



# Sexual Misconduct Title IX

## The Law

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. § 1681 et seq., is a Federal civil rights law that prohibits discrimination on the basis of sex in educational programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving Federal funds must comply with Title IX. Under Title IX discrimination on the basis of sex in the form of sexual harassment or sexual violence, including rape, sexual assault, sexual battery, and sexual coercion is addressed.

## Chapman Policy

It is the policy of Chapman University to ensure that all members of its community, including visitors and guests, have the right to work, learn, and participate in an environment that is safe and free from all forms of gender discrimination and sexual misconduct. Learn more about policies, procedures, and support at [www.chapman.edu/consent](http://www.chapman.edu/consent).

## Harassment and Discrimination

Chapman Complaint Line: (877) 527-7533

## University Harassment and Discrimination Policy & Complaint Procedures:

<http://www.chapman.edu/faculty-staff/human-resources/eoo.aspx>.

Individuals with complaints of this nature also always have the right to file a formal complaint with the United States Department of Education:

### Office for Civil Rights

U.S. Department of Education  
50 United Nations Plaza, Mail Box 1200, Room 1545  
San Francisco, CA 94102  
Phone: (415) 486-5555 | Fax: (415) 486-5570  
TDY: (800) 877-8339 | Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)  
Web: <http://www.ed.gov/ocr>



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## Reporting Incidents

You may make a report directly to any of the following Title IX Coordinators for immediate assistance:

### For Faculty and Staff:

Misha Martinez  
Equal Opportunity and Diversity Officer  
Title IX Deputy Coordinator  
DeMille Hall 103  
[mismarti@chapman.edu](mailto:mismarti@chapman.edu) | (714) 997-6847

### For Students:

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

Chris Toutain  
Program Coordinator for Student Conduct  
Argyros Forum 302B  
[toutain@chapman.edu](mailto:toutain@chapman.edu) | (714) 532-6039

Kristen Entringer  
Program Coordinator for Student Conduct  
Argyros Forum 302A  
[entringer@chapman.edu](mailto:entringer@chapman.edu) | (714) 532-6056

Students, faculty, and staff may also report to any faculty or staff member, as managers, supervisors, faculty, staff, and any other agent of the University have a duty to report alleged incidents to a Title IX Coordinator unless they are designated as privileged and confidential.

The University will promptly investigate complaints and determine whether it is more likely than not that a policy violation occurred. Learn more at [www.chapman.edu/consent](http://www.chapman.edu/consent).

## Law Enforcement

Students, faculty, and staff are also encouraged to contact local police in the city where the crime took place and file a report:  
*Orange Police Department:* (714) 744-7444  
*Irvine Police Department:* (949) 724-7000

If a police report is filed, and the sexual assault occurred within 72 hours, the police may transport the complainant to Anaheim Regional Medical Center for a forensic examination (rape kit). If police are not involved, you can call the CSP 24-Hour hotline for forensic exam (rape kit) information: (714) 957-2737

# Chapman University

Orange, California

Irvine, California

## Sexual Misconduct & Title IX

### Know Your Rights and Options



It is the University's desire to create a supportive climate that will encourage the recognition and reporting of sexual misconduct incidents. The University encourages all members of the campus community to report incidents promptly to law enforcement and University personnel. Reporting allows the University an opportunity to offer appropriate assistance while the matter is being investigated and is the only mechanism by which offenders can be officially sanctioned, thereby reducing the risk of repeat occurrences.

The University can assist in providing complainants with support and assistance in assessing their options. The University also recognizes the importance of confidentiality during and after investigations and understands that individuals may want their identities to remain confidential. In some instances, the alleged respondent can be spoken to without the complainant being identified. In other cases, issues of confidentiality must be balanced against Chapman University's need to investigate and take appropriate action. Chapman University will respect the privacy and confidentiality of individuals involved in an investigation to the fullest extent possible as permitted by State and Federal law.

### **\*\*Privileged and Confidential**

Privileged and confidential individuals on campus are available to speak with you and have a professional requirement to maintain the confidentiality of your conversation.\* They are good resources if you need someone to talk to or want more information about your options, but do not want to provide information in a formal or reportable way. The following are privileged and confidential:

**Dr. Dani Smith, Rape Crisis Counselor:** (714) 744-7080  
**Student Psych. Counseling Services:** (714) 997-6778  
**Rev. Dr. Gail Stearns:** (714) 628-7289  
**Rev. Nancy Brink:** (714) 628-6760

\*There are specific situations in which the above individuals are not able to maintain confidentiality: (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.

## **Prohibited Behaviors**

The Student Sexual Misconduct Policy states that any sex- or gender-based behavior, attempted or completed, that goes beyond the boundaries of consent is prohibited, including:

- Discrimination
- Sexual Assault
- Sexual Battery
- Sexual Exploitation
- Sexual Harassment
- Stalking
- Retaliation
- Intimate Partner Violence and Abuse
- Bad faith complaint of sexual misconduct

**Students:** please see the *Student Sexual Misconduct Policy for definition of terms and definition of consent.*

**Faculty/Staff:** please see *Harassment and Discrimination Policy for definition of terms.*

## **Available Assistance**

Interim or permanent changes (such as academic, living, working, or parking adjustments, etc.) can be made to help reduce the impact of any incident of sexual misconduct that may have occurred, including but not limited to institutional No Contact Orders. Interim and supportive measures are available for complainants, respondents and witnesses before, during, after, or outside of a University investigation. Supportive measures for complainants are available regardless of whether the complainant chooses to make a formal report to the University or report 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. Students should contact the Title IX Coordinator to request assistance and faculty/staff should contact the Equal Opportunity and Diversity Officer in Human Resources.

## **Duty to Report**

Managers, supervisors, faculty, staff, and any other agent of Chapman University have a duty to report any known or alleged incidents of sexual misconduct to Title IX Coordinators. All sexual misconduct incidents must be reported as required by Federal law.

**\*\*Persons exempt are listed as privileged and confidential individuals.**

## **Freedom From Retaliation**

Any member of the Chapman University community has the right to report or support the reporting of alleged sexual misconduct without fear of reprisal. Taking adverse action against anyone for reporting, supporting, or assisting in the reporting and/or adjudication of any of the prohibited behaviors is a violation of University policy. This includes attempts or threats of retaliation, intimidation, violation of a No Contact Order, harassment, or efforts to impede an investigation. An individual may be found responsible for retaliation whether or not the underlying complaint is substantiated.

## **Amnesty**

Chapman strongly advocates reporting of any sexual misconduct (sexual assault, sexual battery, relationship abuse and domestic/interpersonal violence, stalking, and sexual harassment).

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 Student Conduct 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, marijuana or other controlled substances), 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 other person at risk or actions that involve academic dishonesty.

## **Campus Resources**

Chapman University Student Health Center  
**Jacqueline Deats:** 714 997-6851  
**Emergencies:** 911  
**Chapman Public Safety:** 714 997-6763  
**Dean of Students Office:** 714 997-6721  
**Human Resource Office:** 714 997-6686

**Chapman Information Line:** 714 744-7000