and material to the alleged misconduct in question. Information found by the Title IX Coordinator, investigator(s), and/or hearing officers to be not relevant, credible or reliable may be excluded or not considered in the investigation process.
   a. Character witnesses/information – Character witnesses and information are those that speak to an individual’s past behavior or reputation without any connection to the conduct in question. Character witnesses, statements, or letters will not be considered.
   b. Prior sexual history – Generally, the sexual history of a complainant, respondent, or witness will not be considered unless directly relevant to an issue. For example, while the existence of a dating relationship or past sexual relations between parties can never by itself be assumed to be an indicator of consent, prior sexual history between the parties may be relevant to assess context for how the parties communicated consent.

3. Conflicts of interest – Chapman University is committed to the rendering of fair, objective, impartial decisions in its investigative and adjudicative processes.
   a. For cases involving student respondents, the Title IX Coordinator and Director of Student Conduct work in tandem to identify and avoid potential bias and/or conflict of interest in the assignment of investigator(s), hearing officers, and appeal officer(s). At the outset of an investigation, the Title IX Coordinator will select investigator(s) based on the parties involved, and the need to avoid any potential conflict of interest. Complainants and respondents may object, within two calendar days of being contacted by the investigator(s), to their selection on the basis of bias or conflict of interest. If a party objects, the Title IX Coordinator will evaluate whether the objection is substantiated. The Title IX Coordinator will remove and replace any investigator(s) the Title IX Coordinator finds to have a conflict of interest or bias for or against any party involved. Further, complainants and respondents have similar opportunities regarding hearing and appeal officers.
   b. Additionally, the Title IX Coordinator and Director of Student Conduct coordinate work to avoid conflict of interest based on supervisory structures. They do this by coordinating the assignment of investigator(s), hearing administrators, and appeals officers. Individuals are assigned to these
roles with attempts made to avoid requiring them to base decisions on the work of their immediate supervisors.

4. Documentation of formal and informal processes – Documentation of the names of complainant and respondent, a summary of the concerns/allegations and resolution measure(s) taken shall be documented and maintained by the Title IX Coordinator.

B. Procedures afforded to participating parties

During the process outlined in this policy, both the complainant and the respondent are afforded specific procedures. The procedures afforded to students are defined in Appendix 1 of the Student Conduct Code (the same procedures are also afforded to University faculty and staff members when they are participating in the process outlined in the policy as complainants).

Regarding the ability to confront other parties, complainants and respondents are able to submit questions for those parties to the investigators and/or hearing officers. Administrators have the responsibility to exclude or modify questions that are not necessary to render a decision, including but not limited to questions that are unfairly prejudicial, confusing, compound, argumentative, misleading, unnecessarily repetitive, not probative of the disputed facts or to the determination of the case, or speak only to a party’s character or non-relevant sexual history.

C. Role of a support person

A support person is an individual who may accompany a respondent or complainant during the investigation process, such as any meetings with the Title IX Coordinator, investigator(s), or appeals officer(s), including interviews, hearings, and any meetings related to the appeals process. A student may only have one support person with them during a meeting or other proceeding; however, that person does not need to be the same individual throughout an entire investigative process. Complainants and respondents may have any individual of their choosing serve as a support person. A support person may not speak on behalf of the individual they are supporting in the investigation, response hearing or other part of the process, including answering or asking questions for them. A support person’s participation in the process must not interfere with the investigation or hearing. The Title IX Coordinator, investigator(s), hearing officers, and appeals officer(s) have the authority to determine what constitutes appropriate behavior of a support person and to take reasonable steps to ensure compliance with this policy, which may include removing a support person from a meeting or process.

The University is not obligated to communicate with support persons and instead will make all communication directly with the student. The process will not be unreasonably delayed to accommodate the schedule of a support person.

D. Other procedural matters

1. Multiple complainants and/or respondents – When incidents involve more than one complainant and/or respondent, the Title IX Coordinator will determine whether the investigations and/or hearings should be conducted separately or in one, consolidated process.

2. Pending criminal investigations and/or proceedings – If an individual files a criminal complaint with law enforcement, the University is still obligated to investigate an allegation of Sexual
Misconduct in a timely, equitable manner. At the request of a law enforcement agency, the University may temporarily delay the fact-finding portion of an investigation while the law enforcement agency is gathering evidence.

3. **Timing** – The University will complete investigations and hearings in a prompt, fair, and impartial manner, generally within 60 calendar days. University holidays and breaks will likely impact the time that it may take to conclude an investigation. During the course of the investigation, the investigator(s) will provide, at a minimum, monthly updates to the parties about the general progress of the investigation. Cases that are particularly complex or involve unusual circumstances may require more than 60 days for the investigation process. If the Title IX Coordinator, investigator(s), and/or hearing officer(s) determine that an extension of the 60-day investigation timeline is warranted or necessary, they will notify the parties in writing, including the reason for the delay and the anticipated date of completion. The timeline for any appeals process is 30 business days. If the Title IX Coordinator and/or appeals officer determine that an extension of the 30-day appeals timeline is warranted or necessary, they will notify the parties in writing, including the reason for the delay and the anticipated date of completion.

4. **Disability accommodations** – Chapman University is committed to the full access and inclusion of students with disabilities in its processes and services, including investigations, hearings and other student conduct processes. Disability Services assists with the coordination of reasonable and appropriate accommodations for students with documented disabilities. If students have questions or need assistance with this as it relates to the investigative or hearing process, they are asked to inform the Title IX Coordinator, the investigator(s), the Presiding Officer, or the director of Disability Services.

5. **Procedure** – Formal rules of process, procedure and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in investigation and adjudication. All procedural questions are subject to the final decision of the Title IX Coordinator and/or the director of Student Conduct.

**IX. Initial Assessment**

**A. Receipt and outreach**

After receiving a report of alleged Sexual Misconduct, the Title IX Coordinator will contact the complainant to explain their opportunities and resources under this policy, reporting options on and off campus, interim and supportive measures as applicable, and appropriate referrals, as well as to invite the complainant to an in-person meeting. This is called outreach and is most commonly communicated through the student’s Chapman email account.

The Title IX Coordinator may refer the report to the Director of Student Conduct if it is determined that the behavior does not allege Sexual Misconduct.

The University is also committed to fulfilling its duties under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act and may issue a timely warning to the campus community under the terms delineated in this law. The Chief of Public Safety will determine when to issue a timely warning.

**B. Intake**
Any student who reports experiencing alleged Sexual Misconduct may make an appointment with the Title IX Coordinator by telephone call, email, or in person. The first meeting is called intake. An intake meeting may also be made by any individual who reports experiencing alleged Sexual Misconduct by a Chapman student.

At intake, the Title IX Coordinator and/or investigator(s) will gather information about the incident and assess the need for interim action. Supportive and/or interim measures may be taken prior to and/or without an investigation.

At intake, the complainant may ask questions about the policy and the investigative process. The complainant may bring a support person to intake. Please note that translation services are offered, if requested and reasonably available.

C. Request by complainant to not proceed

A complainant may request their name not be shared with a respondent, no investigation be pursued, and/or no student conduct action be taken. In these instances, the Title IX Coordinator and/or investigator(s) will discuss the complainant’s concerns and seek to address and remedy concerns that they may have, such as concerns about retaliation or lack of clarity about procedural options or potential outcomes.

The Title IX Coordinator will assess possible, appropriate action when a complainant requests anonymity or when a respondent is unknown, such as what actions may address the effects of the reported behavior. Complainant requests for anonymity will limit the University’s ability to fully investigate, and as such, the University’s ability to respond to the complaint may be limited. The University will, however, take other action to address the reported concern.

The Title IX Coordinator will determine the appropriate manner of resolution under this policy. The University will seek resolution consistent with the complainant’s request to the degree possible but may need to take action to protect the health and safety of the complainant and the University community.

In those instances when the Title IX Coordinator determines that the University must proceed with an investigation despite the request of the complainant, the Title IX Coordinator will notify the complainant that the University intends to initiate an investigation. The complainant is not required to participate in this investigation or in any subsequent actions taken by the University.

In all cases, the final decision on whether, how, and to what extent the University will conduct an investigation, and whether other measures will be taken in connection with a report of prohibited conduct, rests solely with the Title IX Coordinator.

X. Informal Resolution

At the request of an involved party, and with the agreement of the other parties, some conduct reported under this policy may be addressed by informal resolution. The goals of informal resolution are to address reported behavior, prevent recurrence, and remedy effects without completing a formal investigation process. It is flexible by nature and tailored to the specific circumstances of a particular case. Informal resolution will be considered only when consistent with institutional values, legal obligations and the voluntary, mutual agreement of all involved parties, including the University.

Informal resolutions may include targeted or broad-based educational programming/training, adjustments made to reduce proximity between the parties, and/or direct or indirect action by the Title IX Coordinator or the University.
designed to meet the goals of the informal resolution as stated above. More specifically, informal resolutions may include, but is not limited to:

- No-contact order between the parties
- Changes to employment arrangements, living arrangements, class schedule, dining facilities, or advisor/supervisor arrangements, as feasible
- Written apology and/or explanation of the circumstances surrounding the agreement
- Educational training for an individual, group or unit
  - Online educational modules
  - Meeting with University staff members
- Community service
- Restorative justice
- Mediation/Facilitated discussion
  - Mediation is one form of informal resolution that may be considered in some cases. However, Chapman does not deem mediation appropriate for cases involving alleged sexual violence, including reports of alleged sexual assault, stalking, or intimate partner violence and abuse.

Depending on the form of informal resolution used, it may be possible to maintain anonymity of the complainant. Failure to comply with any required component of an informal resolution may result in a formal investigation and/or student conduct process.

Participation in the informal resolution is voluntary, and a party may request to end the informal process and begin the formal investigation process at any time prior to resolution. If the respondent fails to complete the required outcomes, the matter may move to a formal investigation or may be subject to further conduct action under the Student Conduct Code.

**XI. Investigation**

A. **Notification** – If the Title IX Coordinator or designee determines that the University will proceed to a formal investigation, the Title IX Coordinator or designee will assign investigator(s) to the case. The investigator(s) will gather sufficient information to prepare a written notice of investigation to present in person and/or via email to the complainant and respondent. The notice of investigation will include the following information: the identity of the complainant and respondent, the specific section(s) of policies that may have been violated, alleged conduct that may constitute a policy violation, investigation process, support resources, and appropriate referrals.

B. **Information-gathering** – The investigator(s) will meet separately with the complainant, respondent and identified witnesses. The investigator(s) will ask the parties for all information related to the allegations, including names of witnesses and documentation related to the incident, which may include, for example, documented communications between parties, receipts, photos, video, or other information relevant to the allegations.

C. **Information review** – At the conclusion of fact-gathering, the Title IX Coordinator or investigator(s) will provide the complainant and respondent with individual and separate opportunities to review the information collected. The information review is an opportunity for the parties to access all information gathered to date, such as the investigator(s)' typed interview notes and documentation collected. The investigator(s) will email or otherwise provide redacted versions of this information to the parties and will make full versions of this information available for review.
Following information review, the complainant and respondent will be given a deadline (at least 5 business days following the date of information review) by which to provide additional information to the investigators, and/or request that the investigator(s) gather additional relevant information, if applicable, in the form of:

- Requests for additional documentation from witnesses
- Information-specific questions to be asked of relevant individuals
- New witnesses
- Additional documentation under the control of the University

Requests for additional information deemed by the investigator(s) to not be relevant may be denied.

Only information that is provided to the investigator(s) or otherwise uncovered by the investigator(s) during the course of the investigation may be considered in the determination of whether a violation of policy has occurred. Any and all information for consideration by the hearing officer(s) should be provided to the investigator prior to the hearing and will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably available to the parties at the time of investigation.

At the conclusion of the investigation, the investigators shall draft a report which will contain a timeline of the investigation and a list of undisputed and disputed facts. The report will not contain any factual determinations or policy analysis. Included in the report shall be interview summaries and any other documents. The investigator(s) will submit the summary report to the Title IX Coordinator, who may require the investigator(s) to conduct additional information gathering to be included in the summary report. After the report is approved by the Title IX Coordinator, the complainant and respondent will be provided with the summary report.

After having the opportunity to review the finalized summary report, the complainant and respondent will have the opportunity to meet with the Title IX Coordinator and discuss whether the party wants to proceed and participate in a hearing. Should one party wish not to proceed with a hearing, the Title IX Coordinator shall determine whether a hearing shall be convened.

Should a complainant not wish to participate in the hearing, the Title IX Coordinator must consider the need for the hearing officer(s) to have an opportunity to assess the complainant’s credibility and for the respondent to pose questions to the complainant (through the hearing officers). A complainant’s decision to not participate in the hearing will likely result in the hearing being cancelled and the process terminated.

Should a respondent choose not to participate in the hearing, the hearing will likely be held in the respondent’s absence and the hearing officer(s) will make a decision based upon the information available.

**XII. Hearing**

After the summary report is complete, the University will notify the complainant and respondent of the policies alleged to have been violated and the date and time of the hearing at least 10 calendar days prior to the hearings (or a shorter time by mutual consent).

The hearing notice shall also contain the names of the assigned hearing officer(s) and the Presiding Officer. Complainants and respondents may object, within two calendar days of being notified of the hearing officer(s), to
their selection on the basis of bias or conflict of interest. Objections must be made in writing to the Title IX Coordinator. If a party objects, the Title IX Coordinator will evaluate whether the objection is substantiated. The Title IX Coordinator will remove and replace any hearing officer the Title IX Coordinator finds to have a conflict of interest or bias for or against any party involved.

In the event of documented extenuating circumstances, a complainant or respondent may request to reschedule the hearing. This request must be made no later than 2 business days prior to the originally scheduled hearing. The decision of whether to reschedule is at the discretion of the hearing officer(s) and Title IX Coordinator, with consideration to the prompt and equitable completion of the process.

Parties, including the respondent, complainant, and witnesses may participate by video-conference.

The hearing officer(s) will be well versed in the summary report and its attachments. The hearing is an opportunity for the hearing officer(s) to hear from the complainant, respondent, and witness(es) and to gather information needed to determine whether the Student Sexual Misconduct Policy and/or the Student Conduct Code has been violated. The hearing officer(s) shall determine the hearing format. During the hearing the complainant and respondent will have the opportunity present their account of the events, to ask questions of other parties through the hearing officer(s), and to provide a closing statement.

The complainant and respondent can each bring a written statement to the hearings, may share their perspective verbally, or both. The hearing officer(s) will ask the complainant, respondent, and witnesses questions during the hearing.

The hearing officer(s) may request witnesses participate in the hearing. Should either party wish to request that witnesses participate in the hearing, such requests must be submitted in writing to the Presiding Officer 5 business days prior to the hearing. If the witness was not interviewed as part of the investigation, the party requesting the witness must email the Title IX Coordinator and hearing officers the name of the witness, a written summary of what the witness observed, an explanation statement as to why the witness’ presence is relevant to making a determination of responsibility at the hearing, and the reason the witness was not interviewed by the investigator(s). The hearing officer(s) will determine if there is sufficient justification for a witness who was not interviewed by the investigator(s) to participate in the hearing and may require that the investigator(s) interview the witness prior to the hearing. Parties will be notified which witnesses have been requested to participate in the hearing no fewer than 3 business days prior to the hearing.

Parties may submit any questions for the complainant, respondent, or witnesses to the hearing officer(s) for consideration. The hearing officer(s) has the responsibility to exclude or modify questions that are not necessary to render a decision, including but not limited to questions that are unfairly prejudicial, confusing, compound, argumentative, misleading, unnecessarily repetitive, not probative of the disputed facts or to the determination of the case, or speak only to a party’s character or non-relevant sexual history.

Hearings will ordinarily be audio recorded, with the exception of any deliberation between the hearing officer(s), although written notes or video recording may serve as a substitute. This record will be the property of the University. Respondents, complainants, or support persons at the hearing are free to take their own written notes, but they may not record, share, or stream any photography, video or audio of the hearing. Respondents or complainants may request the opportunity to review the official record under the supervision of the Title IX Coordinator or designee.

The hearing officer(s) may remove any party (including complainant, respondent, witness, support person) from a hearing for reasons including, but not limited to, disruption, waste of time, sharing irrelevant, immaterial, or
unduly repetitive information, or failing to adhere to requests of the hearing administrators. The hearing officer(s) may have the individual leave the hearing and proceed with the hearing in the person’s absence.

The hearing administrators shall determine whether the respondent violated the Student Sexual Misconduct Policy and/or the Student Conduct Code based solely upon material presented at the hearing, including any investigation reports and attachments, with the exception of prior violations of the Student Sexual Misconduct Policy which may be considered when determining responsibility for the alleged violations.

XIII. Findings and Appeals

A. Hearing Outcome

After the hearing has concluded, the hearing officer(s) will prepare the hearing outcome. The hearing officer(s) will prepare the report promptly, generally making it available to the parties within 14 business days of the completion of the hearings. The Presiding Officer will notify the parties if an extension of this timeline is necessary. The hearing outcome will include an analysis of all relevant disputed information identified throughout the process, an analysis of policy, and conclusion of whether or not there is a preponderance of evidence that the respondent violated University policy. The hearing officer(s) will make determinations regarding the respondent’s responsibility for violations of University policy based solely upon information gathered throughout the process, with the exception of prior violations of Sexual Misconduct, which may be considered when determining responsibility for the alleged violations in the present case.

The possible outcomes for each alleged violation are as follows:

- Responsible
- Not responsible

If the hearing officer(s) determines that policy was violated, they will consult with the Title IX Coordinator on appropriate sanctions.

The hearing officer(s) will submit the hearing outcome to the Title IX Coordinator for final review prior to providing it to the parties. The Title IX Coordinator, at their discretion, retains the authority to override a decision made by the hearing officer(s) when, in the judgment of the Title IX Coordinator, the policy was misapplied or there are insufficient facts or evidence on which to base the hearing outcome. The Title IX Coordinator may also direct the hearing officer(s) to further consider or investigate additional aspects of a particular case prior to finalizing the hearing process.

As simultaneously as possible, the Presiding Officer will provide each party with the hearing outcome. The parties will each receive an appeal deadline by which, if they disagree with the findings of responsibility and/or sanctions, they may request an appeal based on one or more relevant criteria, as outlined in the policy.

If neither party requests an appeal by the deadline, the findings/sanctions outlined the hearing outcome will become the final determination on the matter.

B. Sanctioning

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 sanctions ranging from
warnings and 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. The following are the typical sanction ranges for the various forms of Sexual Misconduct prohibited by this policy, prior to consideration of individual conduct history:

<table>
<thead>
<tr>
<th>Violation</th>
<th>Possible Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intimate partner violence and abuse</td>
<td>A student found in violation of the dating violence provision will typically be suspended for a minimum of one year and may be suspended for multiple years or expelled. However, incidents involving verbal abuse only or other less severe incidents may result in probation with loss of privileges or deferred suspension. A student may also receive educational sanctions.</td>
</tr>
<tr>
<td>Retaliation</td>
<td>A student found in violation of the retaliation provision will typically be placed on a minimum of a deferred suspension to a multi-year suspension. A student may also receive educational sanctions to complete as a requirement for continued enrollment or as a requirement for returning from a suspension.</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>A student found in violation of the sexual assault provision will typically be sanctioned to a multi-year suspension or be expelled from the University. A student may also receive educational sanctions to complete as a requirement for returning from a suspension.</td>
</tr>
<tr>
<td>Sexual battery</td>
<td>A student found in violation of the sexual battery provision will typically be placed on deferred suspension but may also be suspended or expelled. However, less severe violations of this policy may result in probation or probation with loss of privileges. A student may also receive educational sanctions.</td>
</tr>
<tr>
<td>Sexual exploitation</td>
<td>A student found in violation of the sexual exploitation provision will typically be placed on a minimum of a semester suspension to a multi-year suspension or expelled from the University. A student may also receive educational sanctions to complete as a requirement for returning from a suspension.</td>
</tr>
<tr>
<td>Sexual harassment</td>
<td>A student found in violation of the sexual harassment provision will typically be placed on a minimum of a deferred suspension to a multi-year suspension. A student may also receive educational sanctions to complete as a requirement for continued enrollment or as a requirement for returning from a suspension.</td>
</tr>
<tr>
<td>Stalking</td>
<td>A student found in violation of the stalking provision will typically be suspended from the University for a minimum of one year and may be suspended for multiple years or expelled. However, less severe violations of this policy may result in probation with loss of privileges or deferred suspension. A student may also receive educational sanctions.</td>
</tr>
<tr>
<td>Bad faith complaint of Sexual Misconduct</td>
<td>A student found in violation of the bad faith complaint of Sexual Misconduct provision will typically be placed on a minimum of deferred suspension to a multi-year suspension. A student may also receive educational sanctions to complete as a requirement for continued enrollment or as a requirement for returning from a suspension.</td>
</tr>
<tr>
<td>Violation</td>
<td>Possible Sanctions</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Discrimination</td>
<td>A student found in violation of the discrimination provision will typically be placed on a minimum of a deferred suspension to a multi-year suspension. A student may also receive educational sanctions to complete as a requirement for continued enrollment or as a requirement for returning from a suspension.</td>
</tr>
</tbody>
</table>

Additional sanctions may include permanent no contact orders, academic or housing reassignment, or removal from campus housing or other sanctions uniquely tailored to remedy any discrimination and prevent its recurrence.

C. Appeals

1. Appeals—After a hearing has been convened and within 5 business days of receiving the hearing outcome, the parties will have an opportunity to submit a written appeal outlining why they believe one or more of the criteria for appeal exists in their case. Appeals are typically limited to 7 pages, double-spaced, 12-pt. font. In the instance of particularly complex or simultaneous cases, an extension on this pagelimit may be granted by the Dean of Students or designee.

   The other party will be notified within 2 business days if an appeal is submitted. The notified party will have an opportunity, if requested, to review the original written appeal. They may submit a written response (typically limited to 7 pages, double-spaced, 12-pt. font) within 5 business days of being notified that an appeal was submitted.

2. Appeals criteria—Appeals may only be brought on one or more of the four possible criteria for an appeal as outlined in the Student Conduct Code. The appeals officer(s) will consider appeals requests narrowly, specific to the relevant criteria for appeal.

3. Appeals outcomes—Appeals will be concluded in one of the following manners:
   a. If the Dean of Students or designee determines that none of the appeals criteria have been met, they will deny the appeal request, thereby upholding the hearing findings and sanctions (if applicable).
   b. If the Dean of Students or designee determines that new information not previously available needs to be considered, the case will be remanded to the Title IX Coordinator, hearing officer(s) and/or designee. Parties will be allowed to respond to new information and new findings will be issued.
   c. If the Dean of Students or designee determines that sanctions were unreasonably disproportionate to the violation and respondent’s conduct history, new sanctions will be assigned.
   d. If the Dean of Students of designee determines that there was a procedural error that had a significant impact the outcome, the matter will be remanded to the Title IX Coordinator to remedy the error or the Dean of Students or designee may take other corrective action to remedy the error.
   e. If the Dean of Students or designee determines that a conclusion of policy violation is not supported by the findings of fact, the Dean of Students or designee may reverse specific conclusion of policy violations. If applicable, new sanctions may be applied as well by the Dean of Students or designee.

   The Dean of Students or designee will provide the complainant and respondent written notification of the final determination as simultaneously as possible.
Policy Violations which may also be a violation of California Law.

The University’s Harassment, Discrimination and Sexual Harassment Policy and the Student Sexual Misconduct Policy contain policies which may also be a violation California Law.

The definitions and relevant California Penal Codes are listed below.

Chapman Student Sexual Misconduct Policy

Intimate Partner Violence and Abuse (Dating and Domestic Violence)

Chapman Student Sexual Misconduct Policy Definition

Intimate partner violence and abuse, also referred to as domestic violence or dating violence, is violence committed against a person by a person who is their spouse or former spouse, cohabitant or former cohabitant, a person with whom they have a child, or a person with whom they have a previous or current dating, romantic, intimate or sexual relationship.

The existence of such a relationship shall be determined based on the complainant’s and respondent’s statements and/or other information collected and with consideration of the following:

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

Relevant California Penal Code Definition(s)

§ 242 - A battery is any willful and unlawful use of force or violence upon the person of another.
§ 243(e)(1) - A battery committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.

§ 273.5(a) - Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony [...]. (b) Subdivision (a) shall apply if the victim is or was one or more of the following:

1. The offender's spouse or former spouse.
2. The offender's cohabitant or former cohabitant.
3. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship. § 13700(b) - “Domestic violence” means abuse committed
against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

**Chapman Student Sexual Misconduct Policy**

**Sexual Assault**

**Chapman Student Sexual Misconduct Policy Definition**

Any non-consensual act of penetration, however slight, of person’s vaginal or anal openings with any body part or object (including a finger) or nonconsensual oral-genital penetration.

**Relevant California Penal Code Definition(s)**

Sexual Assault is generally considered to be an act or attempt in violation of any of the following:

§ 220- Assault with intent to commit mayhem or specified sex offenses; assault of a person under 18 years of age with intent to commit specified sex offenses

§ 261- Rape § 261.5- Unlawful Sexual Intercourse with a minor

§ 262- Spousal Rape

§ 264.1- Punishment for aiding or abetting rape

§ 266c- Inducing consent to a sexual act by fraud or fear

§ 269- Aggravated sexual assault of a child

§ 285- Incest

§ 286- Sodomy

§ 288- Lewd or lascivious acts involving children

§ 288.5- Continuous sexual abuse of a child

§ 288a- Oral Copulation

§ 289- Penetration by foreign object § 647.6- Annoying or molesting children

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

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

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

Where a person is prevented from resisting by any intoxicating or anesthetic substance, and this condition was known, or reasonably should have been known by the accused.
Where a person is at the time unconscious of the nature of the act, and this is known to the accused. [...] 

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

Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or another person, and there is reasonable belief that the perpetrator will execute the threat. [...] 

Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. [...] 

§ 263 - The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, no matter how slight, is sufficient to complete the crime. The following do not meet the California definition of rape but are considered rape under the Violence Against Women Act: 

§ 286(a) - Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy. 

§ 288a - Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person. 

§ 289(a)(1)(A) - Penetration by foreign object. Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person [...] (k)(2) "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ. (k)(3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body. 

**Chapman Student Sexual Misconduct Policy** 

Sexual battery 

**Chapman Student Sexual Misconduct Policy Definition** 

Any intentional sexual contact, however slight, with any object, without consent. Sexual contact
includes contact above or beneath clothing with the breasts, buttocks, genitals, or areas directly adjacent to genitals (for instance, the inner thigh); touching another with any of these body parts; making another touch someone or themselves with or on any of these body parts; or any other bodily contact in a sexual manner.

**Relevant California Penal Code Definition(s)**

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

**Chapman Student Sexual Misconduct Policy**

**Stalking**

**Chapman Student Sexual Misconduct Policy Definition**

Repetitive and menacing behavior towards another, or pursuit, tracking, surveilling, or harassing another in such a way that would cause a reasonable person, under similar circumstances and with similar identities, to fear for their safety or the safety of others, the safety of their property, or to otherwise suffer substantial emotional distress.

**Relevant California Penal Code Definition(s)**

§ 646.9(a) - 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.

**Chapman Student Sexual Misconduct Policy**

**Consent**

Consent is an affirmative, conscious, voluntary agreement by all participants to engage in sexual activity, communicated through mutually understandable words and/or actions. Affirmative consent must be continuously present throughout an interaction, for all sexual activities, and may be modified, withdrawn or revoked at any time. It is the responsibility of each person involved in the activity to ensure that affirmative consent has been obtained from the other or others before engaging in any sexual activity. Existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, can never by itself be assumed to be an indicator of consent.

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 incident.
- Obtained from a person who is incapacitated by intoxicants such as alcohol, drugs or medication, and this condition was known or reasonably should have been known by the other individual(s) involved in the 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 use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual contact. When a person makes clear that they do not want to participate in a particular form or sexual contact, that they want to stop, or that they do not want to go beyond a certain sexual interaction, continued pressure can be coercive.

In evaluating whether coercion was used, the University will consider:

(i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, (iv) the duration of the pressure, and (v) the relative positions within the University community of those involved.

§ 261.6 In prosecutions under Section 261 [rape], 262 [spousal rape], 286 [sodomy], 288a [oral copulation] or 289 [penetration by a foreign object], in which consent is an issue, “consent” shall be defined to mean positive cooperation in an act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288(a) or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent. § 261.5 (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age. (b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. (c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year.

i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, (iv) the duration of the pressure, and (v) the relative positions within the University community of those involved.
Prevention Education for Students & Employees

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. Some of the involved groups include P.E.E.R. (Proactive Education Encouraging Responsibility) department, C.A.R.E.S. (Creating a Rape Free Environment for Students), Public Safety, Residence Life, and First Year Experience, the Dean of Students Office, and Human Resources.

Programs for New Students

New undergraduate students, including incoming first year students and transfer students, are required to complete The Healthy Panther Initiative (HPI), which 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. The program addresses the Student Conduct Code definitions of sexual assault, stalking and dating and domestic violence and University procedures for addressing alleged violations of those policies. Students who do not complete the program during orientation are required to complete either a makeup session or online courses that cover University policies about sexual misconduct and other material to encourage students to make healthy choices.

New graduate students are required to participate in an in-person training that reviews the Harassment and Discrimination policy, the sexual misconduct policy in the Student Conduct Code (which encompasses sexual assault, stalking, and dating and domestic violence), reporting options, as well as bystander intervention tips. These trainings are offered at a variety of times early in the academic year in order to accommodate the varying needs of graduate academic programs.

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.” Additionally, 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. In addition to the aforementioned programs, Chapman University regularly hosts ongoing awareness campaigns and events.
Some of the ongoing awareness campaigns and events include:

**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.

**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.

**Rape Aggression Defense (R.A.D.)**

RAD 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 drive for clothing, blankets, and stuffed animals 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 Waymakers, 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 an unhealthy relationship through skits and discussion.

**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 consensual 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*

Having recently celebrated 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, stalking, 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:
  - Waymakers – 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:
  - Dr. Dani Smith—Sexual Assault 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
- 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:

1. 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:
• 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.

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

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 safer 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 Students Should Follow in Cases of Alleged Sexual Assault, Stalking, Dating Violence or Domestic Violence**

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

**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.
- 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 Waymakers 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.

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 Waymakers Hotline at: 714-957-2737 and discuss this with online advocates.

For more information, visit Rape Abuse & Incest National Network Webpage

Consider whether there is information to gather that might be helpful to University investigators/hearing officers or law enforcement and preserve relevant items.

For example, receipts, text messages, pictures, videos, emails, Facebook posts or messages, Snapchats, or other social media posts may be helpful during an investigation or hearing. It may be helpful not to delete this information and to preserve it for later. If you have already deleted text messages or other materials, you may wish to contact your phone carrier to find out if they can be recovered. Also, writing down a list of possible witnesses to submit to investigators or hearing officers is also suggested. Maintaining such information may be important to a criminal investigation, a University investigation, or to obtain a restraining order.

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—Sexual Assault Crisis Counselor: (714) 744-7080 or dasmith@chapman.edu or call Public Safety at (714) 997-6763 to contact Dr. Smith after hours
• Student Psychological Counseling Services: 714-997-6778
• Rev. Dr. Gail Stearns: 714-628-7289
• Rev. Nancy Brink: 714-628-6760

*While the individuals listed above have professionally required confidentiality, there are certain, specific situations in which they are not able to maintain information confidentially. Those situations are: (1) if you may be a danger to yourself or others, (2) you have knowledge about any minor or elder currently being subjected to abuse or neglect – including intentional access to unlawful sexual images, or (3) if the information is subpoenaed for court proceedings.

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
• Chapman University Department of Public Safety: 714-997-6763
• Orange Police Department: 714-744-7444 ** Chapman Main Campus
• Irvine Police Department: 949-724-7000 ** Rinker Health Science Campus

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

For Faculty & Staff:
• Misha Martinez: 714-997-6847 (Title IX Coordinator)

Note: All University employees (faculty, staff, administrators, and student employees) are required to report any gender- or sex-based discrimination or harassment (this is inclusive of all alleged incidents of sexual violence) to a Title IX Coordinator. The only exceptions to this requirement are those individuals who are designated as privileged and confidential resources, listed below.

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.

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.

Obtain information, support and counseling to take care of yourself. Know your options:
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—Sexual Assault Crisis Counselor: (714) 744-7080 or dasmith@chapman.edu or call Public Safety at (714) 997-6763 to contact Dr. Smith after hours
- Student Psychological Counseling Services: (714) 997-6778
- Rev. Dr. Gail Stearns: (714) 628-7289
- Rev. Nancy Brink: (714) 628-6760

*While the individuals listed above have professionally required confidentiality, there are certain, specific situations in which they are not able to maintain information confidentially. Those situations are: (1) if you may be a danger to yourself or others, (2) you have knowledge about any minor or elder currently being subjected to abuse or neglect – including intentional access to unlawful sexual images, or (3) if the information is subpoenaed for court proceedings.

Consider off-campus resources. Waymakers 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. Forensic exams (rape kits) are performed at Anaheim Regional Medical Center in its “Safe Space” with the help of Sexual Assault Nurse Examiners, and Waymakers counselors are available to accompany individuals who want an exam performed.

Comprehensive and confidential services are available at either (714) 957-2737 or (949) 831-9110.

***Procedures to Follow if Stalking Has Occurred:***

In addition to the information presented above, there are many ways to increase your level of safety, whether you are dealing with a stalking/harassment situation or looking to end 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 phone 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. Interim and supportive measures are available, such as academic and housing adjustments.

Look at these online resources:

What to do if you are being stalked – [Justice.gov: Tips for Victims Webpage](https://www.justice.gov)

Stalking is a crime brochure – *What to do if you are being stalked or criminally harassed*

**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; if the abuse/neglect was reported on the Chapman University Main Campus. If the abuse/neglect was reported on the Chapman University Rinker Health Science Campus contact the Chapman University Department of Public Safety at 714-997-6763 and/or the Irvine Police Department at 949-724-7000. 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.

**Disclosure of Results of Disciplinary Proceedings:**

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 (statutory rape, incest) to the next of kin of the complainant in the event that he/she is deceased.
Jeanne Clery Disclosure Requirements regarding Crime Statistics

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.

Clery Crime 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.

**Clery Act Geography Locations**

The following definitions apply to the geographical locations of incidents disclosed in the crime statistics tables contained in this report:

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the property described above in this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Residence Halls:** An institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics: the total number of crimes that occurred on campus, including crimes that occurred in student housing facilities, and the number of crimes that occurred in on-campus student housing facilities as a subset of the total. In other words, if a Clery Act crime is reported to have occurred in an on-campus residence hall, the incident is counted twice. It is reported in the overall on-campus statistics table and once in the on-campus residence hall statistics table.
Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The university owns or controls several different types of non-campus properties, including but not limited to student, staff and faculty housing, sporting venues, academic facilities, administrative support services, child care facilities and parking.
Section 2. Fire Safety Report

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. Panther Village and Chapman Grand are considered a non-campus building.

<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>
<td>Yes</td>
<td>Yes</td>
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</tr>
<tr>
<td>Henley Hall</td>
<td>Yes</td>
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<td></td>
<td>2</td>
</tr>
<tr>
<td>Pralle-Sodaro Hall</td>
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<td>Sandhu Hall</td>
<td>Yes</td>
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<tr>
<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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<tr>
<td>Olive Apartments</td>
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</tr>
</tbody>
</table>
Campus Emergency Response and Evacuation Plans

The information detailed in this section applies to both the Chapman University Main Campus (Orange) and the Chapman University Rinker Health Science Campus (Irvine). Even though the campuses are not located in the same city the policies described are identical at both locations.

Fire Life & Safety coordinates the university’s efforts to prepare for and respond to major emergencies. The primary focus is on coordinating preparation and training for emergency response and maintaining the campus emergency operations plan. Be familiar with the locations and use of all emergency exits, manual fire alarms, and fire extinguishers in your area. You are encouraged to contact your 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.

Emergency evacuation plans exist for every building on campus and in student housing facilities. Each evacuation plan provides a floor plan of the building and/or residence floor; identifies the locations of all exits and lists instructions for response to a fire.

Each year the university participates in the California Great Shake out earthquake drill by testing the Panther Alert System. The drill is announced and encourages the campus community to follow the emergency guidelines in the university’s emergency operations plan. Prior to the drill, a link to the emergency operations plan is shared with the entire campus community, which includes an evacuation plan (EAP) with evacuation assembly points. Emergency preparedness, evacuation information and related instructions can be accessed online at Emergency Management.

Fire and Evacuation Drills

Fire and evacuation 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 Residence Life and First Year Experience 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. Fire Life & Safety maintains an internal log with notes for each drill, the date and time conducted, the location of the drill, announced or unannounced, notes any issues and or lessons learned.

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 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 on-campus student housing. All fires that occur in on-campus student housing are entered into the DPS Fire Log as required by the Clery act. The log can be accessed at [Orange Campus Fire Log](#).

*Fire Safety Policies*

Housing fire safety policies can be found in the [Student Conduct Website](#) and in the [Residence License Agreement](#).

**Student Conduct Code:**

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

- Arson or creating or causing fire without obtaining prior approval from Fire and Life Safety.
- Causing an unwanted alarm for fire or smoke.
- Careless, negligent, or improper handling of, tampering with or obstructing the fire alarm system, smoke detectors, sprinkler system, emergency exits, carbon monoxide detectors, fire extinguishers, exit signs, and other life safety equipment.
- Failing to evacuate a University building during any fire and/or emergency alarms, including drills; re-entering the building before the all clear sign is given by University staff.
- Propping open doors in residence buildings with enclosed corridors (e.g. Pralle-Sodaro, Henley, Sandhu Residence Center, and Glass Hall).
- Possessing and/or using candles, incense, oil lamps, helium tanks, fog/smoke machines, butane torches, and other combustible and/or flame-producing items in the residence areas, including items prohibited under *Cooking/Kitchens* and *Electrical Appliances* in Appendix 4. Burning candles in any campus building is prohibited (except for those events specifically scheduled through the Fish Interfaith Center and other approved events).
- Artificial trees and potted, live trees are permitted. No cut trees are permitted in the residence halls. extension cords may not be used for holiday lights or other electric lights or items.
- Possessing and/or using multi-plugs, hoverboards, halogen lamps or extension cords in the residence area. Power strips with surge protectors are permitted but may not be extended by plugging one into another.
- Possessing and/or using fireworks, sparklers, smoke bombs, CO2 cartridges, explosives, flammable chemicals or other hazardous materials.
• 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 only be used in designated areas.

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

Residence Life and First Year Experience Policies and Procedures

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. Visit the Morlan Hall Office for assistance to enter the kitchen.

Food waste must be correctly disposed of and brought to the dumpster. Garbage disposals are for small remnants left over from washing. Absolutely no rice, potatoes, lettuce, celery, grease, carrots, egg shells or other items that may cause the garbage disposal to malfunction should be placed in the sink or garbage disposal.

Electrical Appliances - Clothing irons, coffee makers, refrigerators smaller than 4.0 cubic feet, and micro-fridges (microwave/refrigerator combination units) are approved appliances in the residence halls. Surge protectors and power strips are approved and must be used. Absolutely no extension cords are allowed in residence halls, apartments or University-owned 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, multi-plug adaptors, refrigerators larger than 4.0 cubic feet, microwaves (other than the approved combination microwave/refrigerator), major appliances or devices deemed unsafe by Residence Life staff. Possession of these items in a residential room, whether in use or not, constitutes a violation of this policy. Prohibited items will be confiscated, and students found in violation of the policy may be subject to fines of up to $100 per item. Please refer to the Fire Safety policies for more information.

Small kitchen appliances are permitted in the common living areas of Sandhu Residence Center Suites as well as Glass, Davis, Harris, Chapman Grand, and Panther Village Apartments.

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

Fire Safety training is available to all students, staff, and faculty at both the Main Campus and the Rinker Health Science Campus and can be customized for particular departments. Register
for the monthly fire extinguisher training at Fire Safety Training Calendar or contact us at firesafety@chapman.edu.

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.

Plans for Future Improvements

Facilities Management regularly monitors all campus facilities for necessary safety and security related repairs. 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.
Fire Statistics 2016 – 2018

As required by the Higher Education Opportunity Act of 2008, the following statistics are for fire incidents occurring in on-campus student housing for the years 2016 to 2018.

**Calendar Year 2018**

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires</th>
<th>Location</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Estimated Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pralle-Sodaro Hall – 323 East Walnut Avenue</td>
<td>2</td>
<td>Room 137 Room 319/320 Bathroom</td>
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<tr>
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<tr>
<td>Glass Hall – 576 North Shaffer Street</td>
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<td>N/A</td>
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<tr>
<td>Morlan Hall – 575 North Center Street</td>
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### Calendar Year 2017

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires</th>
<th>Location</th>
<th>Cause</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Estimated Damage</th>
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</thead>
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<td>N/A</td>
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<td>N/A</td>
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## Calendar Year 2016

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Total Fires</th>
<th>Location</th>
<th>Cause</th>
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<th>Deaths</th>
<th>Damage Estimate</th>
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<td>Sandhu Hall - 571 North Grand Street</td>
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<tr>
<td>Panther Village – 3101 West Chapman Avenue</td>
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</tbody>
</table>

*Panther Village is non-campus housing.*
## Criminal Offenses – 2018

### Criminal Homicide

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/nonnegligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Negligent Manslaughter</td>
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<td>0</td>
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### Sex Offenses

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
<tr>
<td>Sex Offense: Fondling</td>
<td>3</td>
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<td>4</td>
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<td>2</td>
<td>1</td>
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<td>1</td>
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### Other

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
<tr>
<td>Robbery</td>
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<td>1</td>
<td>0</td>
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<td>Burglary</td>
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<td>8</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<tr>
<td>Arson</td>
<td>1</td>
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<td>0</td>
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</table>
**Criminal Offences**

**Criminal Offenses – 2017**

**Criminal Homicide**

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/nonnegligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Negligent Manslaughter</td>
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<td>0</td>
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**Sex Offenses**

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
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<td>Sex Offense: Fondling</td>
<td>5</td>
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**Other**

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<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
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<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
<tr>
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<td>Motor Vehicle Theft</td>
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## Criminal Offenses – 2016

### Criminal Homicide

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
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<th>Non-Campus</th>
<th>Public Property</th>
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<td>Murder/nonnegligent Manslaughter</td>
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### Sex Offenses

<table>
<thead>
<tr>
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### Other

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<th>On Campus Student Housing</th>
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<tr>
<td>Aggravated Assault</td>
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**Arrest and Judicial Referrals**

**Arrest and Judicial Referrals – 2018**

**Arrests**

<table>
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<tr>
<th>Violation Description</th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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**Judicial Referrals**

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## Arrest and Judicial Referrals – 2017

### Arrests

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### Judicial Referrals

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**Arrest and Judicial Referrals – 2016**

### Arrests

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### Violence Against Women Act (VAWA)

#### 2018

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#### 2017

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#### 2016

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**Clergy Hate Crime Statistics**

There were no reported Hate Crimes for 2016, 2017, 2018.

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<th>Religion</th>
<th>Sexuality</th>
<th>Ethnicity</th>
<th>Disability</th>
<th>National Origin</th>
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</table>
### Criminal Offenses

#### Criminal Offenses – 2018

**Criminal Homicide**

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/nonnegligent</td>
<td>N/A</td>
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<td>0</td>
<td>N/A</td>
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<td>Manslaughter</td>
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<td></td>
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</tr>
<tr>
<td>Negligent Manslaughter</td>
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**Sex Offenses**

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
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</thead>
<tbody>
<tr>
<td>Sex Offense: Fondling</td>
<td>N/A</td>
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<td>0</td>
<td>N/A</td>
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**Other**

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### Criminal Offenses – 2017

#### Criminal Homicide

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#### Sex Offenses

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#### Other

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</table>
**Arrest and Judicial Referrals**

Arrest and Judicial Referrals – 2018

**Arrests**

<table>
<thead>
<tr>
<th></th>
<th>On Campus Student Housing</th>
<th>On Campus Other</th>
<th>On Campus (Total)</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquor Law Violations</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
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</tr>
<tr>
<td>Drug Law Violations</td>
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<td>0</td>
<td>N/A</td>
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<tr>
<td>Illegal Weapons Possession</td>
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**Judicial Referrals**

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<th>Public Property</th>
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<tbody>
<tr>
<td>Liquor Law Violations</td>
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<td>0</td>
<td>N/A</td>
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</tr>
<tr>
<td>Drug Law Violations</td>
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<td>0</td>
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<tr>
<td>Illegal Weapons Possession</td>
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## Arrest and Judicial Referrals – 2017

### Arrests

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<th>Non-Campus</th>
<th>Public Property</th>
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<tbody>
<tr>
<td><strong>Liquor Law Violations</strong></td>
<td>N/A</td>
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<tr>
<td><strong>Drug Law Violations</strong></td>
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### Judicial Referrals

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<th>Public Property</th>
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<tbody>
<tr>
<td><strong>Liquor Law Violations</strong></td>
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## Arrest and Judicial Referrals – 2016

### Arrests

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<th>Public Property</th>
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<tbody>
<tr>
<td>Liquor Law Violations</td>
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<td>Drug Law Violations</td>
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### Judicial Referrals

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### Violence Against Women Act (VAWA)

#### 2018

<table>
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<td>Dating Violence</td>
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<tr>
<td>Domestic Violence</td>
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<td>Stalking</td>
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#### 2017

<table>
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<tbody>
<tr>
<td>Dating Violence</td>
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<td>N/A</td>
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<tr>
<td>Domestic Violence</td>
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<td>Stalking</td>
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#### 2016

<table>
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*There were no unfounded crimes reported by local law enforcement for 2016, 2017, 2018.*

**Clergy Hate Crime Statistics**
There were no reported Hate Crimes for 2016, 2017, 2018.

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<th>Cleary Act Reportable Offenses</th>
<th>Race</th>
<th>Gender</th>
<th>Religion</th>
<th>Sexuality</th>
<th>Ethnicity</th>
<th>Disability</th>
<th>National Origin</th>
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