

# Campus Safety Policies

2023 Master Collection



University  
of Phoenix®



# Campus Safety Policies

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# Campus Safety Policies

## Safety & Security at University of Phoenix

Education requires a safe environment, whether in-person or virtually, for success and the University of Phoenix (UOPX) is strongly committed to crime prevention and the safety of our members. However, institutions of higher education are not without occasional crimes. Therefore, UOPX developed important programs to help protect the safety and well-being of students, faculty, staff, vendors, and visitors. Cooperation is essential to minimize criminal activity and create a safer community for all. Being aware of these policies and taking personal responsibility for our own conduct and safety improves the quality of life for everyone at UOPX.

### Campus Security Authority (CSA)

To help ensure the safety of the campus community, UOPX designates Campus Security Authorities (CSAs) and Campus Safety Coordinators for reporting crimes. Each teaching campus has a designated Campus Safety Coordinator and several CSAs. All Campus Safety Coordinators are CSAs. At certain locations, we also provide security guards (via third-party contracted guard services). UOPX also fully cooperates with law enforcement and local, state, and federal regulations to help keep our campus community safe. UOPX complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), or “Clery Act,” a federal statute requiring all institutions of higher education that participate in federal financial aid programs to keep and disclose information about crime on and near their campuses and in all other areas located within their Clery geography. We also comply with the Violence Against Women Reauthorization Act of 2013 (VAWA) (42 U.S.C. 13701-14040), which amended the Clery Act. The Clery Act states that a CSA can be defined as any one of the following:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

In addition to notifying local law enforcement agencies, the following are the people to whom students, faculty, staff, vendors, and visitors should report crimes. Individuals should also report any complaints regarding noncompliance with the Clery Act, VAWA, or any state-specific regulations to their local Campus Safety Coordinator or any CSA.

### *CSAs (UOPX-wide)*

See [Appendix A](#) for a complete list of identified CSAs at UOPX.

### *Campus Safety Coordinators (location-specific)*

See [Appendix B](#) for a complete list of [Campus Safety Coordinators](#) by location. This list can also be found by visiting [https://www.phoenix.edu/about\\_us/campus-safety/campus-safety-contact-list.html](https://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html).



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## Corporate Security

UOPX has a centralized security department located at the Phoenix Main Campus that establishes policy, protection strategies, and response strategies. UOPX does not have an on-site police department.

### *Contracted Security Guard Services*

Corporate Security provides security guards (via third-party contracted guard services) on its properties. These state-licensed personnel report all incident and crime information to the Security Operations Center (SOC), appropriate Campus Safety Coordinators, and/or any other CSA per the Clery Act. All information is reviewed by the Clery Compliance Officer for Clery Act crime reporting purposes. Corporate Security and local campus employees work closely with federal, state, and local law enforcement agencies to aid in the arrest of any individual who commits a crime against UOPX or its members on UOPX property or within its patrol jurisdiction.

The number of contracted security guards Corporate Security assigns to a local campus may vary depending on the size of the campus community and local crime trends. Security personnel do not have the authority to make law enforcement arrests. Corporate Security may choose to deploy authorized armed security personnel as needed.

Corporate Security works to provide at least one security guard at most local campus locations. These individuals serve as a point of contact in the event of an emergency, incident, or crime. The security personnel maintain a working relationship with local Campus Safety Coordinators to deter criminal activity and provide an environment of safety for the local campus communities. Additionally, during safety events, the Campus Safety Coordinator will communicate to students, faculty, and staff that Corporate Security's contracted security guards can assist with various security aspects, such as taking a written report, assisting the local Emergency Medical Services (EMS), providing safety escorts when requested, patrolling surrounding campus areas, and being a liaison with local law enforcement.

### *Training of Contracted Security Guards*

Each contracted guard meets basic training requirements in their applicable state for uniformed security personnel. Authorized personnel must carry a guard license, guard certificate, security officer registration, or state-issued guard card. Corporate Security's contracted security guards receive training that covers the following:

- Laws of arrest; search and seizure; crimes and elements; and use of force
- Report writing basics and documentation requirements
- Workplace violence recognition, response, and prevention
- AED<sup>1</sup> (where applicable), First Aid, and CPR<sup>2</sup> certification
- Clery Act and Campus Security Authority (CSA)
- Personal appearance and conduct that meets both security industry and UOPX standards
- Personal protection and patrols

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<sup>1</sup> Automated External Defibrillator

<sup>2</sup> Cardiopulmonary Resuscitation



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- Skills such as verbal communications, customer service, interviewing, and crowd control
- Monitor and control access to restricted areas both visually and electronically (where available)
- Operate, monitor, and/or respond to central alarms, energy management or building automation equipment, Uninterruptible Power Supply (UPS) systems, electronic photo badging equipment, digital cameras, and/or other devices or systems that require monitoring
- Maintain records and logbooks as required
  - Legibly complete daily logs of incidents occurring on or around the premises, time schedules, and other information as required
- Fire control, prevention, and evacuation procedures
- Provide response and assistance during emergency situations

## Annual Review of the Campus Safety Program

UOPX conducts an annual review of its campus safety program, including Clery Act-related obligations such as Campus Security Authority (CSA) identification, defining Clery Act geography, and updating each separate campus' Annual Security Report (ASR) to ensure continued compliance with Clery Act requirements.

## Safety Awareness and Crime Prevention

At UOPX, we take safety awareness and crime prevention measures seriously.

### *Crime Prevention Measures*

Part of crime prevention is being alert to and aware of your immediate environment. Here are some important ways you can help keep yourself, and the UOPX community, safer and more secure:

- Roll up windows and lock your car
- Always take and keep your car keys with you
- At night, travel in well-lit areas and in pairs, if possible; avoid short cuts and deserted areas
- Walk with a sense of purpose – show you are calm, aware, confident, and know where you are going
- Scan the area, around and inside your car, before entering
- Do not leave valuable items visible inside your car, including personal items and school related materials such as textbooks
- Do not park in isolated or poorly lit areas
- Leave valuable items at home
- Do not leave your personal property unattended
- Do not carry more cash than necessary
- Keep your purse, backpack, or briefcase close to your body
- Mark personal items that you bring on campus, including textbooks, laptops, and calculators with your name or some other traceable identification
- Never bring any kind of weapon onto UOPX property



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UOPX routinely provides safety tips, like the ones above, to the campus community (students, faculty, and staff) annually via email, MyPhoenix, intranet, and/or postings to the UOPX website but does not offer any other specific crime prevention training programs.

## Safety and Access to UOPX Facilities

Our goal is to provide an environment that is as safe and secure as possible. UOPX buildings and facilities are usually accessible to the public during business hours posted at each location; however, classrooms and office buildings are generally locked when not in use. Only faculty and staff members have access to secured administrative and institutional facilities. This restricted access is obtained using electronic access control badging systems or security locks. In addition to students signing in at the Student Resource Center (SRC) or front desk area, non-employees must be escorted by an employee throughout their visit to any restricted access areas. Certain areas at each local campus (e.g., Faculty Resource Center and IT Support rooms) have secured access for all non-authorized personnel. UOPX does not have any residence halls or provide student housing at any of its locations.

Below is a description of the security and access features for each UOPX facility (an “X” indicates the feature is provided):

	Access Control to/within Facility	Security Cameras	Intrusion Alarm	Duress Button	On-Site Duress Notification	Window Blinds	“No Weapons” Signage
<b>Arizona</b>							
Phoenix Main Campus <sup>3</sup>	X	X		X	X	X	X
<b>California</b>							
Central Valley Campus	X	X	X	X	X	X	X
Bakersfield Learning Center	X	X	X	X	X	X	X
Sacramento Valley Campus	X	X	X	X	X	X	X
San Diego Campus	X	X		X	X	X	X
Southern California Campus Main - Ontario	X	X	X	X	X	X	X
Gardena Learning Center	X	X		X	X	X	X
Murrieta Learning Center	X	X	X	X	X	X	X
Pasadena Learning Center	X	X	X	X	X	X	X
<b>Hawaii</b>							
Hawaii Main Campus	X	X	X	X	X	X	X
<b>Texas</b>							
Dallas Campus	X		X	X	X	X	X

## Maintenance at UOPX Locations

The Campus Safety Coordinator ensures campus maintenance issues affecting safety or potentially enabling criminal activity are resolved. The Campus Safety Coordinator must notify the appropriate facilities manager and request prompt attention to the problem.

<sup>3</sup> Relocated from 1625 W. Fountainhead Pkwy. to 4035 S. Riverpoint Pkwy. in November 2018





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University facilities management personnel or its agents maintain and repair campus facilities. This includes repairs to defective doors and locking mechanisms. Exterior lighting is another important part of our commitment to campus safety. Campus Safety Coordinators (and contracted security guards, where applicable) regularly check to ensure landscaping is not overgrown, pathways are well lit, and egress lighting is working in hallways and stairwells. Safety and security equipment such as alarms, video surveillance, and emergency call buttons are audited regularly by the Security Operations Center (SOC) to ensure that the equipment is functioning. We ask that you promptly report any problems or hazards you notice to your Campus Safety Coordinator or the SOC.

## Safety Programs

Each UOPX teaching location sponsors up to four safety events annually, which are conducted during a time and at a location (i.e., classroom or virtual platform) to maximize participation from all students, faculty, and staff. A common theme of our safety events is developing campus members' awareness of their responsibility for their own safety and the safety of others. We also focus on increasing security alertness.

The four safety events include 1) training describing the differences between a timely warning notification, an emergency mass notification, and a campus alert, 2) training on sexual assault awareness and prevention, 3) training designed to help recognize mental health issues and respond appropriately, and 4) training on recognizing the signs of relationship abuse. Please contact your Campus Safety Coordinator for information on where and when these educational events will occur.

New employees are also required to complete the "Campus Safety: Awareness, Prevention, and Action" online course within 30 days of employment. In this online course, employees learn key information on environmental, medical, and criminal risks and the role of Campus Security Authorities (CSAs).

## No Weapons on Campus

No weapons are permitted on UOPX property. Possession, use, or storage of weapons on land and/or buildings owned, leased, or under the control of UOPX or its affiliated/related entities<sup>4</sup> is prohibited. However, a limited exception to this prohibition applies to University-controlled property within the State of Arizona as provided for in A.R.S. § 12-781. Additionally, Corporate Security may choose to deploy authorized armed security personnel as needed.

A weapon is defined to include any object or substance designed to (or which could reasonably be expected to) inflict a wound, cause injury, incapacitate, or cause death including, but not limited to, all firearms (whether loaded or unloaded, simulated or real), devices designed to expel a projectile (e.g., bb gun, air guns, pellet guns, crossbow, bow and arrow, etc.), swords, clubs, explosives, incendiary devices, knives with blades longer than 3 inches, martial arts weapons, electroshock devices (e.g., TASER), and chemicals such as tear gas. Additionally, a weapon includes any dangerous instrument that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing serious injury or death.

**Exception:** UOPX will not prohibit a law enforcement official from bringing their weapon on campus if they are on official law enforcement business or otherwise required by their law enforcement agency to always carry their weapon with them. UOPX values its cooperative relationships with federal, state, and local law enforcement agencies. Further, for those UOPX locations under a lease, the property manager,

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<sup>4</sup> Geography that is separately and collectively referred to as "University controlled property"



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building owner, or landlord may restrict all carrying of weapons except for only on-duty qualified, active law enforcement officers while on their private property. Depending on specific federal and state regulations, this policy might be preempted if the property manager, building owner, or landlord posts such a restriction, which would prompt the Campus Safety Coordinator to seek further advice from Corporate Security, the Security Operations Center (SOC), and University Legal Services (ULS).

## *Non-Uniformed Law Enforcement Officers*

Students, faculty, and visitors who are qualified, active law enforcement officers that are off-duty and in plain clothes may request to carry their agency-approved firearm while on campus grounds. These requests should be directed to the Campus Safety Coordinator.

## *Exception Request Process for Students*

1. Student requests to the Campus Safety Coordinator must include a letter of authorization from the commanding officer/supervisor of the department regarding the requirement to carry their weapon while off-duty
  - a. The letter must be provided on department letterhead, signed by the commanding officer/supervisor of the department, and must confirm that the student is, in fact, a qualified, active law enforcement officer whose job requires the carrying of a weapon while off-duty
2. The Campus Safety Coordinator will provide the letter to the SOC for verification
3. The Campus Safety Coordinator will notify the student once the request is approved or denied
  - a. Approved students must sign-in at the front desk upon arrival
  - b. Denied students may secure the weapon in their vehicle while on campus
4. Students who have been approved via this exception process must re-verify with the Campus Safety Coordinator every two (2) years by showing their department-issued law enforcement identification
  - a. If the Campus Safety Coordinator is not able to verify the department-issued identification, the student will no longer be permitted to carry a weapon while on campus

## *Exception Request Process for Faculty*

1. Faculty requests to the Campus Safety Coordinator must include their department-issued law enforcement identification
  - a. If the department-issued police identification is verified, no further action is required
  - b. If the department-issued police identification cannot be presented or is non-verifiable, the officer will be advised that they are not permitted to carry a weapon while on campus
    - i. A faculty member who is an inactive (i.e., retired) law enforcement officer and requests to carry their weapon on campus will be denied
2. Verified faculty members must provide their direct supervisor's name, badge/employee number, and the expiration date on the department-issued law enforcement identification card
  - a. If the department-issued law enforcement identification card references an expiration date, the faculty member must be re-verified with the Campus Safety Coordinator prior to the noted expiration date
3. Approved faculty must sign-in at the front desk upon arrival
4. Denied faculty may secure the weapon in their vehicle while on campus



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## Exception Request Process for Visitors

- Upon arrival, the non-uniformed law enforcement officer must approach the front desk area to notify the front desk personnel of their presence on the campus, officially sign-in, show the front desk personnel their state-issued police identification, and state their purpose for being on the property
  - If the department-issued police identification is verified, no further action is required
  - If the department-issued police identification cannot be presented or is non-verifiable, the officer will be advised that they are not permitted to carry a weapon while on campus

## Cooperation with Law Enforcement Agencies

UOPX values its cooperative relationships with federal, state, and local law enforcement agencies. In addition to annual consultations for crime statistics reporting, Campus Safety Coordinators maintain working relationships with local law enforcement.

Occasionally, UOPX may employ contract-based, off-duty police officers. Currently, there is not a formal Memoranda of Understanding (MOU) in place with state or local law enforcement agencies and any of our campuses. Every campus does contact, at least annually, the local authorities which have jurisdiction over our Clery geography for annual crime statistics reporting purposes. In addition, law enforcement agencies are contacted in the event of an emergency on or near campus that would require their involvement.

On-going, cooperative communications and safety awareness programs may include:

- Inviting local law enforcement officers to participate in events on-campus
- Extending courtesy use of unused classroom space during business hours for training functions
- Requesting walkthroughs or safety assessments

## Reporting and Disclosure of Campus Safety Policies and Annual Crime Statistics

UOPX provides annual notice of the reporting and disclosure of campus safety policies and annual crime statistics to current students, faculty, and staff.

### *Notifying the UOPX Community*

Every year, UOPX community members (i.e., active students, faculty, and staff) receive a notice of the *Annual Security Report (ASR)* electronically. The notice:

- Discloses that annual crime statistics are part of the annual security reports and are available on the University's public website
- Provides the exact electronic website address where each report is located:  
[https://www.phoenix.edu/about\\_us/campus-safety.html](https://www.phoenix.edu/about_us/campus-safety.html)
- States how to request a paper copy of the reports (each separate campus has their own ASR)

**NOTE:** Please contact a [Campus Safety Coordinator](#) or any campus representative to request a paper copy of a current ASR.



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## *Notifying Prospective Students, Faculty, and Staff*

Inquiries from prospective employees (e.g., applying for employment) or prospective students (e.g., requesting enrollment information) will elicit a response from UOPX that contains the link to access the annual security reports, a brief description of content in the reports, and a statement that a paper copy will be provided upon request.

## *Procedure for Gathering and Disclosing Annual Crime Statistics*

UOPX encourages accurate and prompt reporting of all crimes.

**Note:** A police report must be filed for loss, destruction, or theft of UOPX property, which is considered traceable (i.e., includes a serial number), even if the property was not stolen from a UOPX location. Individual victims may choose to file a police report for the loss, destruction, or theft of personal property and we encourage them to do so. Upon request, the Campus Safety Coordinator may be able to assist with submitting police reports for personal property.

The Clery Compliance Officer prepares and distributes each separate campus' *Annual Security Report* on behalf of UOPX. The Clery Compliance Officer is responsible for:

- Ensuring these *Campus Safety Policies* are reviewed and updated annually by respective subject matter experts to maintain continued compliance
- Reviewing all crime reports submitted by the CSAs to ensure the appropriate crime classifications and that Clery Act geographic locations are properly notated for insertion into the applicable location's *Annual Security Report* and/or crime log
- Reviewing all crime data received by the Campus Safety Coordinators from local law enforcement for reportable criminal activities occurring at UOPX locations and ensuring this information is not reported twice in the crime statistics

## *The Campus Crime Log*

The Campus Safety Coordinator also maintains a *Campus Crime Log* of **all** reported criminal incidents and alleged criminal incidents (not just Clery Act crimes) that occurred on-campus, in or on noncampus buildings or property, on public property within the campus or immediately adjacent to and accessible from the campus, or in areas within the patrol jurisdiction of the UOPX Corporate Security contracted guards. The *Campus Crime Log* must be made available to the public and maintained at the front desk area for inquiring individuals. In the event a location does not have a front desk area, the *Campus Crime Log* will be kept in the Student Resource Center (SRC) (if one is on-campus). In rare instances where there is no front desk and no SRC, the Campus Safety Coordinator will retain the *Campus Crime Log*. The *Campus Crime Log* does not contain personal or private information regarding victims or witnesses of reported crimes.

The *Campus Crime Log* for the most recent 60-day period must be open to public inspection, free of charge, upon request, during normal business hours. Anyone may have access to the *Campus Crime Log*, regardless of any association with UOPX. Any portion of the *Campus Crime Log* that is older than 60 days must be made available within two (2) business days of a request for public inspection. An archived *Campus Crime Log* must be kept for seven (7) years.



## Reporting Policy

### Reportable Offenses

The Clery Act delineates the violations which need to be reported. University of Phoenix (UOPX) annual security reports include all Clery Act crimes reported to Campus Security Authorities (CSAs) and local law enforcement agencies (collected by the Campus Safety Coordinator through an information request) that meet Federal Bureau of Investigations (FBI) crime definitions. Reportable crimes are not limited to FBI-defined offenses, however.

### *Clery Act Crimes*

The following Clery Act crimes meet definitions in the FBI's Uniform Crime Reporting (UCR) Program. For the categories of Domestic Violence, Dating Violence, and Stalking, definitions are provided by the Violence Against Women Reauthorization Act of 1994 (VAWA) and repeated in the U.S. Department of Education's Clery Act regulations.

**Criminal Offenses:** Murder and Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson

**Hate Crimes:** Any of the above-mentioned Criminal Offenses (excluding Manslaughter by Negligence) and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias

**VAWA Offenses:** Any incidents of Domestic Violence, Dating Violence, and Stalking

**Arrests and Referrals for Disciplinary Action:** Weapons Law Violations (Carrying, Possessing, etc.), Drug Abuse Violations, and Liquor Law Violations

### *Crime Definitions*

#### ***Criminal Offenses***

**Criminal Homicide—Murder and Nonnegligent Manslaughter:** The willful (nonnegligent) killing of one human being by another.

**Criminal Homicide—Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sexual Assault—Sex Offenses<sup>5</sup>:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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<sup>5</sup> Sexual Assault is also a Violence Against Women Act of 1994 (VAWA) offense but is included in the Criminal Offenses category for Clery Act reporting purposes



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- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** 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 by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**Arson:** 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 property of another, etc.

## *Hate Crimes*

A **Hate Crime** is a crime reported to local police agencies or to a CSA that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. **Bias** is an expressed negative opinion or attitude toward a group of persons based on actual or perceived race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

**Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

**Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender.

**Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

In addition to Criminal Offenses (excluding Manslaughter by Negligence), VAWA Offenses, and Arrests/Referrals for Disciplinary Action, Hate Crime reporting includes four additional offenses:

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included.



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**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Before an incident can be classified as a Hate Crime, sufficient, objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

## VAWA Offenses

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** – A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with who the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## Arrests and Referrals for Disciplinary Action<sup>6</sup>

These include persons arrested for liquor law violations, drug law violations, and illegal weapons possession as well as persons referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession. *Referred for campus disciplinary action* is the referral of any person to any campus official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

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<sup>6</sup> Violations of state and local laws



# Campus Safety Policies

**Weapons Law Violations** – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Abuse Violations** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations** – The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## *“Unfounded” Crimes*

UOPX will disclose the total number of “unfounded” crimes in its annual security reports. While rare, UOPX may remove a reported crime from its crime statistics if a sworn or commissioned law enforcement official has fully investigated the reported crime and, based on the results of this full investigation and the evidence, had made a formal determination that the crime report is false or baseless and has been determined to be “unfounded.” A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred. Alleged crimes will be reported in our annual security reports even if an investigation determined the allegation to be inconclusive or unsubstantiated.

## *Reportable Locations*

The Clery Act requires institutions to disclose statistics for reported crimes based on **where** the crimes occurred. UOPX discloses statistics for reported Clery Act crimes that occur within our Clery geography. Crimes that occur outside our Clery geography are not included in the annual security reports or crime logs, even if UOPX students or employees are involved.

For the purposes of collecting statistics on the crimes listed in [Clery Act Crimes](#) section, Clery Act geography includes—buildings and property that are part of the institution’s campus (i.e., **on-campus**), the institution’s **noncampus** buildings and property, and **public property** within or immediately adjacent to and accessible from the campus. For the purposes of maintaining the crime log, Clery Act geography also includes areas within the patrol jurisdiction of the campus security department.

**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 that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**Noncampus:** 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.

*NOTE:* The University does not have any officially recognized student organizations with off campus locations.





# Campus Safety Policies

**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.

UOPX includes the following reporting location, **Reported by Local Police**, when it cannot determine whether the statistics obtained from local and/or state law enforcement agencies are for incidents within our defined Clery geography:

**Reported by Local Police:** Applicable statistics reported by local and state law enforcement not already included in the University's annual security reports.

See the [Appendix C](#) for UOPX Clery Act geography by location.

## *Monitoring Off Campus Locations of Recognized Student Organizations*

UOPX does not have any officially recognized student organizations with off campus (i.e., noncampus) locations and therefore does not monitor or record criminal conduct occurring at such locations.

## *Reporting Criminal Activities*

UOPX does not regularly contract with local police to be present on our local campus locations. In an emergency, dial **9-1-1** for help. We encourage accurate and prompt reporting of all criminal actions, emergencies, or other incidents, whether on- or off-campus, to the Security Operations Center (SOC) and the state or local police agencies when the victim of crime elects to, or is unable to, make such a report. UOPX campuses do not have a campus police department and UOPX security personnel do not have the authority to make law enforcement arrests. Further, UOPX currently does not have any formal Memoranda of Understanding (MOU) between its local campus locations and any law enforcement agencies (local or state); however, each UOPX location works to maintain a close working relationship with local law enforcement. UOPX has a centralized campus security department located at the Phoenix Main Campus that establishes policy, protection strategies, and response strategies.

UOPX Corporate Security provides security guards (via third-party contracted guard services) on its UOPX properties. You can report on-campus incidents for the purpose of making timely warning reports and the annual statistical disclosure to UOPX Corporate Security's contracted guards directly, in addition to any Campus Security Authority (CSA) or Campus Safety Coordinator. You may report criminal activity on a voluntary, confidential basis by contacting the Ethics Helpline at (888) 310-9569.

The Campus Safety Coordinator will contact the local police departments at least annually to request crime data for reportable criminal activities occurring at UOPX locations. By October 1 of each year, the Clery Compliance Officer will compile and distribute the annual security reports on behalf of UOPX.

Recognized Student Organizations (RSOs) are permitted to use classroom space at local campus locations for meetings in accordance with the guidelines outlined in the *Recognized Student Organizations Handbook*. There are no RSOs that are part of our "noncampus" geography. University personnel and UOPX Corporate Security's contracted guards do not monitor locations away from campus. However, we encourage you to report any emergency, criminal incident, or concern to local law enforcement and/or to your Campus Safety Coordinator as appropriate.

## *Reporting Emergency Criminal Activities*

In emergencies, **dial 9-1-1 first.**



# Campus Safety Policies

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**9-1-1** answers calls 24/7/365. The local police, fire, or medical departments will respond accordingly.

**First, call 9-1-1** to report criminal offenses. You may use other emergency response numbers to reach public emergency response agencies.

**Second, call the Security Operations Center (SOC).** In the event the criminal offense involves intent to harm, or an act of violence please contact the SOC *after* calling **9-1-1** so that it may respond to the situation as soon as possible. The SOC can be reached 24/7/365 at (866) 992-3301.

After calling **9-1-1** and the **SOC**, report emergency incidents and crimes to the Campus Safety Coordinator so they may also respond.

## *Reporting VAWA Offenses*

UOPX strongly encourages reporting of sex and gender-based discrimination, harassment, and violence, including acts of dating violence, domestic violence, sexual assault, and stalking. Reporting may be made at any time.

Complainants are encouraged to:

- Get to a safe place
- Dial **9-1-1**, if in immediate danger or seriously injured
- Accurately and promptly report the incident to the police and pursue criminal charges
- Seek medical treatment as soon as possible, including the collection and preservation of evidence that may assist in obtaining a protection order or prove an offense occurred (while sexual assaults may not result in external physical injuries, it is important to receive medical attention to check for internal injuries)
- Access support services provided by UOPX
- Report any incident to the Security Operations Center (SOC) at (866) 992-3301, Campus Safety Coordinator, Title IX Coordinator at (602) 557-1823 or [TIXC@phoenix.edu](mailto:TIXC@phoenix.edu), and/or the Ethics Helpline at (888) 310-9569 or <http://UOPXhelpline.com>

## *Reporting Weapons on Campus*

No weapons are permitted on campus. In the event anyone brings a weapon on campus, call the SOC so that it may respond to the situation as soon as possible. If a threat or danger to the campus community is perceived, **call 9-1-1** to report the weapon. UOPX Corporate Security may choose to deploy authorized armed security personnel as needed. **Next, call the SOC** so that it may respond to the situation as soon as possible. After calling **9-1-1** and the **SOC**, report the weapons incident to the Campus Safety Coordinator so they may also respond.

## *Reporting Criminal Activity to the SOC or Campus Safety Coordinator*

CSA reporting contacts report crimes directly to the Security Operations Center (SOC) or to the designated Campus Safety Coordinator (for additional information on the University's CSA reporting contacts, please see the Safety and Security section of the Campus Safety Policies). A designated Campus Safety Coordinator is available at all UOPX teaching locations for students, faculty, and staff.



# Campus Safety Policies

The Campus Safety Coordinator has the official capacity to document all reports relating to crime at UOPX locations. All UOPX locations have at least one CSA.

A list of [Campus Safety Coordinators](http://www.phoenix.edu/about_us/campus_safety/campus_safety_contact_list.html) is on the UPOX website at [www.phoenix.edu/about\\_us/campus\\_safety/campus\\_safety\\_contact\\_list.html](http://www.phoenix.edu/about_us/campus_safety/campus_safety_contact_list.html).

## Employee Reporting Process

UOPX employees are responsible for properly reporting health, property, and safety incidents using the [Online Incident Report Form](#). Employees are encouraged to complete the form within two (2) business days from when an incident occurred (or upon first knowledge of the incident). Incidents are automatically routed to the applicable departments where appropriate action is taken.

## Anonymous Reporting of Crimes

UOPX encourages students, faculty, and staff to report any suspicious or criminal activities that occur at a UOPX location or on nearby public property. You may request confidentiality or anonymity when making crime reports to law enforcement. Below are national and local anonymous tip lines for those cities that have a UOPX location.

<b>Arizona</b>	
Phoenix	(480) 948-6377
<b>California</b>	
Bakersfield	(661) 322-4040
Fresno	(559) 498-7867
Sacramento	(916) 874-8477
San Diego	(888) 580-8477
Ontario	(800) 782-7463
Gardena	(800) 222-8477
Murrieta	(800) 950-2444
Pasadena	(800) 222-8477
<b>Hawaii</b>	
Kapolei	(808) 955-8300
<b>Texas</b>	
Dallas	(877) 373-8477

Reports can also be made securely via the Ethics Helpline. The [Ethics Helpline](#) is operated by a third-party provider and available 24/7/365 at (888) 310-9569 or online at <http://www.UOPXhelpline.com>. Reports to the Ethics Helpline will be treated confidentially to the maximum extent possible. You may also choose to make your report anonymously. When calling the Ethics Helpline, please provide as much information as possible, including:

- Circumstances of the crime noted (names, dates, times, places)
- Campus, department, and individuals involved
- Location of any available evidence (physical evidence or records)
- Names and telephone numbers of witnesses
- Caller’s name and telephone number if you choose not to remain anonymous



# Campus Safety Policies

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UOPX does not disclose personally identifiable information (PII) about the victim or other parties in its Campus Crime Statistics at [http://www.phoenix.edu/about\\_us/campus-safety.html](http://www.phoenix.edu/about_us/campus-safety.html), or in the public Campus Crime Log. PII about suspects may be shared if it would serve the public interest in Timely Warning Notifications or in other publicly available information.

## ***Staff Support***

The Security Operations Center (SOC) provides staff support 24/7/365 to report information at (866) 992-3301.

## ***Confidential Reporting to a Counselor***

UOPX operates educational training facilities known as Counseling Skills Centers at the Phoenix Main Campus (in-person services) and Southern California Campus Main - Ontario (virtual telehealth services). These Counseling Skills Centers model mental health clinics and offer complimentary services to members of the University and local community. Centers are staffed by counseling graduate students who work under the direct supervision of licensed, experienced professionals. For more information, or to contact a [Counseling Skills Center](#) near you, please visit <http://www.phoenix.edu/students/counseling-skills-centers.html>. To make an in-person appointment at the Phoenix Main Campus please call (602) 557-2217. To make a virtual telehealth appointment at the Southern California Campus - Ontario, please call (909) 472-3798.

Crime victims seeking professional counseling through the Counseling Skills Centers will have their information kept in confidence. Even if a victim gives the professional counselor permission to release their identity, the counselor may only report the occurrence of the event itself to be included in the annual crime statistics, unless otherwise required by law.

UOPX does not have pastoral counselors, and it does not have policies or procedures that encourage its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.



## Notifications Policy

### University of Phoenix Community Notifications

This policy outlines the procedures University of Phoenix (UOPX) will use to determine whether to issue Timely Warnings, Emergency Mass Notifications, or Campus Alerts in response to reported incidents or emergencies in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) (“Clery Act”) and its implementing regulations.

### Timely Warnings

In the event of any Clery Act crime occurring within the Clery geography of our UOPX locations which may pose a serious or ongoing threat to the UOPX community, the Clery Compliance Officer, with assistance from Corporate Security, the Security Operations Center (SOC), and designated Campus Safety Coordinators, may issue a “Timely Warning.” See [Appendix D](#) for the list of Clery Act crimes and [Appendix E](#) for Clery geography. Timely Warnings are specific to Clery Act crimes; therefore, non-Clery Act crimes may warrant a “[Campus Alert](#).” The purpose of a Timely Warning is to notify the UOPX campus community of an incident and to provide information that may enable community members to better protect themselves from similar incidents.

### *Criteria for Issuing a Timely Warning*

The UOPX [Clery Compliance Officer](#), with assistance from designated [Campus Safety Coordinators](#), will issue a Timely Warning whenever the following criteria are met:

- 1) A Clery Act crime is reported to a Campus Security Authority (CSA) or local law enforcement,
- 2) The crime occurred in a Clery reportable location,
- 3) The perpetrator has not been apprehended, and
- 4) There is a serious or ongoing threat to the campus community because of this crime.

It is important to note that the Clery Compliance Officer is not required to issue a Timely Warning for every crime reported but must, at a minimum, follow Clery Act guidelines. When making their decision, they may consult with local law enforcement. The decision to issue a Timely Warning shall be made on a case-by-case basis in conjunction with all the facts surrounding the crime(s), including the nature of the crime and the continuing danger to the campus community while considering the following questions:

- Was the suspect identified?
- Was the suspect apprehended?
- Did the incident involve physical violence?
- Has the suspect threatened to commit physical violence?
- Did the incident involve multiple victims?
- Does it appear to be an isolated incident involving a specifically targeted victim?
- Does the reported incident reveal a pattern of behavior (e.g., by suspect, by a particular group or organization, around a particular recurring event or activity, or at a particular location?)
- Did the suspect use drugs or intoxicants to perpetrate the crime?



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- Did the incident occur while the victim was unconscious, physically helpless, or unaware that it was occurring?
- Were there other aggravating circumstances or signs of predatory behavior that may constitute a serious or ongoing threat?

To facilitate a prompt determination regarding the issuance of a Timely Warning, all CSAs are directed to immediately report Clery Act crimes to the Security Operations Center (SOC) at (866) 992-3301. SOC personnel are available 24/7/365. The SOC also works with appropriate local police agencies to ensure these agencies inform UOPX when they learn of a reported incident which may necessitate a Timely Warning. In the event of an emergency, always call **9-1-1** first.

The Clery Compliance Officer, with assistance from Corporate Security, the SOC, and designated Campus Safety Coordinators, is responsible for making a Timely Warning using the aforementioned criteria guided by a “Timely Warning Matrix” (see [Appendix F](#)). If the Timely Warning criteria are met, the Clery Compliance Officer will draft a notice using a template as soon as pertinent information is available. Timely Warnings are generally distributed via posters in visible, accessible areas at UOPX locations. Timely Warnings may also be distributed via email, on-site digital video monitors, or with messages on UOPX intranet/internet sites, when appropriate. A combination of communication methods may be used, and not all distribution methods may be used for every incident.

## *Content of a Timely Warning*

The following information is included in a Timely Warning when such information is available, while also protecting the confidentiality of the victim to the maximum extent possible:

- A description of the reported offense, including the nature and severity of the threat and the persons or locations that might be affected
- Physical description of the suspect
- Relevant contact information
- Appropriate safety tips

If the Timely Warning is an update on a previously issued Timely Warning, the notice should be captioned “Updated Timely Warning.”

When issuing a Timely Warning, UOPX (i.e., Clery Compliance Officer, Campus Safety Coordinator, SOC, Corporate Security) may elect to withhold some specific information if there is a possible risk of compromising law enforcement efforts to investigate and/or apprehension of a suspected violator.

In those cases where UOPX issues an [Emergency Mass Notification](#) in response to an incident on campus that represents a significant threat to the health or safety of the campus community, UOPX is not required to issue a Timely Warning if UOPX also provides applicable updates regarding the nature of the situation.

## Emergency Mass Notifications

The purpose of this section is to outline UOPX’s emergency response and evacuation procedures, including protocols for emergency notifications in those situations that represent a significant emergency or dangerous situation affecting the health and/or safety of the campus community where



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UOPX will issue an emergency notification without delay, unless issuing a notification would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Our response to an emergency is designed to ensure there is an expeditious and effective reaction in the event of a significant emergency or dangerous situation occurring at a UOPX location involving an immediate threat to the health or safety of members of the campus community. Dangerous situations may not be directly on a campus, but rather that the situation presents a danger to a campus. Such situations include, but are not limited to, fire/smoke/explosion, severe weather, hazardous material, earthquake/power outage, active shooter, disease outbreaks, bomb threats, etc. UOPX has communicated with local police requesting their cooperation in informing us about situations reported to them that may warrant an emergency response to our campus community.

## *Emergency Response Procedures*

In the event a significant emergency or dangerous situation occurs, the Security Operations Center (SOC) in conjunction with UOPX Corporate Security (when possible) will 1) confirm the existence of a significant emergency or dangerous situation, 2) determine the appropriate segment(s) of the campus community to notify, 3) determine the content of the emergency notification, and 4) initiate the emergency notification system.

## *Confirming the Existence of a Significant Emergency or Dangerous Situation*

The SOC or Corporate Security may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, the SOC and Corporate Security become aware of these situations when they are reported by other campus personnel, or upon discovery during patrol or other assignments. Some emergencies may be reported through outside sources, for example infectious diseases through the Centers for Disease Control and Prevention (CDC).

By calling (866) 992-3301 or through emergency/panic alarms installed at some locations, the SOC may be notified of significant emergencies by any member of the campus community including students, faculty, staff, or visitors. These notices are issued when the SOC confirms with UOPX Corporate Security, the local campus director, the designated Campus Safety Coordinator, local authorities, or verified media source that there is a significant emergency or a dangerous situation involving an immediate threat to the health or safety of members of the UOPX community. The process used to confirm the existence of a significant emergency or dangerous situation involves multiple layers of information gathering and multiple people and departments. While confirmation does not necessarily mean all pertinent details are known or available, confirmation does include when internal individuals (i.e., local campus director and/or Campus Safety Coordinator), internal departments (i.e., Corporate Security and SOC), and external sources (i.e., local authorities and/or verified media sources) have verified a legitimate emergency or dangerous situation exists. The processes for confirming such situations are coordinated by Corporate Security, the SOC, and, if necessary, the Crisis Management Team<sup>7</sup> in-office, over the phone, and via email. Once confirmed, the SOC is responsible for initiating the emergency response and for marshaling the appropriate local emergency response authorities for assistance.

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<sup>7</sup> Designated staff from Legal Services, Corporate Security, Human Resources, Marketing, Real Estate & Facilities, Campus Operations, Student Services, and other departments as deemed necessary



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Once the SOC and/or Corporate Security confirms there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety to some or all members of the campus community, the SOC will issue an emergency notification.

## *Initiating the Emergency Notification System*

In the event of a situation that poses an immediate threat to members of the campus community, UOPX has various systems in place for communicating information quickly. Some, or all, of these methods of communication may be activated for an emergency notification to all or a segment of the campus community. These methods of communication may include the mass notification system's (i.e., AppArmor) text alerts, email alerts, push notifications through Phoenix Safe<sup>8</sup>, and/or phone calls/voicemails; the UOPX email system, intranet, and/or Yammer page; social media announcements; and banners posted on the [UOPX website](https://www.phoenix.edu/) at <https://www.phoenix.edu/>. UOPX may post updates during a critical incident on our external and internal homepages. If the situation warrants, UOPX will establish either a dedicated telephone number or email address to communicate with the campus community for the duration of an emergency situation. UOPX may also utilize posters and/or other simple systems where technology support is unavailable. The selection and implementation of any of these methods will be made with the goal of notice to the impacted members of the campus community as rapidly as possible.

Notification methods/systems include, but are not limited to:

- Technology alerts – No formal sign-up required. Students, faculty, and staff are responsible, though, for ensuring current and accurate contact information is on file with UOPX.
  - Text messaging
  - Push notifications through the Phoenix Safe mobile application (requires opt-in)
  - Recorded messages to phones or similar devices
  - E-mail notifications
- Visual alerts – No formal sign-up or opt-in required. Visit UOPX homepages, message boards, or student website.
  - News releases
  - Electronic alerts via intranet and internet,
  - Posters on entry doors, bulletin boards, or other accessible areas at a UOPX location
- Person-to-person directives – No formal sign-up or opt-in required. Students, faculty, and staff are responsible, though, for ensuring current and accurate contact information is on file with UOPX.
  - Door-to-door notifications
  - Direct phone calls
  - Phone trees
  - Other media releases

If UOPX activates its emergency notification system in response to a situation that poses an immediate threat to members of the campus community, several offices at UOPX are responsible for notifying the larger community, if warranted, such as the Public Relations Department and the Social Media Team, about the situation and steps UOPX has taken to address the emergency. Primarily, the Public Relations

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<sup>8</sup> Phoenix Safe is an emergency notification service and comprehensive safety application available to students, faculty, and staff. The Phoenix Safe application is a free download in the Google Play and Apple Store marketplaces. Download of the Phoenix Safe application is completely optional and does not prevent any student, faculty, or staff from receiving an emergency notification





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Department is responsible for crisis communications and for maintaining communications with national, regional, and local news outlets.

The authorized representatives at UOPX to initiate all or some portions of the emergency notification system in an emergency, urgent, or important situation include individuals in the following areas:

- Corporate Security
- Security Operations Center (SOC)
- Crisis Management Team

Depending on the severity of the incident, the SOC has the authority to send an emergency notification. If the incident is a large-scale emergency, as determined by the SOC's supervisor or a member of Corporate Security, that individual will be responsible for making decisions regarding the emergency notification.

If, in the professional judgment of the Corporate Security Team and/or Crisis Management Team, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, UOPX may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, UOPX will issue the emergency notification to the campus community or applicable segment of the campus community.

## ***Determining Appropriate Segment(s) of Campus Community for Notification***

Guard services contracted by UOPX or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area (i.e., the building, adjacent buildings, or surrounding area) of the dangerous situation will receive the emergency notification first. UOPX may issue subsequent notifications to a wider group of campus community members. UOPX will generally distribute emergency messages to the entire campus community unless there is reason to notify specific segments only.

## ***Contents of the Emergency Notification***

Corporate Security and/or the Crisis Management Team will determine the contents of the notification based on each situation. The Security Operations Center (SOC) has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no existing predetermined template messages, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the campus community. The goal is to ensure the campus community is aware of the situation, and that they know the steps to take to safeguard their personal and community safety.

UOPX generally employs a three-step emergency notification process where the initial notification alerts the campus community, the second notification provides a status update (if applicable), and the final notification provides reassurance and/or release from the emergency. The emergency mass notification message content guidelines for emergency or urgent situations includes:



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- 1) Initial notification
  - a. Emergency communications should contain the following information:
    - i. First word: EMERGENCY
    - ii. Location, date, and time of incident
    - iii. Brief incident description and immediate action required
    - iv. Anticipated action required, if known (optional)
    - v. Status of campus (e.g., closed, shelter in place) (optional)
    - vi. Additional details necessary to preserve safety and security (optional)
  - b. Urgent communications should contain the following information:
    - i. First word: URGENT
    - ii. Location, date, and time of incident
    - iii. Brief incident description and immediate action required
    - iv. Anticipated action required (optional)
    - v. Status of campus (e.g., closed, shelter in place) (optional)
    - vi. Additional details necessary to preserve safety and security (optional)
    - vii. Website or contact information for additional information (optional)
- 2) Follow-up or status update notification
  - a. Follow-up/status update notifications are sent after an initial notification message has been previously disseminated. These notifications are released when there is new information or instructions for the UOPX community, such as changes in protective actions. Messages are also sent at appropriate intervals to reiterate the current state of emergency, especially if significant time has passed since the last update.
- 3) All clear notification
  - a. An “all-clear” notification should be sent when an immediate threat passed or the situation ended, or at the conclusion of an event when it is helpful to provide a releasing message
    - i. First words: ALL CLEAR
    - ii. Location, date, and time of releasing notice
    - iii. Actions required to resume normal campus operations (optional)
    - iv. Explanation of the resolution/conclusion of the incident (optional)
    - v. Website or contact information for additional information (optional)

## *Emergency Notification Administration and Maintenance*

The Security Operations Center (SOC) is responsible for maintaining copies and tracking all emergency notifications. UOPX executive leadership, Corporate Security, the Crisis Management Team, and the SOC will receive copies of all notifications and alerts. Campus Safety Coordinators also maintain records of all emergency notifications for their location, including tests of the emergency notification system, in the private “CSA Notebook.”

Corporate Security and the Clery Compliance Officer is responsible for maintaining policies and procedures related to the Emergency Mass Notification (EMN) processes. These processes, policies, and procedures include the following elements:

- Establishing and communicating processes to report potential issues to the SOC and the Crisis Management Team for its review and consideration
- Creating and implementing campus community training regarding the emergency notification process including:
  - Determining how potential issues should be reported
  - Maintenance of emergency contact information



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- Appropriate response procedures when the emergency notification system is used
- Developing and maintaining overlapping and redundant backup systems to support
- Providing written procedures used by the SOC and Crisis Management Team to administer the emergency notification processes
- Tracking and retention of all emergency notifications sent
- Ensuring appropriate staff coverage and call trees to activate the emergency response system
- Overseeing periodic testing, at least annually, of emergency notification systems and processes, documenting the following:
  - Evacuation and lock-down systems
  - Scheduled exercises to ensure students, faculty, and staff are aware of the emergency response and notification process
  - Document whether the emergency notification annual test was announced or unannounced
  - Publicize the emergency notification and evacuation procedures in conjunction with at least one test per year
  - Response of the emergency notification test
  - Date, time, and description of the exercise
  - Maintain test records for seven years

## ***Monitoring and Enforcement***

If any individual does not comply with this policy or if UOPX determines that any actions were inappropriate or inconsistent with the law, or any UOPX policy, standard, or guideline, UOPX may take corrective action against students, faculty, and staff. This can include termination and appropriate actions as described in the student, faculty, and staff handbooks or similar governing guides.

If UOPX determines individuals are or have been engaged in criminal activity, UOPX may refer this matter to law enforcement and provide any related documentation to assist in prosecution.

## ***Maintenance of Emergency Contact Information***

Students, faculty, and staff are responsible for having current and accurate information on file with UOPX to ensure they receive notifications from the emergency notification system. UOPX does not assume responsibility for incorrect contact information on file. Incorrect contact information may result in no notification due to technical malfunctions; human or technical error; lost, delayed, or otherwise compromised data; interruption, deletion, defect, or failures of any telephone or computer line or network, costs, computer equipment, and software; or any other factors which may cause a lost notification.

UOPX has an automated process in place to update contact information in the emergency notification system using relevant data sources on a regular basis.

## ***Frequently Asked Questions for Emergency Notifications***

### ***I'm not getting alerts when I think I should. What can I do?***

Alerts are sent using the contact information in the UOPX database. Students, faculty, and staff are responsible for having current and accurate information on file with UOPX. Please check to ensure your information is correct.



# Campus Safety Policies

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*NOTE:* Some individuals may be associated with more than one UOPX location. These recipients may only receive notifications for their primary location.

- **Students** and **faculty** may update personal contact information on their MyPhoenix profile
- **Staff** may update personal contact information through MyHR

***My department is having a special event. Can I use the EMN system to send invitations?***

No. The EMN system is only for emergencies and campus alerts (as defined below).

***I only attend classes online. Why am I receiving these alerts?***

Many of our students utilize our UOPX locations and resources despite their class being online. For this reason, our notifications are intended to advise all members the campus community of a disruption.

## Campus Alerts

There are circumstances for issuance of a notice that is broader than the minimum Clery Act requirements of a Timely Warning or Emergency Mass Notification (EMN), and UOPX will issue a “Campus Alert” when deemed appropriate. For example, the Security Operations Center (SOC), Corporate Security Department, Clery Compliance Officer, or Campus Safety Coordinator may choose to issue a Campus Alert via phone, email, text, or push notification (via the Phoenix Safe app) to notify the campus community of a situation. The content of a Campus Alert may vary depending on the type of incident reported, circumstance, and the location of the occurrence.

Examples of a Campus Alert include location closings or delayed openings, significant systems/network outages, recurring non-Clery Act crimes, or other important information that must be disseminated to the University or segments of its population quickly. The decision to close or modify the operating hours of a location is at the discretion of the campus director, senior management, or their designee. All closings or delayed opening decisions must be reported to the SOC as soon as possible. The SOC will then send a campus alert to the appropriate recipients according to the impacted location. The content of these notifications will follow templates developed by the SOC. Alerts regarding location closings or delayed openings will only be sent during the hours of 7:00 AM to 9:00 PM local time (campus directors may contact the SOC at any time to schedule these alerts).



# Campus Safety Policies

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## Alcohol & Drug Abuse Prevention Policy

### Policies and Programs Concerning Alcohol and Drugs

University of Phoenix (UOPX) abides by federal Drug-Free Workplace Act and Drug-Free Schools and Communities Act regulations, regardless of individual state policies. UOPX prohibits the use, sale, possession, or distribution of illicit alcohol and drugs on University Controlled Property<sup>9</sup> or at a UOPX function and complies with state underage drinking laws. (Note: the legal drinking age in the United States is 21 and over.) Misconduct violations relating to our Student Code of Conduct, Faculty Code of Conduct, related employee alcohol and drug abuse prevention policies, and Code of Ethics are subject to disciplinary sanctions. Consequences UOPX may impose for inappropriate behavior can be severe, up to and including dismissal from the University. If an individual is found violating any alcohol or drug related law while on University Controlled Property or at a UOPX function, UOPX will fully cooperate with federal, state, and local law enforcement agencies, as appropriate.

UOPX has established the following activities to generate awareness, prevent misconduct, and provide assistance in the event of alcohol and drug abuse:

- All new students must acknowledge the [Academic Catalog](#), which includes Alcohol and Drug Abuse Prevention, the Student Code of Conduct, and other Prohibited Conduct
- Each year, all students, faculty, and staff receive notifications informing them of the location of [Campus Safety Policies](#) and the University's [Consumer Information Guide](#)
- [Campus Safety Policies](#), specifically this Drug & Alcohol Abuse Prevention policy and the Sexual Violence Prevention policy, are available to all students, faculty, and staff on the public University website or upon request
- Students, faculty, and staff are encouraged to report instances of alcohol and other drug abuse:
  - Students can report concerns to faculty members, the local Campus Safety Coordinator, or on their end of course surveys
  - Faculty can report concerns to Academic Affairs, the local Campus Safety Coordinator, or on their end of course surveys
  - Staff, including faculty, can report concerns to their immediate supervisors or Human Resources
- Students, faculty, staff, visitors, or business partners can report concerns to the [Ethics Helpline](#) at (888) 310-9569 or online at <http://www.UOPXhelpline.com>
- Alcohol-related advertising or promotions are not permitted on-campus
- The local [Campus Safety Coordinator](#) maintains a list of local treatment facilities as well as alcohol and drug abuse counseling resources for individuals and their family members
- Employee benefits and student assistance programs offer resources to assist with alcohol and drug addiction related issues
- The University conducts a biennial review of its alcohol and drug abuse prevention program to:
  - Determine its effectiveness and implement changes to the program if they are needed
  - Ensure that its disciplinary sanctions are consistent and enforced

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<sup>9</sup> Land and/or in buildings owned, leased, or under the control of UOPX or its affiliated or related entities.



# Campus Safety Policies

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## *Alcohol and Drug Abuse Prevention and Assistance*

Every UOPX location offers sexual assault awareness and prevention training annually to students, faculty, and staff, including information about how alcohol and drugs can be a contributing factor in sexual assault. Please contact the Campus Safety Coordinator for information on where and when this educational event will occur. Students have direct access to this training from the Policy and Compliance link on [MyPhoenix](#). In addition to the information provided in these offerings, UOPX provides the following prevention and assistance resources.

### **Student Resources**

UOPX offers substance abuse and various counseling services to all currently enrolled students via the Life Resource Center, directly accessible from the student [MyPhoenix](#) website. The Life Resource Center offers no-cost, confidential services available 24/7/365 by calling (844) 492-0546. Services include:

- The Online Counseling Center to get short-term counseling on issues including managing stress, relationship issues, family concerns, substance abuse, grief, trauma, loss, anxiety, and depression
- Life coaches to assist in areas such as time management, work-life balance, managing change, transitions, and stress

### **Employee Resources**

UOPX provides an Employee Assistance Program (EAP) administered by Uprise Health as an employee benefit. All employees have access to the EAP whether they obtain other benefits through UOPX. Information about the EAP program is available at <https://uopx.uprisehealth.com/> (enter access code UOPX) or by calling (800) 395-1616. This benefit provides referral services and treatment sessions as needed. Calls and online inquiries are tracked by category. Employees enrolled in health care plans can obtain added substance abuse benefits, including outpatient and inpatient services, through providers contracted with their health care plan.

UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 13 and older. Ginger is an emotional support app that supplies emotional support at the right time, including confidential coaching via text-based chats, self-guided activities, and video-based therapy and psychiatry—all from the privacy of a smartphone. Ginger coaches are available 24/7 and work as a team to ensure personalized care when it's needed.

### **National Resources**

We encourage *anyone* dealing with substance abuse issues (not just our employees and students) to also contact national agencies for guidance and assistance in identifying a counseling, treatment, or rehabilitation program. You are not alone. Support is always available with confidentiality and discretion.

- Al-Anon Family Groups (888) 4AL-ANON (425-2666) <https://al-anon.org/>
- Alcoholics Anonymous <http://www.aa.org/>
- Cocaine Anonymous <https://ca.org/>
- Narcotics Anonymous <https://www.na.org/>



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- National Institute on Alcohol Abuse and Alcoholism <https://www.niaaa.nih.gov/>
- National Institute on Drug Abuse (800) 662-HELP (662-4357) <https://nida.nih.gov/>
- Recovered (855) 648-7228 <https://recovered.org/>
- Substance Abuse and Mental Health Services Administration (SAMHSA) <https://findtreatment.gov/>

Even if you do not want to speak with a counselor or referral service, you may also access the following free informational and educational videos to further educate yourself on alcohol and other drug abuse:

- <https://www.getsmartaboutdrugs.gov/>
- <https://www.justthinktwice.gov/>
- [https://www.aa.org/pages/en\\_US/videos-and-audios](https://www.aa.org/pages/en_US/videos-and-audios)
- <https://drugfree.org/>
- <https://www.operationprevention.com/>

## ***Additional Resources***

The Campus Safety Coordinator can provide additional referral resources local to any UOPX campus.

The University's Security Operations Center (SOC) provides student, faculty, and staff support 24/7/365. To report information, call (866) 992-3301.

You may also contact local Silent Witness or Crime Stopper programs to report information.

Crime victims seeking professional counseling through a UOPX Counseling Skills Center will have their information kept in confidence. Even if a victim gives the professional counselor permission to release their identity, the counselor may only report the occurrence of the event itself to be included in the annual crime statistics, unless otherwise required by law.

## ***Health Risks of Alcohol and Drugs***

The health consequences of drugs and alcohol depend on the frequency, duration, and the intensity of use and can include both physical and psychological effects. Overdose is a risk for all drugs. It can result in coma, convulsions, psychosis, or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illegal drugs are uncertain.

Continued use of substances can lead to tolerance (requiring more and more of a drug to get the same effect), dependence (physical or psychological need), or withdrawal (painful, difficult, and dangerous symptoms when stopping the use of drugs). Long-term use of drugs can lead to malnutrition, organ damage, and psychological problems. The risk of AIDS and other diseases increases if drugs are injected.

The consumption of alcohol or drugs when pregnant may cause abnormalities in babies.

## ***Physical and Psychological Dependence and Effects of Specified Drugs***

There is a vast array of health risks associated with chronic drug and alcohol use, including but not limited to: depression; liver and kidney disease; psychosis and impaired thinking; heart attack; seizures;



# Campus Safety Policies

stroke; high blood pressure; violent outbursts; paranoia; anxiety; and increased risk of birth defects and developmental issues during and after pregnancy. For more information about the health risks associated with alcohol and particular types of drugs, please visit <https://nida.nih.gov/research-topics/commonly-used-drugs-charts>.

## *Standards of Conduct*

UOPX prohibits the use, sale, possession, or distribution of illicit alcohol and drugs on University Controlled Property or at a UOPX function and complies with state underage drinking laws. (Note: the legal drinking age in the United States is 21 and over.) Additional standards of conduct for students and faculty are addressed in the Student Code of Conduct and Faculty Code of Conduct, respectively. Also, faculty and staff are subject to the Alcohol and Drug Abuse Prevention and related policies found in the internal Policy Library.

## *Sanctions UOPX will Impose for Alcohol and Drug Violations*

UOPX will fully cooperate with federal, state, and local law enforcement agencies regarding unlawful possession of drugs and the unlawful consumption of alcohol on University Controlled Property or at a UOPX function. Any member of the campus community found consuming or selling alcohol and illicit drugs on UOPX property is subject to disciplinary action, up to and including dismissal from UOPX.

## *Federal Drug Laws and Penalties*

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.





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For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (21 U.S.C. § 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

## State Drug and Alcohol Statutes

### Arizona (AZ)

Category	Summary (Arizona Revised Statutes)
Possession of Marijuana	The possession, consumption, or purchase of marijuana for personal use, under certain circumstances by an individual of at least 21 years of age, is lawful. See A.R.S. § 36-2852. Possession of more than one ounce (but less than 2.5 ounces) or more than five grams (but less than 12.5 grams) of marijuana concentrate is a petty offense and, for a first violation, results in a fine of up to \$300; See A.R.S. § 36-2853; § 13-802. The possession, consumption, transportation or transport of marijuana by individuals under the age of 21 is illegal and can result in civil penalty of \$100 and drug education or counseling for a first or second offense; a third offense is a class 1 misdemeanor. A.R.S. § 36-2853. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i> Medical marijuana for certain conditions is allowed if the person possesses 2.5 ounces of usable marijuana. See A.R.S. § 36-2801.
Controlled Substances	Arizona statutes cover a wide range of offenses related to the possession and delivery of controlled substances. See A.R.S. §§ 13-3401 – 13-3423. Penalties vary widely based on the type and amount of substance(s) confiscated, and if multiple controlled substances are found, sentencing is tied to either the unlawful substance of the greatest proportionate amount or the unlawful substance constituting the highest class of offense. See A.R.S. §§ 13-3420 and 13-3401.  Felony sentences can carry fines of up to \$150,000, and the court may order a person convicted of a drug offense to pay an additional fine of at least \$1,000 for the first offense and at least \$2,000 for a second or subsequent offense. See A.R.S. §§ 13-801 and 13-821. The terms of imprisonment for a presumptive, minimum, maximum, mitigated, or aggravated sentence for first offense felonies and are prescribed under A.R.S. § 13-702 and range from .33 years to 12.5 years.  “Serious drug offenses,” patterns of violation/repeat offenses, and involvement in enterprises yielding a “significant source of income” each result in more severe penalties, including a prison sentence of no less than 25 years. See A.R.S. §§ 13-3410 and 13-803. Involving minors in drug offenses or selling to underage persons also enhances applicable penalties. See A.R.S. §§ 13-3409.



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## Arizona (AZ)

Category	Summary (Arizona Revised Statutes)
Alcohol and Minors	<p>It is unlawful for a person under age 21 to buy, receive, have in their possession, or consume any "spirituous liquor." See A.R.S. § 4-244. It is also a violation to sell, furnish, or give a person under age 21 alcohol. <i>Id.</i> A person under 21 who solicits another person to purchase, sell, give, or serve them alcohol is guilty of a Class 3 misdemeanor. See A.R.S. § 4-241.</p> <p>Any underage person who misrepresents their age by means of a fraudulent or false written instrument of identification or the identification of another person in an effort to induce someone to sell or serve them alcohol is guilty of a Class 1 misdemeanor. <i>Id.</i> If another person knowingly influences another to sell or serve alcohol to an underage person by misrepresenting the age of the minor, they are also guilty of a Class 1 misdemeanor. <i>Id.</i> Class 1 misdemeanors are punishable by up to six months in prison and fines up to \$2,500; class 3 misdemeanors are punishable by up to thirty days in prison and fines up to \$500. A.R.S. §§ 13-707; 13-802.</p>
Driving Under the Influence (DUI)	<p>A person is guilty of a DUI if the person drives under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs, or vapor releasing substances if the person is impaired to the slightest degree, has a blood alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving, or while there is any drug (as defined by statute) or its metabolite in the person's body. See A.R.S. § 28-1381. A person convicted of a DUI is guilty of a Class 1 misdemeanor (see sentences and fines above). See <i>id.</i></p>

## California (CA)

Category	Summary (California Code)
Possession of Marijuana	<p>It is legal for persons 21 years of age or older to smoke or ingest cannabis or cannabis products. Cal. Health &amp; Safety Code § 11362.1. It is legal for persons 21 years of age or older to possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis or not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products. <i>Id.</i></p> <p>Persons under 18 years of age who are found guilty of a first offense of possession of not more than 28.5 grams of cannabis, or not more than eight grams of concentrated cannabis, or both, will be required to complete four hours of drug education or counseling and up to 10 hours of community service over a period not to exceed 60 days. Cal. Health &amp; Safety Code § 11357. For a second offense or subsequent offense, persons under 18 years of age will be required to complete six hours of drug education or counseling and up to 20 hours of community service over a period not to exceed 90 days. <i>Id.</i> If the offender is at least 18 years of age but less than 21, a fine of not more than \$100 will be imposed. <i>Id.</i> If the offender is over 18 years of age and possesses more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis, or both, an imprisonment in a county jail for a period of not more than six months and/or a fine of not more than \$500 will be imposed. <i>Id.</i> As the quantity of cannabis increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i></p>
Controlled Substances	<p>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as "narcotics" and "restricted dangerous drugs." See Cal. Health &amp; Safety Code §§ 11350 – 11392.</p>



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## California (CA)

Category	Summary (California Code)
	<p>Penalties include prison sentences and monetary fines. See Cal. Health &amp; Safety Code §§ 11350 and 11377. These penalties vary widely by the type and amount of controlled substance confiscated, the number and type of prior convictions, and the intent of the individual to manufacture, sell, or use the drug. Involving a minor in any capacity—whether using or employing a minor, inducing a minor to violate provisions, selling or furnishing to a minor, or acting in locations where minors are present—is a distinct offense and will result in heightened penalties. See Cal. Health &amp; Safety Code §§ 11353 – 11354 and 11380.</p> <p>For example, a first-time drug offender found in possession of opiates (Schedule I substances) without a valid prescription may be punished by up to 1 year in jail, a fine of at least \$1,000, or community service. Cal. Health &amp; Safety Code § 11350. Possession of gamma hydroxybutyric acid (“date rape drug”) with intent to commit sexual assault is punishable by up to 3 years imprisonment. Cal. Health &amp; Safety Code § 11350.5; Cal. Penal Code § 1170.</p>
Alcohol and Minors	<p>Any person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor punishable by a fine of \$250 and/or between 24 and 32 hours of community service. Cal. Bus. &amp; Prof. Code § 25658. Second or subsequent offenses are punishable by up to \$500 and/or between 36 and 48 hours of community service. <i>Id.</i></p> <p>A person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor, as is a minor who purchases or consumes any alcoholic beverage in any on-sale premises. <i>Id.</i> Furnishing an alcoholic beverage to any person under 21 years of age is punishable by a fine of \$1,000 and at least 24 hours of community service. <i>Id.</i> If the person under 21 years of age subsequently consumes the alcohol and causes great bodily injury or death to themselves or any other person, the person who furnished the alcohol will be imprisoned for a term between 6 months and 1 year and/or fined \$1,000. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>It is illegal to operate a vehicle with a blood alcohol content of 0.08 percent or more. Cal. Veh. Code § 23152. It is also illegal to operate a vehicle when addicted to the use of any drug unless the person is participating in an approved narcotic treatment program. <i>Id.</i> Violation of these provisions is a misdemeanor. See Cal. Veh. Code § 40000.15. Punishment for a first offense is between 96 hours to 6 months imprisonment, with at least 48 continuous hours, as well as a fine of \$390 to \$1,000. See Cal. Veh. Code § 23536.</p>

## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
Possession of Marijuana	<p>In Hawaii, a person commits the offense of promoting a detrimental drug in the third degree if the person knowingly possesses any marijuana or any Schedule V substance in any amount. Haw. Rev. Stat. § 712-1249(1). Promoting a detrimental drug in the third degree is a petty misdemeanor. § 712-1249(2). If the person is in possession of three grams or less of marijuana, it is punishable by a fine of \$130. <i>Id.</i> The court may sentence a person who has been convicted of a misdemeanor or a petty misdemeanor to imprisonment for a definite term to be fixed by the court and not to exceed 1 year in the case of a misdemeanor or 30 days in the case of a petty misdemeanor. § 706-663. As the amount of the marijuana increases, the crime classification becomes more severe and related penalties increase.</p>



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## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
	A person with a qualifying debilitating medical condition may use cannabis for medical uses so long as they only possess an adequate supply for treatment and register with the department of health. §§ 329-122, 329-123.
Controlled Substances	<p>Hawaii statutes cover offenses related to the “promotion” (meaning knowingly possessing, distributing, or manufacturing) of dangerous, harmful, or detrimental drugs in the first through third degrees. §§ 712-1241 – 712-1249.7. A “dangerous drug” is “any substance or immediate precursor defined or specified as a “Schedule I substance” or a “Schedule II substance” by chapter 329, or a substance specified in section 329-18(c)(14).” § 712-1240; see § 329-14 (defining Schedule I drugs to include certain opiates, hallucinogenic drugs, depressants, stimulants, and cannabinoids); § 329-16 (defining Schedule II drugs to include certain opiates, hallucinogenic drugs, depressants, stimulants, and immediate precursors to amphetamine, methamphetamine, phencyclidine, and fentanyl); § 329-18(c)(14) (“Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers that are contained in a drug product for which an application has been approved under section 505 of the federal Food, Drug, and Cosmetic Act”).</p> <p>A person commits the offense of promoting dangerous drugs in the first degree when they possess at least one ounce of methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomers, or at least 1.5 ounces of any of the other dangerous drugs. § 712-1241(1)(a). Distribution in the first degree is defined as distributing (1) twenty-five or more “capsules, tablets, ampules, dosage units, or syrettes containing one or more dangerous drugs”; (2) one-eighth ounce or more of a substance containing methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomer; and/or (3) three-eighths ounce or more, containing any other dangerous drug. § 712-1241(1)(b). Promoting a dangerous drug in the first degree is a class A felony. § 712-1241(2). Penalties for promotion of controlled substances include imprisonment and monetary fines. §§ 706-659–706-664 (terms of imprisonment); §§ 706-640, 706-650 (applicable fines).</p> <p>Penalties vary widely by the type and amount of substance confiscated. Possession of one ounce or more of methamphetamine, heroin, morphine, or cocaine constitutes a class A felony and is punishable by a fine of up to \$53,000 and an indeterminate term of imprisonment of up to 20 years. §§ 712-1241, 706-659. Methamphetamine trafficking is a class A felony which carries an indeterminate term of imprisonment of twenty years with a mandatory minimum term of imprisonment of not less than two years and not greater than eight years and a fine not to exceed \$20,000,000, with enhanced penalties for repeat offenders. § 712-1240(3). Trafficking methamphetamine to a minor or manufacturing a controlled substance in the presence of a child under the age of 16 will result in more severe penalties. §§ 712-1240.7(1)(a), 712-1240.5. The use of firearms in certain felony offenses and repeat offenses also heighten the applicable penalties. §§ 706-659, 706.660.1, 706-606.5.</p>
Alcohol and Minors	Promoting intoxicating liquor to a person under the age of 21 (which includes providing or purchasing liquor for consumption or use by any person under 21) is a misdemeanor. §§ 712-1250.5(4), 281-101.5. No minor shall falsify any identification or use any false identification or the identification of another person (real or fictitious) for the purpose of buying or attempting to buy liquor or obtaining employment to sell or serve liquor on licensed premises. § 281-101.5(c). Any minor who violates state laws prohibiting alcohol possession and use shall be subject to the jurisdiction of state family court. § 281-101.5(d). Any person between the ages of 18 and 21 who is in violation is guilty of a petty misdemeanor, and the person shall have their driver’s license suspended for not less than



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## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
	one hundred and eighty days, in addition to other penalties permitted by law, at the court's discretion. § 281-101.5(d)(1).
Driving Under the Influence (DUI)	A blood alcohol content of greater than 0.08 percent while operating a vehicle is a violation. § 291E-61(a). For the first offense, a person will be sentenced to a 14-hour substance rehabilitation program, 1 year revocation of their driver's license and privilege to operate a vehicle, and one or more of the following: 72 hours of community service, 48 hours to 120 hours of imprisonment, and a \$250 to \$1,000 fine. § 291E-61(b)(1).

## Texas (TX)

Category	Summary (Texas Code Annotated)
Possession of Marijuana	<p>A Class B misdemeanor occurs if the amount of marijuana possessed is 2 ounces or less. A Class A misdemeanor occurs if the amount of marijuana possessed is between 2 ounces and 4 ounces. See Tex. Health &amp; Safety Code Ann. § 481.121(b). An individual adjudged guilty of a Class B misdemeanor will be punished by a fine not to exceed \$2,000, confinement in jail for a term not to exceed 180 days, or both. An individual adjudged guilty of a Class A misdemeanor will be punished by a fine not to exceed \$4,000, confinement in jail for a term not to exceed 1 year, or both. See Tex. Penal Code Ann. §§ 12.21 – 12.22. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</p> <p>Qualified medical professionals are authorized to prescribe low-THC cannabis (no more than .05%) to qualifying Texas residents with certain medical conditions. Tex. Occupations Code Ann. §§169.002-169.003.</p>
Controlled Substances	<p>Texas Health &amp; Safety Code Ann. §§ 481.101 – 481.141 cover a wide range of offenses related to controlled substances. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines and vary widely by the type of drug, amount confiscated, and whether the individual possessed or manufactured/delivered the controlled substance. Trafficking controlled substances will result in more severe penalties.</p> <p>As an example, a person who possesses less than 28 grams of a controlled substance listed in Penalty Group 3 (i.e., anabolic steroids) is guilty of a Class A misdemeanor punishable by a fine not to exceed \$4,000, confinement in jail for up to 1 year, or both. Tex. Health &amp; Safety Code Ann. § 481.117; Tex. Penal Code Ann. § 12.21. A person who knowingly or intentionally possesses less than 1 gram of a controlled substance listed in Penalty Group 1 (i.e. opiates) or 1-B (i.e. fentanyl) is guilty of a state jail felony. A person found guilty will be subject to confinement in a state jail for any term of 180 days up to two years, and may be fined up to \$10,000. Tex. Health &amp; Safety Code Ann. § 481.115 and Tex. Penal Code Ann. § 12.35.</p> <p>It is a defense to prosecution under certain, defined circumstances if the actor was the first person to request emergency medical assistance in response to the possible overdose of another person or was the victim of a possible overdose for which emergency medical assistance was requested during an ongoing medical emergency. Tex. Health &amp; Safety Code Ann. § 481.117.</p>
Alcohol and Minors	A minor who consumes alcohol outside the visible presence of the minor's adult parent/guardian or spouse is punishable by a fine of \$250 to \$2,000 and imprisonment for up to 180 days. The court may also impose penalties like community service, driver's license suspension, and education or treatment. See Tex. Alcoholic Beverage Code Ann. §



# Campus Safety Policies

## Texas (TX)

Category	Summary (Texas Code Annotated)
	<p>106.04. A minor may possess an alcoholic beverage while in the course and scope of the minor's employment. See Tex. Alcoholic Beverage Code § 106.05.</p> <p>An adult 21 years of age or older who is not a minor's parent/guardian or spouse is liable for damages proximately caused by the intoxication of a minor under the age of 18 if the adult served the minor or allowed the minor to be served alcoholic beverages that contributed to the minor's intoxication on the premises owned or leased by the adult. See Tex. Alcoholic Beverage Code Ann. § 2.02.</p> <p>A person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if the person is the minor's adult parent/guardian or spouse and is visibly present when the minor possesses or consumes the alcoholic beverage. See Tex. Alcoholic Beverage Code Ann. § 106.06(b).</p> <p>A minor commits an offense if the minor falsely states that he/she is 21 years of age or older or presents any document that indicates he/she is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. See Tex. Alcoholic Beverage Code Ann. § 106.07.</p>
Driving While Intoxicated (DWI)	One is guilty of driving while intoxicated if he or she has a blood alcohol concentration of 0.08 percent or more. This is a Class B misdemeanor, with a minimum term of confinement of 72 hours. An offender can also be subject to fines, revocation/suspension of license, a vehicle interlock system, and educational programs. See Tex. Penal Code Ann. § 49 <i>et seq.</i> and Tex. Transp. Code Ann. § 524.022.

Note: The laws here are taken directly from state statute, which, in some cases may not reflect gender inclusive terminology.



## Sexual Violence Prevention Policy

### Sex Discrimination, Sexual Harassment, and Sexual Violence

University of Phoenix (UOPX), through its **Equal Opportunity, Harassment, and Nondiscrimination Policy** and consistent with applicable laws, prohibits sex and gender-based discrimination, harassment, and violence, including acts of dating violence, domestic violence, sexual assault, and stalking, which may also constitute crimes. While UOPX policy may use different standards and definitions than state law, sex- and gender-based incidents often overlap with the crimes of dating violence, domestic violence, sexual assault, and stalking. Acts of violence and harassment based on sex or gender, including sexual orientation, gender identity, and gender expression, may also constitute crimes. Sexual harassment, including dating violence, domestic violence, sexual assault, and stalking, are forms of sex discrimination, which are prohibited under Title IX and UOPX policy. The [Equal Opportunity, Harassment, and Nondiscrimination Policy](https://www.phoenix.edu/content/dam/edu/about/doc/equal-opportunity-harassment-and-nondiscrimination-policy.pdf) may be viewed in its entirety at: <https://www.phoenix.edu/content/dam/edu/about/doc/equal-opportunity-harassment-and-nondiscrimination-policy.pdf>.

UOPX does not discriminate on the basis of sex in the education program or activity that it operates and is required by [Title IX of the Education Amendments of 1972](#) and [34 C.F.R. Part 106](#) not to discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Title IX Coordinator, to the [Assistant Secretary of Education](#), or both.

Individuals who believe they have experienced sex discrimination, harassment, and/or retaliation should contact the following:

**Bridget Beville, JD, Title IX Coordinator**

4035 S. Riverpoint Parkway

Phoenix, AZ 85040

[TIXC@phoenix.edu](mailto:TIXC@phoenix.edu)

(602) 557-1823 office

(480) 273-0455 mobile

Regardless of where an incident occurs, any person may report sex discrimination, including sexual harassment (whether the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator contact information. If an incident occurs at a UOPX location, any person may also report to any Campus Security Authority (CSA) or [Campus Safety Coordinator](#). Refer to the Safety and Security section of the Campus Safety Policies for a complete list of CSAs.

Complainants may exercise the following rights and options, if desired:

- Reporting offenses to proper local law enforcement, campus safety personnel, and health officials
- Preserving evidence that may assist in obtaining an order of protection or prove an offense occurred
- Receiving appropriate counseling referral information



# Campus Safety Policies

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- Receiving information on services for health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and transportation
- Completing crime reports
- Changing academic and work situations (e.g., student’s course schedule; employee’s work environment)
- Applying for judicial no-contact, restraining, or protective orders
- Having an advisor of their choice to accompany and assist during an institutional disciplinary proceeding
- Receiving the outcome of any institutional disciplinary proceeding that is brought alleging any crime of violence or a non-forcible sex offense
  - If the alleged victim is deceased as a result of the crime or offense, the institution must provide the results of the disciplinary hearing to the victim’s next of kin, if so requested

To request these options and assistance, please contact a Campus Safety Coordinator and/or the Title IX Coordinator. UOPX does not provide assistance related to changing living situations because it does not provide student housing on any of its locations. Security personnel, where available, will provide an onsite safety escort service within the confines of the local campus and to/from the parking facility, if requested.

UOPX will provide a *Rights and Options* document and/or applicable resources in writing any time a member of the campus community reports they have experienced dating violence, domestic violence, sexual assault, or stalking, *whether the incident occurred on or off campus*. More information can be found on the [UOPX Title IX site at https://www.phoenix.edu/about\\_us/title-ix.html](https://www.phoenix.edu/about_us/title-ix.html).

The University’s Title IX Coordinator will discuss the availability of accommodations and supportive/protective measures if requested and if they are reasonably available, *regardless of whether the incident is reported to authorities*. The Title IX Coordinator or Campus Safety Coordinator can assist with providing notice and information to proper law enforcement if so desired. Supportive/protective measures for individuals who have experienced these incidents are available whether the individual chooses to report to local law enforcement, and irrespective of whether the individual pursues a formal complaint through the grievance process.

Every local campus has personal safety and sexual assault awareness and prevention programs in place and follows established procedures for reporting violations of UOPX policy and federal and state laws, including contacting local law enforcement personnel and assisting alleged victims.

No officer, employee, or agent of UOPX shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under [Title IX](#) of the Education Amendments of 1972 (Title IX) or the Violence Against Women Reauthorization Act of 2013 (VAWA) as amended under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

UOPX regards all forms of or attempts at sexual violence or misconduct as serious offenses that may result in suspension, expulsion, or termination of employment.





# Campus Safety Policies

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## *Facts about VAWA Offenses*

Sexual assault can happen anywhere, at any time. According to the Rape, Abuse & Incest National Network (RAINN) and National Domestic Violence Hotline:

- Every 68 seconds, an American is sexually assaulted.
- On average, 24 people per minute (more than 12 million people a year) in the U.S. are victims of rape, physical violence, or stalking by an intimate partner.
- Only 310 out of every 1,000 sexual assaults are reported to police (2 out of 3 go unreported). Out of every 1,000 sexual assaults, 975 perpetrators will walk free.
- 8 out of 10 sexual assaults are committed by someone known to the victim. 93% of juvenile victims knew the perpetrator.
- Half (50%) of all perpetrators are 30 years old or older and more than half (57%) are white.
- 54% of sexual assault victims are between the ages of 18-34.
- Over 1 in 3 women and 1 in 4 men in the U.S. have experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime.
- 21% of transgender, genderqueer, or nonconforming (TGQN) college students have been sexually assaulted (compared to 18% of non-TGQN females and 4% non-TGQN males).
- Native Americans are twice as likely to experience sexual assault compared to all races. 41% of sexual assaults committed by a stranger, 34% by an acquaintance, and 25% by an intimate partner or family member.

## *Reporting VAWA Offenses*

UOPX strongly encourages reporting of sex and gender-based discrimination, harassment, and violence, including acts of dating violence, domestic violence, sexual assault, and stalking. Reporting may be made at any time. Complainants are encouraged to:

- Get to a safe place
- Dial **9-1-1**, if in immediate danger or seriously injured
- Accurately and promptly report the incident to the police and pursue criminal charges
- Seek medical treatment as soon as possible, including the collection and preservation of evidence that may assist in obtaining a protection order or prove an offense occurred (while sexual assaults may not result in external physical injuries, it is important to receive medical attention to check for internal injuries)
- Access support services provided by the University
- Report any incident to the Security Operations Center (SOC) at (866) 992-3301, Campus Safety Coordinator, Title IX Coordinator at (602) 557-1823 or [TIXC@phoenix.edu](mailto:TIXC@phoenix.edu), and/or the [Ethics Helpline](http://UOPXhelpline.com) at (888) 310-9569 or <http://UOPXhelpline.com>

## *Privacy*

UOPX will protect the privacy of any complainant, respondent, and other necessary parties and witnesses to the maximum extent possible.



# Campus Safety Policies

Pursuant to the University's [Equal Opportunity, Harassment, and Nondiscrimination Policy](#), when an employee who is not a confidential resource becomes aware of alleged harassment or discrimination under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee must report that information to the Title IX Coordinator.

All UOPX faculty and staff are mandated reporters and expected to report actual or suspected harassment or discrimination of which they become aware and must promptly share all known details of a report made to them in the course of their employment, including the identities of both parties, with the Title IX Coordinator.

For other types of incidents that may constitute crimes (e.g., aggravated assault, burglary, etc.) any person who does not want to pursue action within the UOPX disciplinary system, or the criminal justice system, is nevertheless encouraged to make a report through the [Ethics Helpline](#) at (888) 310-9569 or <http://www.UOPXhelpline.com>. Upon the reporter's request, a report of the details of the incident can be filed with UOPX without revealing the reporter's identity. Such confidential reports help UOPX take appropriate steps to ensure the safety of the campus community. With such information, UOPX can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing, and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for UOPX.

Information obtained through the course of a Title IX investigation may be shared with law enforcement, if requested. Reports relating to criminal activity at UOPX locations will be communicated to the Campus Safety Coordinator for purposes of Clery Act reporting.

UOPX operates educational training facilities known as Counseling Skills Centers at the Phoenix Main Campus (in-person services) and Southern California Campus Main - Ontario (virtual telehealth services). These Counseling Skills Centers model mental health clinics and offer complimentary services to members of the University and local community. Centers are staffed by counseling graduate students who work under the direct supervision of licensed, experienced professionals. For more information, or to contact a [Counseling Skills Center](#) near you, please visit <http://www.phoenix.edu/students/counseling-skills-centers.html>. To make an in-person appointment at the Phoenix Main Campus please call (602) 557-2217. To make a virtual telehealth appointment at the Southern California Campus - Ontario, please call (909) 472-3798.

Individuals seeking professional counseling through one of the University's Counseling Skills Centers will have their information kept in confidence. Even if an individual gives the professional counselor permission to release their identity, the counselor may only report the occurrence of the event itself to be included in the annual crime statistics, unless otherwise required by law. UOPX does not disclose personally identifiable information in publicly available records, including its Campus Crime Statistics at [http://www.phoenix.edu/about\\_us/campus-safety.html](http://www.phoenix.edu/about_us/campus-safety.html), the public Campus Crime Log, or other reporting and/or disclosures. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim, or disciplining the perpetrator will know the victim's identity.

## ***Importance of Preserving Evidence***

If you or someone you know has experienced dating violence, domestic violence, sexual assault, or stalking, it is important to preserve evidence. Preserving evidence may be useful in obtaining a protection order or in proceeding with a criminal investigation should you choose to do so. Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of dating violence, domestic violence, sexual assault, or stalking.



# Campus Safety Policies

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After a sexual assault, specifically, it is very important that the victim receive medical attention to treat any possible injuries and to screen for sexually transmitted infection (STI) and/or pregnancy. It is also strongly recommended for the victim to have a sexual assault forensic exam, sometimes called a “rape kit.” Forensic exams are available to victims free of charge. During this exam, someone specially trained to perform this exam, such as a Sexual Assault Nurse Examiner (SANE), will collect DNA<sup>10</sup> evidence that can help identify the perpetrator. The victim does not have to agree to a forensic exam to receive treatment but doing so may give them a stronger case against the perpetrator if they decide to report the crime. Agreeing to a forensic exam does not require the victim to subsequently file a police report.

Preserving DNA evidence from an assault is important. Even if the victim does not wish to file a police report immediately or is certain they will not prosecute, preserving DNA evidence allows the victim to change their mind later. DNA evidence may also prevent future sexual assaults from occurring. Even if the perpetrator is not prosecuted, their DNA may be added to the national database (CODIS<sup>11</sup>), making it easier to connect the perpetrator to a future crime.

Victims should try to avoid activities that could potentially damage evidence such as:

- Bathing
- Showering
- Using the restroom
- Changing or discarding clothes
- Combing hair
- Cleaning up the area in which the assault occurred

If a victim has done any of the above activities, they can still have a sexual assault forensic exam performed. The victim may want to bring a spare change of clothes to the hospital or health facility where the exam is going to be performed. In most cases, DNA evidence needs to be collected within 72 hours to be analyzed by a crime lab – but a sexual assault forensic exam can reveal other forms of evidence beyond this timeframe that can be useful if the victim decides to report. Place belongings, including the clothes worn, in a **paper bag** to safely preserve evidence.

To find a location near you that performs sexual assault forensic exams, you may call the National Sexual Assault Hotline at (800) 656-HOPE (4673) or talk to your local sexual assault service provider by visiting <https://centers.rainn.org/>. Sexual assault service providers can also offer information and resources for ongoing support related to sexual violence.

UOPX Resolution Services will review, on an annual basis, the preservation of evidence tips to ensure they meet the current needs of law enforcement and abilities of forensic science.

## *Surviving Sexual Violence and Available Victim Services*

UOPX urges victims of sexual violence to seek counseling promptly. UOPX provides written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available, both within UOPX and

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<sup>10</sup> Deoxyribonucleic acid; carrier of genetic information

<sup>11</sup> Combined DNA Index System



# Campus Safety Policies

nationally. Upon request, UOPX can assist with providing local resources in the surrounding community.

## University Resources

**Student Resources:** UOPX offers various counseling services to all currently enrolled students via the Life Resource Center, directly accessible from MyPhoenix. The Life Resource Center offers free services that are confidential, available 24/7/365, and accessible by calling (844) 492-0546. Services include:

- life coaches to assist in areas such as time management skills, work-life balance skills, managing change/transitions, and managing stress;
- the Online Counseling Center to get short-term counseling on issues including managing stress, relationship issues, family concerns, substance abuse, grief, trauma, loss, anxiety, and depression;
- career coaching for students during any part of the career development process, from setting career goals to negotiating a salary; and
- online seminars.

**Employee Resources:** UOPX provides an Employee Assistance Program (EAP) administered by Uprise Health as an employee benefit. All employees have access to the EAP whether they obtain other benefits through UOPX. Information about the [EAP program](#) is available at all times at <https://uopx.uprisehealth.com/> (enter access code UOPX) or by calling (800) 395-1616. This benefit provides referral services and treatment sessions as needed. Calls and online inquiries are tracked by category. Employees enrolled in health care plans can obtain added substance abuse benefits, including outpatient and inpatient services through providers contracted with their health care plan.

UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 13 and older. Ginger is an emotional support app that supplies emotional support at the right time, including confidential coaching via text-based chats, self-guided activities, and video-based therapy and psychiatry—all from the privacy of a smartphone. Ginger coaches are available 24/7 and work as a team to ensure personalized care when it's needed.

**Student Financial Aid:** Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, they should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. Additional information on student financial aid is available at <http://www.finaid.org/> and <http://www.fastweb.com/financial-aid>.

## National Resources

- National Domestic Violence Hotline: (800) 799-7233
- National Sexual Assault Hotline: (800) 656-4673
- loveisrespect: (866) 331-9474, <http://www.loveisrespect.org/>, text "LOVEIS" to 22522
- Rape, Abuse, and Incest National Network (RAINN): <https://www.rainn.org/>
- One Love Foundation: <http://www.joinonelove.org/>
- National Alliance to End Sexual Violence: <http://www.endsexualviolence.org/>
- Abused Deaf Women's Advocacy Services: <https://www.adwas.org>



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- Safety Planning for Survivors with Disabilities: [https://thearc.org/wp-content/uploads/forchapters/Protocol\\_disability\\_safety\\_planning-rev-2010.pdf](https://thearc.org/wp-content/uploads/forchapters/Protocol_disability_safety_planning-rev-2010.pdf)
- College Resources for Students with Disabilities: <https://dealspotr.com/article/college-resources-for-disabled-students>
- National Adult Protective Services Association: <http://www.napsa-now.org/get-help/help-in-your-area>
- The Trevor Project: (866) 488-7386, <https://www.thetrevorproject.org/get-help-now/>, text “START” to 678678
- Anti-Violence Project: call or text (212) 714-1141 or <https://avp.org>
- Forge-forward: (414) 559-2123 or <https://forge-forward.org>
- LGBT National Help Center: (888) 843-4564 or <https://www.lgbthotline.org/>
- Trans Lifeline: (877) 565-8860 or <https://www.translifeline.org>
- Casa de Esperanza: <https://www.casadeesperanza.org/> or [info@esperanzaunited.org](mailto:info@esperanzaunited.org)
- U.S. Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- Respect Together (previously the National Sexual Violence Resource Center): <http://www.nsvrc.org/>
- The NW Network: (206) 568-7777 or <http://nwnetwork.org/>
- Fierberg National Law Group: (202) 351-0510, (877) 927-4321 or <https://tfnlgroup.com>
- WomensLaw.org: <https://www.womenslaw.org/> or <http://hotline.womenslaw.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

## State/Local Resources

### Arizona

Arizona Crisis Hotline: (602) 222-9444

Arizona Victims Services: (602) 542-1853 or (866) 787-7233

Arizona Crime Victim Rights Law Group: (480) 946-0832

Phoenix	HonorHealth: (480) 312-6340 Tempe St. Luke's Hospital: (480) 784-5500
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### California

California Victims Services: (877) 433-9069

Bakersfield	Kern Medical: (661) 326-2000 Adventist Health Bakersfield: (661) 395-3000 Kern County Crisis Hotline: (800) 991-5272
Fresno	Community Regional Medical Center: (559) 459-6000 Clovis Community Medical Center: (559) 324-4000 Fresno County Crisis Hotline: (800) 654-3937



# Campus Safety Policies

## California

California Victims Services: (877) 433-9069

Sacramento	Mercy General Hospital: (916) 453-4545 Sutter Medical Center: (916) 887-0000 Sacramento County Crisis Hotline: (888) 881-4881
San Diego	Scripps Mercy Hospital San Diego: (619) 294-8111 Sharp Memorial Hospital: (858) 939-3400 San Diego County Crisis Hotline: (888) 724-7240
Ontario	Kaiser Permanente Ontario Medical Center: (833) 574-2273 Chino Valley Medical Center: (909) 464-8600 San Bernardino County Crisis Hotline: (909) 386-8256
Gardena	Harbor-UCLA Medical Center: (424) 306-4000 Torrance Memorial Medical Center: (310) 325-9110 Los Angeles County Crisis Hotline: (877) 727-4747
Murrieta	Rancho Springs Medical Center: (951) 696-6000 Loma Linda University Medical Center: (951) 290-4000 Riverside County Crisis Hotline: (951) 686-4357
Pasadena	Huntington Hospital: (626) 289-5454 Alhambra Hospital Medical Center: (626) 570-1606 Los Angeles County Crisis Hotline: (877) 727-4747

## Hawaii

Crisis Line of Hawaii: (808) 832-3100

Hawaii Victims Services: (877) 846-3444

Kapolei	Queen’s Medical Center: - West Oahu: (808) 691-3000 Waianae Coast Comprehensive Health Center: (808) 697-3300 Child & Family Services Domestic Abuse Hotline: (808) 841-0822
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## Texas

Texas Victims Services: (800) 848-4284

Dallas	Parkland Hospital: (214) 590-8000 Carrollton Regional Medical Center: (972) 492-1010 Dallas Crisis Hotline: (866) 260-8000
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## Accommodations and Supportive/Protective Measures

The University provides written notification to victims about options for, and available assistance in, and how to request changes to academic, living, transportation, and working situations or other supportive/protective measures. If accommodations or supportive/protective measures are requested, and they are reasonably available, UOPX is obligated to provide them, regardless of whether a report is made to campus security or local law enforcement.



# Campus Safety Policies

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Requests for supportive/protective measures should be made to the Title IX Coordinator at [TIXC@phoenix.edu](mailto:TIXC@phoenix.edu) or (602) 557-1823, and the Title IX Coordinator is responsible for deciding what, if any, supportive/protective measures will be implemented.

Under the [Equal Opportunity, Harassment, and Nondiscrimination Policy](#), supportive/protective measures are non-disciplinary, non-punitive individualized services offered to the Complainant or the Respondent designed to restore or preserve equal access to the education program or activity, including measures designed to protect the safety of all parties or the educational environment, or deter harassment, discrimination, and/or retaliation. Supportive/protective measures may include, but are not limited to, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, security escorts, mutual restrictions on contact between the parties, changes in work location, leaves of absence, increased security and monitoring of certain areas, counseling referrals, and other similar measures. UOPX can make available a range of supportive/protective measures to all parties involved.

When determining the reasonableness of such a request, the following factors, among others, may be considered:

- The specific need expressed by the complainant
- The age of the individuals involved
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and respondent share the same class or job location
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders)

The University will maintain as private and/or confidential any accommodations or supportive/protective measures provided to the extent that maintaining such privacy and/or confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to implement the accommodation or support/protection. For instance, resolution proceedings are private, and all persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with University policy. While there is an expectation of privacy, the parties involved have discretion to share their own knowledge and evidence with others if they so choose. University decisions to disclose certain information will be made in light of the circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or support/protection is provided. In the event a disclosure is necessary, the University will inform the relevant party of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared, and why.



# Campus Safety Policies

## Possible Sanctions UOPX May Impose for VAWA Offenses

Following a determination of responsibility that dating violence, domestic violence, sexual assault, or stalking has occurred, the following sanctions may be imposed:

- **Students**
  - Warning – A formal statement that the conduct was unacceptable and a warning that further violation of any UOPX policy, procedure, or directive will result in more severe sanctions.
  - Suspension – Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met.
  - Expulsion – Permanent termination of a student status and revocation of rights to be on campus for any reason or to attend recipient-sponsored events.
  - Withholding Diploma – UOPX may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities.
  - Revocation of Degree – UOPX reserves the right to revoke a degree previously awarded for violations committed by a student prior to graduation.
  - Other Actions – In addition to or in place of the above sanctions, the Decision-maker may assign any other sanctions as deemed appropriate
  
- **Part-Time Faculty**
  - Warning – A formal statement that the conduct was unacceptable and a warning that further violation of any UOPX policy, procedure, or directive will result in more severe sanctions, including the rescission of active faculty status.
  - Implementation of a remediation plan.
  - Removal from assigned course(s).
  - Restrictions on future teaching assignments.
  - Loss of teaching privileges altogether.
  - Other Actions – In addition to or in place of the above sanctions, the Decision-maker may assign any other sanctions as deemed appropriate
  
- **Staff and Full-Time Faculty**
  - Warning – Verbal or written.
  - Performance improvement/management process.
  - Required training or education.
  - Loss of oversight or supervisory responsibility.
  - Demotion.
  - Suspension with pay (dependent on situation).
  - Suspension without pay (dependent on situation).
  - Termination.
  - Other Actions – In addition to or in place of the above sanctions, the Decision-maker may assign any other sanctions as deemed appropriate

## Procedures for Disciplinary Action

Allegations of domestic violence, dating violence, sexual assault, or stalking are resolved under the [Equal Opportunity, Harassment, and Nondiscrimination Policy](#) and are subject to the processes outlined in that policy.

Upon receipt of a report, the Title IX Coordinator determines jurisdiction and which processes apply.





# Campus Safety Policies

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## *Investigation Procedures and Protocols*

For complete details regarding investigative procedures and protocols, please view the [Equal Opportunity, Harassment, and Nondiscrimination Policy](#).

Allegations of domestic violence, dating violence, sexual assault, or stalking are subject to the [University's Equal Opportunity, Harassment, and Nondiscrimination Policy](#) and the disciplinary proceedings therein. Students, faculty, and staff are subject to this policy. The University's procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking are provided in writing, and acknowledged by students, in the Academic Catalog. Further, rights and options, as well as resources, are provided to complainants and respondents upon disclosure of an allegation. Only incidents falling within the Title IX definition of sexual harassment will be subject to the Title IX Formal Grievance Process. An informal resolution process may only be used if certain criteria are met.

## *Informal Resolution*

Parties are not required to participate in an Informal Resolution process and Informal Resolution may only be used if a formal complaint is filed. Any party participating in Informal Resolution can stop the process at any time and begin or resume the Title IX Formal Grievance Process. Informal Resolution may be used with the voluntary, written consent of both parties:

- When the Respondent accepts responsibility for violating policy and wants to accept a sanction and end the resolution process; or
- When the Title IX Coordinator can resolve the matter by providing supportive/protective measures to remedy the situation.

Prior to implementing Informal Resolution, both parties will be provided with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process. If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the University are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator accepts the Respondent's admission of responsibility and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary. The result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution.

Informal Resolution is not available to resolve allegations that an employee sexually harassed a student.

## *Formal Grievance Process*

Once a formal complaint of alleged domestic violence, dating violence, sexual assault, or stalking is made, the Title IX Coordinator will provide a Notice of Allegations as soon as practicable to both parties, including the identities of the parties (if known), the precise misconduct being alleged, the date and location of the alleged incident(s) (if known), the specific policies implicated, a description of the applicable procedures, a statement that UOPX presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination, a statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during



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the review and comment period, and a statement that the parties may have an advisor of their choice (who may be, but is not required to be, an attorney).

Through the investigation process, all parties have a full and fair opportunity to suggest witnesses and questions, to provide evidence and expert witnesses, and to review and respond to all evidence on the record.

Once a final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a live hearing and select an appropriate decision-maker. At the hearing, the decision maker has the authority to hear and make determinations on all allegations.

A Notice of Outcome will be shared simultaneously in writing with both parties.

Either party may file a Request for Appeal in writing with the Title IX Coordinator within ten (10) days of the delivery of the Notice of Outcome. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response. A three-member Appeals Panel will resolve the appeal within three (3) business days of receiving all relevant documentation.

## *Rights of the Parties in an Institutional Proceeding*

Throughout the process described in the previous section, both the Complainant and Respondent are entitled to:

1. A prompt, fair, and impartial process from the initial report to the final outcome.
  - A prompt, fair, and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the UOPX policy, including extensions of timeframes for good cause, with written notice to the parties of the delay and the reason for the delay.
    - Conducted in a manner that:
      - Is consistent with UOPX policies and transparent to the parties.
      - Includes timely notice of meetings at which the parties may be present; and
      - Provides timely access to the accuser, the accused, and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
    - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process impartially and without bias.
  - Such training addresses topics such as the definition of sexual harassment; the scope of UOPX education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; avoiding actual and perceived conflicts of interest; relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest. As mandated by Title IX, all training completed by Title IX Coordinators, Investigators, Decision-makers, Advisors, and the Appeal Panel is posted at [https://www.phoenix.edu/about\\_us/title-ix.html](https://www.phoenix.edu/about_us/title-ix.html).



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3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. UOPX may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. A determination based on the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim, and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.
6. Protection against retaliation.

## Educational Programs – VAWA Awareness

UOPX conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees and an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. The PPAP advises campus community members that UOPX prohibits the offenses of dating violence, domestic violence, sexual assault, and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention. The OPAC covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault, and stalking.

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout UOPX. Methods include, but are not limited to, presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- **Title IX Training** for students, faculty and staff is offered every other year. Faculty and staff are informed of employee requirements to help keep the UOPX community safe and free from discrimination including sexual harassment, dating violence, domestic violence, sexual assault, and stalking. Students are provided with contact and reporting information.
- **Employee Sexual Harassment Awareness Training** and **Title IX for Higher Education Training** must be completed by all new employees upon hire (within 30 days). Once hired, all employees must complete Employee Sexual Harassment Awareness training on a biennial basis.
- The **Campus Safety: Awareness, Prevention, and Action** online course is always available via MyLearning to staff and must be completed by all new staff upon hire (within 30 days). This course discusses key information on environmental, medical, and criminal risks.
- **Sexual Assault Awareness and Prevention Training** is offered annually to students, faculty, and staff virtually and at UOPX locations. This training includes:
  - The definitions of dating violence, domestic violence, sexual assault, stalking, and consent, in reference to sexual activity
  - The stance that UOPX prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking
  - Safe and positive options for bystander intervention (e.g., the three D's of active bystander intervention: direct, distract, delegate) and risk reduction



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- Resources for survivors
- Information on how alcohol and drug use could impact the risk of sexual assault
- UOPX offers information on sexual assault, dating violence, domestic violence, and stalking along with various resources and counseling services to all currently enrolled students via the **Life Resource Center** (LRC), directly accessible from MyPhoenix. The LRC offers services that are confidential, available 24/7/365, accessible by calling (844) 492-0546, and free to students.
- **Employee Resources:** UOPX provides an Employee Assistance Program (EAP) administered by Uprise Health as an employee benefit. All employees have access to the EAP whether they obtain other benefits through UOPX. Information about the [EAP program](#) is available at all times at <https://uopx.uprisehealth.com/> (enter access code UOPX) or by calling (800) 395-1616. This benefit provides referral services and treatment sessions as needed. Calls and online inquiries are tracked by category. Employees enrolled in health care plans can obtain added substance abuse benefits, including outpatient and inpatient services through providers contracted with their health care plan. UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 13 and older. Ginger is an emotional support app that supplies emotional support at the right time, including confidential coaching via text-based chats, self-guided activities, and video-based therapy and psychiatry—all from the privacy of a smartphone. Ginger coaches are available 24/7 and work as a team to ensure personalized care when it's needed.
- **Denim Day:** Held in April in honor of Sexual Violence Awareness Month, UOPX local campuses and learning centers host their own Denim Day events. Students, faculty, and staff are encouraged to wear jeans on this day to support survivors and promote awareness of sexual violence.
- **Escalation Workshop:** The Title IX office has worked with the One Love Foundation to bring the Escalation Workshop to UOPX. The Escalation Workshop is a film-based discussion that opens people's eyes to the warning signs of relationship abuse. Participants will understand the difference between healthy and unhealthy relationship behaviors and learn ways to safely intervene to help a friend. This is an annual event and is also available upon request.
- **Poster and Email Campaign:** Posters are periodically placed in public areas of the local campus to alert students and employees for personal safety and theft concerns. Also, emails and newsletter alerts provide awareness of various important topics such as sexual assault, personal safety, theft, incidents, and alcohol and drugs information.
- UOPX community members may contact their designated **Campus Safety Coordinator** at [http://www.phoenix.edu/about\\_us/campus-safety/campus-safety-contact-list.html](http://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html) to learn about additional educational programs and dates/times they will be offered at their local campus related to these topics.
- **Security Escort Service:** Security personnel, where available, will provide an onsite safety escort service within the confines of the local campus to/from the parking facility if requested.
- **Persona Non Grata** – A trespass notice may be issued for individuals who have violated UOPX policy or who have demonstrated that they present a threat to anyone in the campus community. Violators can be arrested for trespass.

## Bystander Intervention

Bystander intervention includes safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. As a bystander, you can help prevent sexual violence using safe and positive



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options. According to RAINN, stepping in can make all the difference, but it should never put your own safety at risk. If you find yourself in a situation where someone looks uncomfortable or something does not seem right, consider the **three D's of active bystander intervention**: 1) Direct, 2) Distract, 3) Delegate.

**Direct** – Step in and voice your opinion. For example, call out inappropriate behavior or ask if someone is okay.

**Distract** – Disrupt the interaction by creating a diversion. For example, ask a random question (e.g., Where's the bathroom?) or provide a random comment (e.g., I love the color of your shirt).

**Delegate** – Recruit others for help with the situation. For example, ask friends for help, inform campus resources, or call the police.

## Risk Reduction

Risk reduction includes strategies designed to promote safety and decrease incidents of sexual violence and bystander inaction.

As bystanders, stepping in is not always easy but can have a big impact. UOPX strives to have a cohesive network of students, faculty, and staff that look out for each other, which ultimately creates a safer community for all.

The following suggestions may help foster a safer community. If you find yourself in an uncomfortable sexual situation, these suggestions may also help you reduce your risk:

- Know your resources.
  - Determine who you should contact and where you should go if you or a friend needs help.
  - Notice where emergency phones are located and program the Security Operations Center (SOC) number, (866) 992-3301, into your cell phone.
- Stay alert and aware of your surroundings. Avoid putting headphones in both ears or looking down to focus on your cell phone, especially when walking alone.
- Be careful about posting your location on social media.
- Make others earn your trust and make your limits known ahead of time.
- Consider back-up plans. Think about what you would need to do in various sticky situations such as if your phone dies, if your car runs out of gas, or if you become stranded without any cash or credit cards.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of an aggressor. Be as direct as possible about wanting to leave the environment.
- Locate someone nearby and ask them for help.
- Attend events with friends you trust. Watch out for your friends and ask that they watch out for you. Show up together and leave together. If plans change, discuss with the group. Do not leave a friend stranded in an unfamiliar or unsafe situation.



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Technology may also aid with preventing violence before it happens:

- **myPlan App** – [myPlan](http://www.joinonelove.org/my_plan_app) is a free app for iPhone and Android created to help people with safety decisions if they, or someone they care about, is experiencing abuse in their intimate relationship. myPlan is for everyone and can help identify, navigate, and provide resources for a range of relationship abuse concerns. For more information, visit [http://www.joinonelove.org/my\\_plan\\_app](http://www.joinonelove.org/my_plan_app).
- **The ASPIRE News App** – [ASPIRE News](https://www.whengeorgiasmiled.org/aspire-news-app/) is a free app for iPhone and Android that allows people to call for help at the touch of a button. The app contains summaries of top stories in world, sports, and entertainment news. Additionally, if someone you know is in an abusive relationship – or if that someone is you – the Help Section of the application contains domestic violence resources. You can triple tap the top of the application frame/title bar at any time in order to alert your trusted contacts that you're in an emergency situation. For more information, visit <https://www.whengeorgiasmiled.org/aspire-news-app/>.

All persons should keep the following in mind before engaging in sexual behavior:

- Remember that you owe sexual respect to the other person.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions and obtain consent before proceeding.
- "Mixed messages" may be a sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don't take advantage of someone who is intoxicated or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don't be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
  - Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include past abuse, threats of violence or abuse, breaking objects, using force during an argument, jealousy, controlling behavior, quick involvement, unrealistic expectations, isolation, blames others for problems, hypersensitivity, cruelty to animals or children, "playful" use of force during sex, and Jekyll-and-Hyde personality.

Become familiar with some of the warning signs and red flags of abusive relationships:

- Telling you that you can never do anything right
- Showing extreme jealousy of your friends and time spent away
- Keeping you or discouraging you from seeing friends or family members
- Insulting, demeaning, or shaming you with put-downs
- Controlling every penny spent in the household



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- Taking your money or refusing to give you money for necessary expenses
- Looking at you or acting in ways that scare you
- Controlling who you see, where you go, or what you do
- Telling you that you are a bad parent or threatening to harm or take away your children
- Preventing you from working or attending school
- Destroying your property or threatening to hurt or kill your pets
- Intimidating you with guns, knives, or other weapons
- Pressuring you to have sex when you don't want to or do things sexually you're not comfortable with
- Pressuring you to use drugs or alcohol
- Punishing you by withholding affection

## Registered Sex Offenders

The UOPX Campus Safety website at [https://www.phoenix.edu/about\\_us/campus-safety.html](https://www.phoenix.edu/about_us/campus-safety.html) provides a link to the public national websites at <http://www.sexoffender.com> and <http://www.nsopw.gov>. Sex offenders who are required to register in a state must provide notice to each institution of higher education in that state at which the offender is employed or is a student. This notice should be directed to the Campus Safety Coordinator at their local campus.

The *Campus Sex Crimes Prevention Act of 2000* provides minimum national standards for state sex offender registration and community notification programs. This act requires the state agencies to obtain information concerning registered sex offenders' enrollment or employment at institutions of higher education.

Below are the direct links where one can go to access this information for those states that have a UOPX campus presence.

### **Arizona**

<https://www.azdps.gov/services/public/offender>

### **California**

<https://www.meganslaw.ca.gov/>

### **Hawaii**

<https://sexoffenders.ehawaii.gov/sexoffender/welcome.html>

### **Texas**

<https://publicsite.dps.texas.gov/SexOffenderRegistry>

## Reporting Convicted Sex Offenders

Any UOPX employee who receives a student or employee disclosure of their sex offender status should notify the Security Operations Center (SOC) or any Campus Safety Coordinator. You can reach the SOC at [SOC@phoenix.edu](mailto:SOC@phoenix.edu) or (866) 992-3301. For a complete list of Campus Safety Coordinators, visit [https://www.phoenix.edu/about\\_us/campus-safety/campus-safety-contact-list.html](https://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html).



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## Appendices

### Appendix A: Campus Security Authorities

This section contains a list of all identified CSAs at UOPX. For a location-specific point of contact, please see the [Appendix B](#).

<b>Members of the Security Department</b>			
Security Operations Center (SOC)	(866) 992-3301	(602) 557-7000	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
Sr Director Security	Steve Lindsey	(602) 557-7537	<a href="mailto:Steve.Lindsey@phoenix.edu">Steve.Lindsey@phoenix.edu</a>
Mgr Corp Security Ops	Eric Opp	(602) 387-6072	<a href="mailto:Eric.Opp@phoenix.edu">Eric.Opp@phoenix.edu</a>
Bus Cont & Crisis Mgmt Mgr	Todd Kopcha	(602) 557-7502	<a href="mailto:Todd.Kopcha@phoenix.edu">Todd.Kopcha@phoenix.edu</a>
AZ – Contracted Security Guards	Phoenix	(602) 387-1208	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Fresno	(559) 312-1133	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Bakersfield	(661) 565-9008	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Sacramento	(916) 830-3809	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	San Diego	(858) 650-3800	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Ontario	(909) 937-2407	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Gardena	(310) 225-5700	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Murrieta	(951) 677-0883	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
CA – Contracted Security Guards	Pasadena	(626) 793-9661	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
HI – Contracted Security Guards	Kapolei	(808) 693-8686	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
TX – Contracted Security Guards	Dallas	(214) 247-1948	<a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a>
<b>Responsible for Campus Security</b>			
VP Real Est & Facility Svcs	Octavio Mendoza	(602) 557-1434	<a href="mailto:Octavio.Mendoza@phoenix.edu">Octavio.Mendoza@phoenix.edu</a>
Dir Workplace Strat	Angelina Trajkovski	(602) 557-1527	<a href="mailto:Angelina.Trajkovski@phoenix.edu">Angelina.Trajkovski@phoenix.edu</a>
Workplace Svc Mgr	Joy Bromund	(602) 557-1564	<a href="mailto:Joy.Bromund@phoenix.edu">Joy.Bromund@phoenix.edu</a>
Real Est Lease Admin Mgr	Todd Kingsley	(602) 557-1201	<a href="mailto:Todd.Kingsley@phoenix.edu">Todd.Kingsley@phoenix.edu</a>
<b>Designated by Safety and Security Policies</b>			
Title IX Coordinator	Bridget Beville	(602) 557-1823	<a href="mailto:TIXC@phoenix.edu">TIXC@phoenix.edu</a>
Clery Compliance Officer	Jessica Flores	(602) 412-9253	<a href="mailto:Jessica.Flores@phoenix.edu">Jessica.Flores@phoenix.edu</a>
Title IX Services Mgr	Raquel Sosa	(602) 557-6176	<a href="mailto:Title.IXUOP@phoenix.edu">Title.IXUOP@phoenix.edu</a>
Ed Equity Compliance Mgr	Candie Sampson	(714) 338-1782	<a href="mailto:Title.IXUOP@phoenix.edu">Title.IXUOP@phoenix.edu</a>
Sr Ed Equity Specialist	Mayra Mendez	(714) 338-1788	<a href="mailto:Title.IXUOP@phoenix.edu">Title.IXUOP@phoenix.edu</a>
VP HR	Julie Fink	(602) 557-7833	<a href="mailto:HR.EmployeeServices@phoenix.edu">HR.EmployeeServices@phoenix.edu</a>
Sr Dir ECDP	Kirsten Lopez	(888) 310-9569	<a href="http://www.UOPXhelpline.com">www.UOPXhelpline.com</a>
Sr Mgr ECDP	Jenna Walraven	(888) 310-9569	<a href="http://www.UOPXhelpline.com">www.UOPXhelpline.com</a>
Program Mgr ECDP	Amy St Lawrence	(888) 310-9569	<a href="http://www.UOPXhelpline.com">www.UOPXhelpline.com</a>
Program Mgr ECDP	Ina Lerma	(888) 310-9569	<a href="http://www.UOPXhelpline.com">www.UOPXhelpline.com</a>





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## Significant Responsibility for Student and Campus Activities

Campus & Acad Dir	Scott Myers	Phoenix	<a href="mailto:Scott.Myers@phoenix.edu">Scott.Myers@phoenix.edu</a>
Mgr Campus Ops	Ashley Kucharik	Phoenix	<a href="mailto:Ashley.Kucharik@phoenix.edu">Ashley.Kucharik@phoenix.edu</a>
Campus Ops Coord	Jennifer O'Neal Kuznicki	Phoenix	<a href="mailto:Jennifer.Oneal@phoenix.edu">Jennifer.Oneal@phoenix.edu</a>
Campus Ops Coord	Kevin McCulley	Phoenix	<a href="mailto:Kevin.McCulley@phoenix.edu">Kevin.McCulley@phoenix.edu</a>
Sr Univer Resource Spec	Daniel Flahive II	Phoenix	<a href="mailto:Daniel.Flahive@phoenix.edu">Daniel.Flahive@phoenix.edu</a>
Univer Resource Spec	Amber Williams	Phoenix	<a href="mailto:Amber.Williams@phoenix.edu">Amber.Williams@phoenix.edu</a>
University Resource Spec	Vanessa Flahive	Phoenix	<a href="mailto:Vanessa.Flahive@phoenix.edu">Vanessa.Flahive@phoenix.edu</a>
Campus & Acad Dir	Rita Stanziale	Central Valley	<a href="mailto:Rita.Stanziale@phoenix.edu">Rita.Stanziale@phoenix.edu</a>
Mgr Campus Ops	Alex Monsibais III	Fresno/Bakersfield	<a href="mailto:Alex.MonsibaisIII@phoenix.edu">Alex.MonsibaisIII@phoenix.edu</a>
University Resource Spec	Melissa Nguyen	Fresno	<a href="mailto:Melissa.Nguyen@phoenix.edu">Melissa.Nguyen@phoenix.edu</a>
University Resource Spc	Cristo Fajardo	Bakersfield	<a href="mailto:Cristo.Fajardo@phoenix.edu">Cristo.Fajardo@phoenix.edu</a>
Campus Ops Coord	Lanina Andrews	Bakersfield	<a href="mailto:Lanina.Andrews@phoenix.edu">Lanina.Andrews@phoenix.edu</a>
Campus & Acad Dir	Joel Maier	Sacramento	<a href="mailto:Joel.Maier@phoenix.edu">Joel.Maier@phoenix.edu</a>
Campus Ops Dir	Shelly Petersen	Sacramento	<a href="mailto:Shelly.Petersen@phoenix.edu">Shelly.Petersen@phoenix.edu</a>
Sr Univer Resource Spec	Rodney Green	Sacramento	<a href="mailto:Rodney.Green@phoenix.edu">Rodney.Green@phoenix.edu</a>
Campus Acad Spec Sr	Shannon Perkins	Sacramento	<a href="mailto:Shannon.Perkins@phoenix.edu">Shannon.Perkins@phoenix.edu</a>
Campus Ops Coord	Cecily Gomez	Sacramento	<a href="mailto:Cecily.Gomez@phoenix.edu">Cecily.Gomez@phoenix.edu</a>
University Resource Spc	Joe Smith	Sacramento	<a href="mailto:Joe.Smith@phoenix.edu">Joe.Smith@phoenix.edu</a>
Campus & Acad Dir	Kim Savich	San Diego	<a href="mailto:Kim.Lyda-Savich@phoenix.edu">Kim.Lyda-Savich@phoenix.edu</a>
Campus Ops Dir	Jimmy Tighe	San Diego	<a href="mailto:Jimmy.Tighe@phoenix.edu">Jimmy.Tighe@phoenix.edu</a>
Sr Univer Resource Spec	Kristina Claro	San Diego	<a href="mailto:Kristina.Claro@phoenix.edu">Kristina.Claro@phoenix.edu</a>
University Resource Spc	Heather Bieber	San Diego	<a href="mailto:Heather.Bieber@phoenix.edu">Heather.Bieber@phoenix.edu</a>
Campus & Acad Dir	Mikal Powers	SoCal	<a href="mailto:Mikal.Powers@phoenix.edu">Mikal.Powers@phoenix.edu</a>
Mgr Campus Ops	Claudia Henderson	Ontario	<a href="mailto:Claudia.Henderson@phoenix.edu">Claudia.Henderson@phoenix.edu</a>
University Resource Spc	Eddie Smith	Ontario	<a href="mailto:Eddie.Smith@phoenix.edu">Eddie.Smith@phoenix.edu</a>
University Resource Spc	Sopha Tes	Ontario	<a href="mailto:Sopha.Tes@phoenix.edu">Sopha.Tes@phoenix.edu</a>
University Resource Spc	Sylvia Cruz	Ontario	<a href="mailto:Sylvia.Cruz@phoenix.edu">Sylvia.Cruz@phoenix.edu</a>
Mgr Campus Ops	Miguel Cadena	Gardena	<a href="mailto:Miguel.Cadena@phoenix.edu">Miguel.Cadena@phoenix.edu</a>
University Resource Spc	Ruben DeClay	Gardena	<a href="mailto:Ruben.DeClay@phoenix.edu">Ruben.DeClay@phoenix.edu</a>
University Resource Spc	Kristy King	Gardena	<a href="mailto:Kristy.King@phoenix.edu">Kristy.King@phoenix.edu</a>
Mgr Campus Ops	Sondra Burgoyne	Murietta	<a href="mailto:Sondra.Burgoyne@phoenix.edu">Sondra.Burgoyne@phoenix.edu</a>
University Resource Spc	Tiffany Martinez	Murietta	<a href="mailto:Tiffany.Martinez@phoenix.edu">Tiffany.Martinez@phoenix.edu</a>
University Resource Spc	Ali Battle	Murietta	<a href="mailto:Robert.Battle@phoenix.edu">Robert.Battle@phoenix.edu</a>
University Resource Spc	Ryan Shepherd	Murietta	<a href="mailto:Ryan.Shepherd@phoenix.edu">Ryan.Shepherd@phoenix.edu</a>
Mgr Campus Ops	Justine Klieback	Pasadena	<a href="mailto:Justine.Klieback@phoenix.edu">Justine.Klieback@phoenix.edu</a>
University Resource Spc	Alicia Lyons	Pasadena	<a href="mailto:Alicia.Lyons@phoenix.edu">Alicia.Lyons@phoenix.edu</a>



# Campus Safety Policies

## Significant Responsibility for Student and Campus Activities (Continued)

University Resource Spc	Crystal Morales	Pasadena	<a href="mailto:Crystal.Morales@phoenix.edu">Crystal.Morales@phoenix.edu</a>
Campus & Acad Dir	Summer van Pelt	Kapolei	<a href="mailto:Summer.vanPelt@phoenix.edu">Summer.vanPelt@phoenix.edu</a>
Mgr Campus Ops	Jade Shiroma	Kapolei	<a href="mailto:Jade.Shiroma@phoenix.edu">Jade.Shiroma@phoenix.edu</a>
Campus Ops Coord	Salote Fifita	Kapolei	<a href="mailto:Salote.Fifita@phoenix.edu">Salote.Fifita@phoenix.edu</a>
University Resource Spc	Terry Dellapenna	Kapolei	<a href="mailto:Teresita.Dellapenna@phoenix.edu">Teresita.Dellapenna@phoenix.edu</a>
Campus & Acad Dir	John Grabarczyk	Dallas	<a href="mailto:John.Grabarczyk@phoenix.edu">John.Grabarczyk@phoenix.edu</a>
Mgr Campus Ops	Shequeta Rainey	Dallas	<a href="mailto:Shequeta.Rainey@phoenix.edu">Shequeta.Rainey@phoenix.edu</a>
Sr Univer Resource Spec	Kris LaBarge	Dallas	<a href="mailto:Kris.LaBarge@phoenix.edu">Kris.LaBarge@phoenix.edu</a>
University Resource Spc	Ryan Taylor	Dallas	<a href="mailto:Ryan.Taylor@phoenix.edu">Ryan.Taylor@phoenix.edu</a>

## Appendix B: Campus Safety Coordinators

<b>Arizona</b>			
Phoenix Main Campus	Ashley Kucharik	(480) 532-0106	<a href="mailto:Ashley.Kucharik@phoenix.edu">Ashley.Kucharik@phoenix.edu</a>
<b>California</b>			
Central Valley Campus (Fresno)	Alex Monsibais III	(661) 565-9003	<a href="mailto:Alex.MonsibaisIII@phoenix.edu">Alex.MonsibaisIII@phoenix.edu</a>
Bakersfield Learning Center	Alex Monsibais III	(661) 565-9004	<a href="mailto:Alex.MonsibaisIII@phoenix.edu">Alex.MonsibaisIII@phoenix.edu</a>
Sacramento Valley Campus	Rodney Green	(916) 830-3807	<a href="mailto:Rodney.Green@phoenix.edu">Rodney.Green@phoenix.edu</a>
San Diego Campus	Jimmy Tighe	(858) 650-3899	<a href="mailto:Jimmy.Tighe@phoenix.edu">Jimmy.Tighe@phoenix.edu</a>
Southern California Campus Main (Ontario)	Claudia Henderson	(909) 472-3709	<a href="mailto:Claudia.Henderson@phoenix.edu">Claudia.Henderson@phoenix.edu</a>
Gardena Learning Center	Miguel Cadena	(310) 995-6022	<a href="mailto:Miguel.Cadena@phoenix.edu">Miguel.Cadena@phoenix.edu</a>
Murrieta Learning Center	Sondra Burgoyne	(714) 371-1230	<a href="mailto:Sondra.Burgoyne@phoenix.edu">Sondra.Burgoyne@phoenix.edu</a>
Pasadena Learning Center	Justine Klieback	(909) 472-3712	<a href="mailto:Justine.Klieback@phoenix.edu">Justine.Klieback@phoenix.edu</a>
<b>Hawaii</b>			
Hawaii Main Campus (Kapolei)	Jade Shiroma	(808) 674-5683	<a href="mailto:Jade.Shiroma@phoenix.edu">Jade.Shiroma@phoenix.edu</a>
<b>Texas</b>			
Dallas Campus	Shequeta Rainey	(214) 708-9052	<a href="mailto:Shequeta.Rainey@phoenix.edu">Shequeta.Rainey@phoenix.edu</a>



# Campus Safety Policies

## Appendix C: UOPX Clery Geography

**Legend:** On-Campus, Public Property, Patrol Jurisdiction (when applicable)

### Arizona – Phoenix Main Campus

4035 S. Riverpoint Pkwy.  
Phoenix, AZ 85040



**NOTE:** Patrol jurisdiction includes areas regularly patrolled 24/7.



# Campus Safety Policies

## California – Bakersfield Learning Center

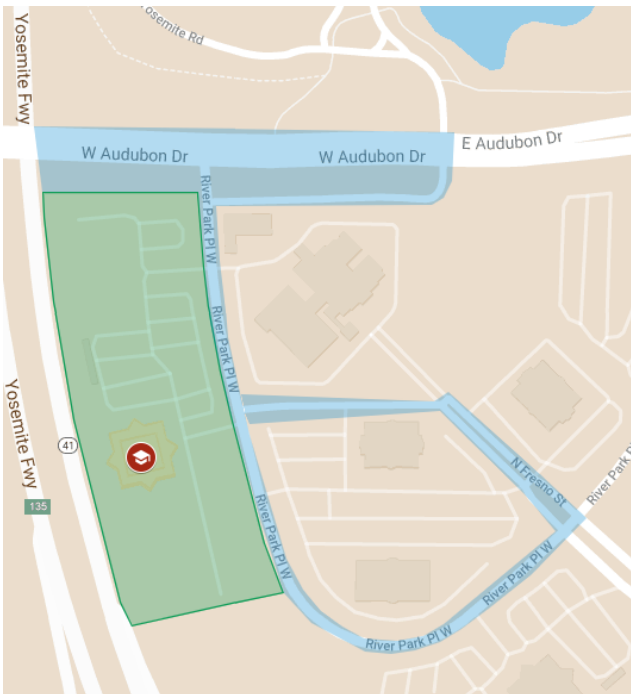
4900 California Ave.  
Bakersfield, CA 93309



**NOTE:** This location does not have a patrol jurisdiction.

## California – Central Valley Campus

45 River Park Pl. West  
Fresno, CA 93720



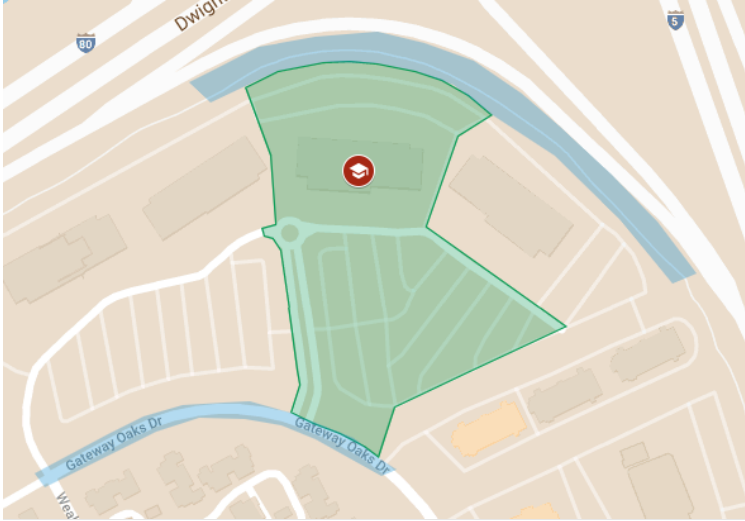
**NOTE:** This location does not have a patrol jurisdiction.



# Campus Safety Policies

## California- Sacramento Valley Campus

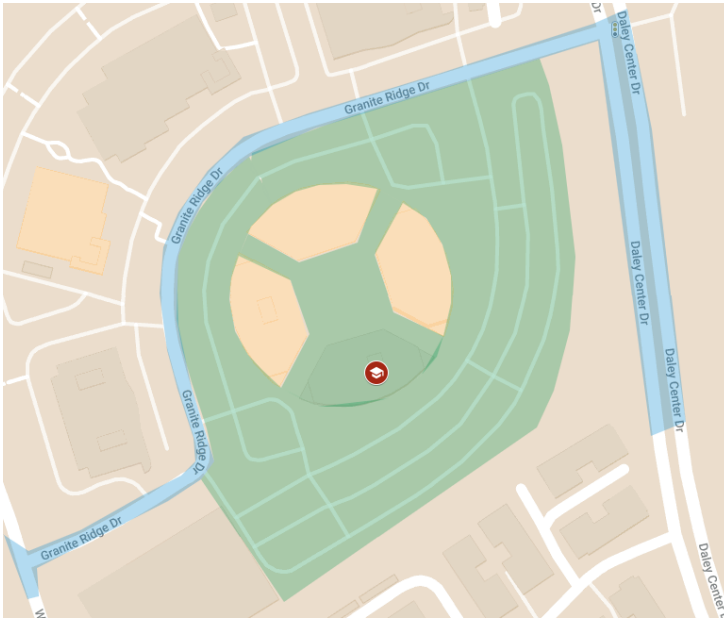
2860 Gateway Oaks Dr.  
Sacramento, CA 95833



**NOTE:** This location does not have a patrol jurisdiction.

## California – San Diego Campus

9645 Granite Ridge Dr.  
San Diego, CA 92123



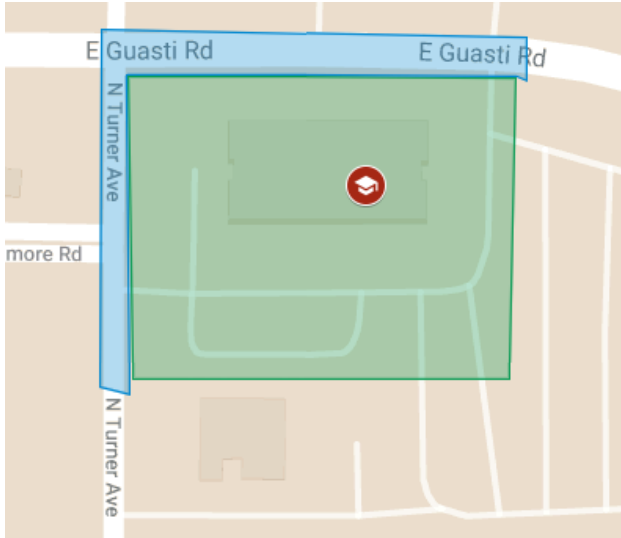
**NOTE:** This location does not have a patrol jurisdiction.



# Campus Safety Policies

## California – Southern California Campus Main

3110 E. Guasti Rd.  
Ontario, CA 91761



**NOTE:** This location does not have a patrol jurisdiction.

## California – Gardena Learning Center

1515 W. 190<sup>th</sup> St.  
Gardena, CA 90248



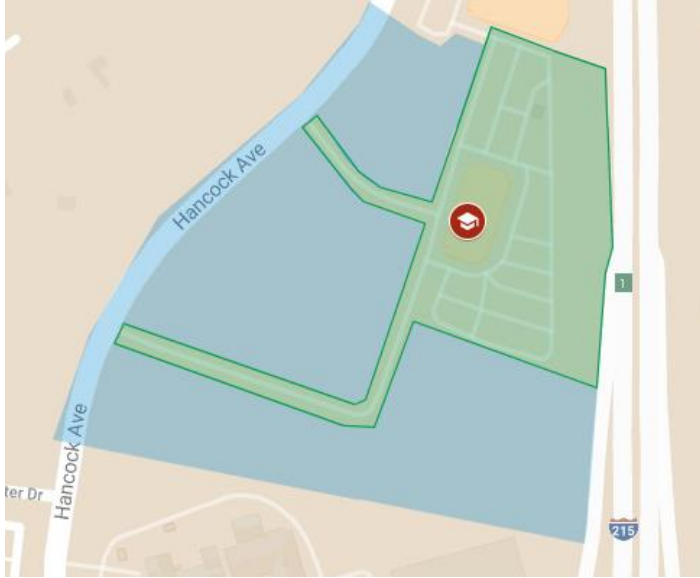
**NOTE:** This location does not have a patrol jurisdiction.



# Campus Safety Policies

## California – Murrieta Learning Center

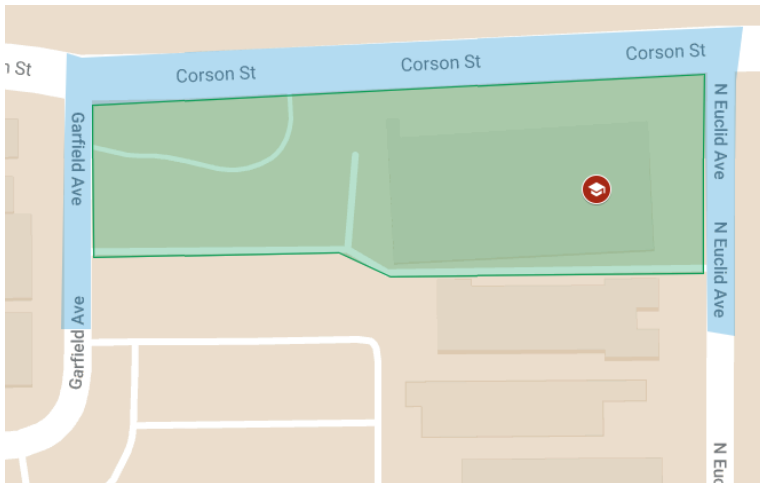
25240 Hancock Ave.  
Murrieta, CA 92562



**NOTE:** This location does not have a patrol jurisdiction.

## California – Pasadena Learning Center

299 N. Euclid Ave.  
Pasadena, CA 91101



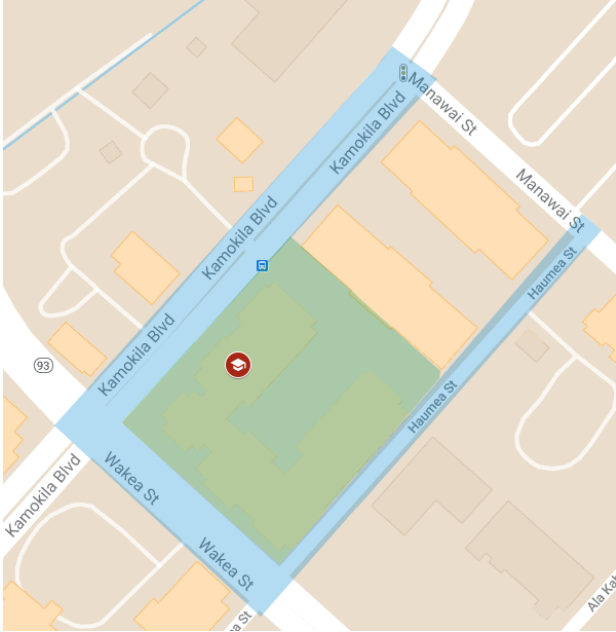
**NOTE:** This location does not have a patrol jurisdiction.



# Campus Safety Policies

## Hawaii – Hawaii Main Campus

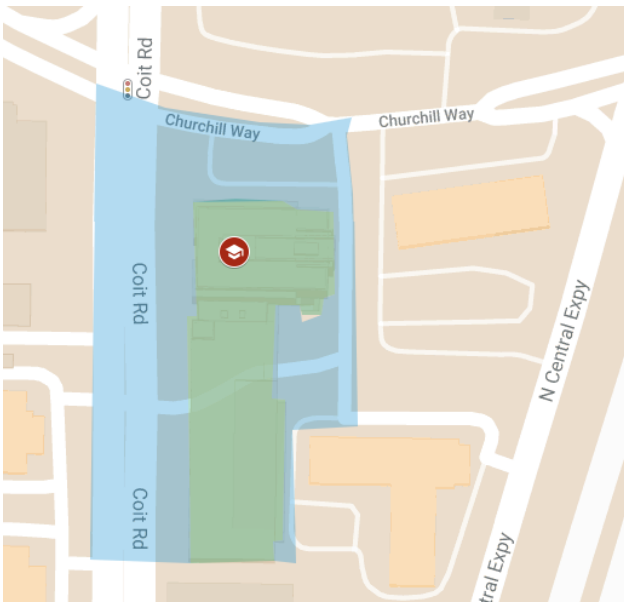
949 Kamokila Blvd.  
Kapolei, HI 96707



**NOTE:** This location does not have a patrol jurisdiction.

## Texas – Dallas Campus

12400 Coit Rd.  
Dallas, TX 75251



**NOTE:** This location does not have a patrol jurisdiction.





# Campus Safety Policies

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## Appendix D: Clery Act Crimes

**Criminal Offenses:** Murder and Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson

**Hate Crimes:** Any of the above-mentioned Criminal Offenses (excluding Manslaughter by Negligence) and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias

**VAWA Offenses:** Any incidents of Domestic Violence, Dating Violence, and Stalking

**Arrests and Referrals for Disciplinary Action:** Weapons Law Violations (Carrying, Possessing, etc.), Drug Abuse Violations, and Liquor Law Violations

## Appendix E: Clery Act Geography

**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 that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**Noncampus:** 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.

*NOTE:* The University does not have any officially recognized student organizations with off campus locations.

**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.

**Reported by Local Police:** Applicable statistics reported by local and state law enforcement not already included in the University's annual security reports.

*NOTE:* UOPX includes the following reporting location, **Reported by Local Police**, when it cannot determine whether the statistics obtained from local and/or state law enforcement agencies are for incidents within our defined Clery geography:



# Campus Safety Policies

## Appendix F: Timely Warning Matrix

Date/time of incident (per reporting party): **on XX/XX/20XX at XX:XX**

Date/time incident reported to CSA: **on XX/XX/20XX at XX:XX**

Is it a Clery Act crime? Yes  No

If yes, proceed. If no, review for possible Emergency Notification or Campus Alert.

Type of Clery Act crime: \_\_\_\_\_

Location of crime: \_\_\_\_\_

On Clery geography? Yes  No

Factors to consider when determining a serious a continuing threat to the campus community:

- a. Is the suspect(s) identified? Yes  No
- b. Are there multiple suspects? Yes  No
- c. The suspect(s) is a: Student  Employee  3<sup>rd</sup> Party
- d. The victim is a: Student  Employee  3<sup>rd</sup> Party
- e. Has the suspect(s) been arrested? Yes  No 
  - a. If yes, is suspect(s) still in custody? Yes  No  N/A
- f. Does the suspect have a student or employee conduct record that increases concern? Yes  No
- g. Does the suspect have a criminal record that increases concern? Yes  No  Unknown
- h. Has the campus issued a BOLO or DNA notice on the suspect? Yes  No
- i. Was a weapon used or threatened by the suspect? Yes  No 
  - a. If yes, what was the weapon? \_\_\_\_\_
- j. Was a weapon used or threatened by the victim? Yes  No 
  - a. If yes, what was the weapon? \_\_\_\_\_
- k. Did the suspect use/abuse a substance? Yes  No 
  - a. If yes, what was the substance? \_\_\_\_\_
- l. Did the victim use/abuse a substance? Yes  No 
  - a. If yes, what was the substance? \_\_\_\_\_
- m. Could this crime be part of a pattern of similar crimes?

Does this incident, to a reasonable degree of certainty, represent a serious or continuing threat? Yes  No

Justification: \_\_\_\_\_

Will issuing a Timely Warning jeopardize the safety of the victim? Yes  No

If yes, explain why: \_\_\_\_\_

Timely Warning issued? Yes  No  If yes, issued **on XX/XX/20XX at XX:XX**

Dissemination included:

Posters/fliers  Mass email  Text alert  Media  Intranet  UOPX website  Other \_\_\_\_\_



## Appendix G: Glossary

**Alert** – A signal or messaging technique used to warn of danger, attack, or other emergency situation. A condition or period of heightened watchfulness or preparation for action.

**Campus** – Is defined in 34 C.F.R. § 668.46 as:

Any building or property owned or controlled by an institution within the same reasonably contiguous area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes; and

Any building or property that is within or reasonably contiguous to the area identified above 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).

**Campus Security Authority (CSA)** – Is defined in 34 C.F.R. § 668.46 as:

A campus police department or a campus security department of an institution.

Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.

Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**Dangerous Situation** – A situation being managed by a public safety entity that can escalate into a condition that may threaten lives, safety, property, or the environment and may require immediate action (e.g., barricade suspect(s) within a contained police perimeter, release of localized hazardous materials that may require a building evacuation, structure fires requiring evacuation, suspicious devices that require a bomb squad response, etc.).

**Emergency** – A high risk event, expected or unexpected, that threatens lives, safety, property, or the environment and requires immediate action.

**Evacuate** – To leave a room, building, or campus in a timely and orderly manner.

**Lockdown/Shelter-in-place** – To secure an area by locking doors, windows, and barricading oneself to block entry to a room, building, or campus. If a lockdown is ordered, all persons should locate a safe room, assist others in moving to a safe room, lock door, close windows and shades, turn off lights, move away from door and windows, and remain quiet until further instruction.

**Notice or Warning** – A notice or warning is issued when a condition or situation is "imminent" or confirmed "already occurring" (e.g., tornado warning, flash flood warning, severe storm warning). Action in response is discretionary.

**Physical Violence** – Exerting control over another person through the use of physical force, including hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.



# Campus Safety Policies

**State of Emergency** – A state of emergency is a declaration that may suspend certain normal functions of the organization. In addition, a state of emergency would alert employees and students to alter their normal behaviors and to safeguard themselves accordingly.

**Test** – Regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

**Timely Warning** – A notification triggered when UOPX determines that a Clery Act crime which has already been committed but presents a serious or continuous threat must be reported to the campus community.

**UOPX** – University of Phoenix.

**UOPX and Local, Campus, or University Community** – UOPX U.S.-based students, faculty, and staff. Campus communities may include off-site locations under the control of UOPX.

**UOPX Site or Location** –

Any building, property, or portion thereof, owned or controlled by UOPX, and

Any building or property that is within or reasonably contiguous to the area identified above that is owned by UOPX but controlled by another person, is frequently used by the UOPX community, and supports UOPX business (such as a food or other retail vendor).

**Urgent Situation** – An incident or condition that may not pose an immediate threat to life or safety, but where timely information or instructions may directly affect the well-being of the recipient and/or require timely action.

## Appendix H: VAWA and Title IX Definitions

**Awareness Programs:** Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety, and reduce perpetration.

**Bystander Intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes:

- recognizing situations of potential harm;
- understanding institutional structures and cultural conditions that facilitate violence;
- overcoming barriers to intervening;
- identifying safe and effective intervention options; and
- taking action to intervene.

**Complainant:** The individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class.

**Consent:** The equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact and can be withdrawn at any time. A person forced to engage in sexual contact by force, threat of force, or coercion has not consented to contact. Lack of mutual consent is the crucial factor in any sexual assault. A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent. Consent is not given by a person's manner of dress or past sexual activity. A person's consent to engage in



# Campus Safety Policies

sexual activity with one person does not constitute consent to engage in sexual activity with another. Consent cannot be given if a person is unable to understand the nature of the activity or give knowing consent. Consent cannot be given if a person's ability to resist or consent is substantially impaired because of a mental or physical condition, if there is a significant age or perceived power differential, or due to the circumstances. Examples include, but are not limited to being:

- asleep or unconscious;
- underage;
- frightened;
- physically or psychologically pressured or forced;
- intimidated;
- substantially impaired because of a psychological health condition;
- substantially impaired because of voluntary intoxication;
- substantially impaired because of the deceptive administering of any drug, intoxicant, or controlled substance;
- incapacitated due to the use or influence of alcohol or drugs; or
- incapacitated due to a mental disability.

**“Without Consent”:** Includes any of the following:

- The victim is coerced by the immediate use or threatened use of force against a person or property.
- The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep, or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
- The victim is intentionally deceived as to the nature of the act.
- The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed:

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

**Grievance Process:** The non-criminal disciplinary process used to resolve a complaint, including, but not limited to, investigations; formal, informal, or administrative resolution; hearings; and appeals.



# Campus Safety Policies

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**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or drugs.

**Ongoing Prevention and Awareness Campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing the understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout the institution and including information used to describe primary prevention and awareness programs at the institution.

**Personally Identifying Information (PII):** As defined in Section 40002(a) of the *Violence Against Women Act of 1994*, is individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- a first and last name;
- a home or other physical address;
- contact information (including a postal, email, or Internet protocol address, or telephone or facsimile number);
- a social security number, driver’s license number, passport number, or student identification number; and
- any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

**Primary Prevention Programs:** Programming, initiatives, and strategies intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking:**

Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are:

- culturally relevant;
- inclusive of diverse communities and identities;
- sustainable;
- responsive to community needs;
- informed by research or assessed for value, effectiveness, or outcome; and
- consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

*NOTE:* Programs to prevent dating violence, domestic violence, sexual assault, and stalking must include primary prevention and awareness programs directed at all incoming students and new employees. Ongoing prevention and awareness campaigns must be directed at all current students and employees.

**Protected Class:** Race, color, religion, creed, sex, pregnancy (including lactation, childbirth, and related medical conditions), sexual orientation, gender, gender identity or expression, familial or marital status, age (40 or older), physical or mental disability, medical condition (any health impairment related to a diagnosis, record, or history of cancer), genetic information (including testing and characteristics), national origin, ancestry, ethnicity, citizenship, military or veteran status, or any other status or characteristic protected by applicable federal, state, or local law.

**Respondent:** The individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class.



# Campus Safety Policies

**Outcome:** Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

**Risk Reduction:** Options designed to decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence.

**Sexual Assault:** defined as:

- **Sex Offenses, Forcible:** Any sexual act directed against another person, without consent of the complainant, including instances where the complainant is incapable of giving consent:
  - **Forcible Rape:** Penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - **Sexual Assault with an Object:** To use an object or instrument to 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 (non-consensually) in instances where the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Sex Offenses, Nonforcible:** Nonforcible sexual intercourse.
  - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Sexual Harassment:** Unwelcome, sex-based and/or gender-based verbal, non-verbal, written, online and/or physical conduct that satisfies one or more of the following:

- Takes the form of quid pro quo harassment;
- Creates a hostile environment;
- Is retaliatory.

**Sexual Violence:** Physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

For the purposes of this definition:

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



# Campus Safety Policies

2. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
3. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

**Title IX Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity;
- Sexual assault (as defined in the Clery Act);
- Dating Violence (as defined in VAWA);
- Domestic Violence (as defined in VAWA);
- Stalking (as defined in VAWA).

## Appendix I: VAWA State Definitions

ARIZONA	
Crime Type	Definitions (Arizona Revised Statutes)
Dating Violence	The institution has determined, based on good-faith research, that Arizona law does not define the term dating violence.
Domestic Violence (Ariz. Rev. Stat. § 13.3601)	<p>"Domestic violence" means any act that is a dangerous crime against children or one of the following offenses as prescribed in state law: negligent homicide, manslaughter, second degree murder, first degree murder, endangerment, threatening or intimidation, assault, aggravated assault, custodial interference, unlawful imprisonment, kidnapping, sexual assault, unlawful distribution of pictures depicting nudity or specific sexual acts, criminal trespass in the third degree, criminal trespass in the second degree, criminal trespass in the first degree, criminal damage, interference with judicial proceeding, disorderly conduct, intentional cruelty to animals, intentional interference or prevention of person making an emergency phone call, or use of electronic communication to terrify, intimidate, threaten or harass, harassment, aggravated harassment, stalking, surreptitious photographing, aggravated domestic violence, or child or vulnerable adult abuse, if any of the following applies:</p> <ul style="list-style-type: none"> <li>• The relationship between the victim and the defendant is one of marriage or former or of persons residing or having resided in the same household.</li> <li>• The victim and the defendant have a child in common.</li> <li>• The victim or the defendant is pregnant by the other party.</li> <li>• The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.</li> <li>• The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.</li> <li>• The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship; (b) The length of the relationship; (c) The frequency of the</li> </ul>





# Campus Safety Policies

ARIZONA	
Crime Type	Definitions (Arizona Revised Statutes)
	interaction between the victim and the defendant; (d) If the relationship has terminated, the length of time since the termination.
Stalking (Ariz. Rev. Stat. § 13-2923)	<p>A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:</p> <ul style="list-style-type: none"> <li>Suffer emotional distress or reasonably fear that either: (a) The victim's property will be damaged or destroyed; or (b) Any of the following will be physically injured: (i) The victim; (ii) The victim's family member, domestic animal or livestock; (3) A person with whom the victim has or has previously had a romantic or sexual relationship; (4) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</li> <li>Reasonably fear death or the death of any of the following: (a) The victim's family member, domestic animal or livestock; (b) A person with whom the victim has or has previously had a romantic or sexual relationship; (c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</li> </ul>
Sexual Assault	<ul style="list-style-type: none"> <li>Sexual assault (Ariz. Rev. Stat. § 13-1406): A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.</li> <li>Violent sexual assault (Ariz. Rev. Stat. § 13-1423): A person is guilty of violent sexual assault if the offense involved the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or involved the intentional or knowing infliction of serious physical injury and the person has a historical prior felony conviction for a sexual offense under this chapter or any offense committed outside this state that if committed in this state would constitute a sexual offense under this chapter.</li> </ul>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Arizona law are as follows:</p> <ul style="list-style-type: none"> <li>Rape: The institution has determined, based on good-faith research, that Arizona law does not define the term rape. These crimes are prosecuted under Arizona's sexual assault statutes. See Ariz. Rev. Stat. § 13-1406, et. seq.</li> <li>Fondling: The institution has determined, based on good-faith research, that Arizona law does not define the term fondling.</li> <li>Incest (Ariz. Rev. Stat. § 13-3608): Persons who are eighteen or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other are guilty of a class 4 felony.</li> <li>Statutory Rape: The institution has determined, based on good-faith research, that Arizona law does not define the term statutory rape. Arizona prosecutes statutory rape offenses under its "sexual conduct with a minor" statutes which prohibits "intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under eighteen years of age." (Ariz. Rev. Stat. § 13-1405).</li> </ul>
Other "sexual assault" crimes	Other crimes under Arizona law that may be classified as a "sexual assault" include the following:



# Campus Safety Policies

ARIZONA	
Crime Type	Definitions (Arizona Revised Statutes)
	<ul style="list-style-type: none"> <li>Sexual abuse (Ariz. Rev. Stat. § 13-1404): A person commits sexual abuse by intentionally or knowingly engaging in sexual contact with any person who is fifteen or more years of age without consent of that person or with any person who is under fifteen years of age if the sexual contact involves only the female breast. It is not a defense to a prosecution for a violation of this section that the other person consented if the other person was fifteen, sixteen or seventeen years of age and the defendant was in a position of trust.</li> <li>Sexual conduct with a minor (Ariz. Rev. Stat. § 13-1405): A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under eighteen years of age.</li> <li>Molestation of a child (Ariz. Rev. Stat. § 13-1410): A person commits molestation of a child by intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under 15 years of age.</li> </ul>
Consent (as it relates to sexual activity) (Ariz. Rev. Stat. § 13-1401(7))	<p>“Without consent” includes any of the following: (a) The victim is coerced by the immediate use or threatened use of force against a person or property; (b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another; (c) The victim is intentionally deceived as to the nature of the act; (d) The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.</p>

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
Dating Violence	The institution has determined, based on good-faith research, that California law does not define the term dating violence.
Domestic Violence	<p>“Domestic violence” is abuse perpetrated against any of the following persons: (a) A spouse or former spouse. (b) a cohabitant or former cohabitant, as defined in Section 6209. (c) A person with whom the respondent is having or has had a dating or engagement relationship. (d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act. (e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected. (f) Any other person related by consanguinity or affinity within the second degree. (Cal Fam. Code. § 6211).</p> <p>California law (Cal. Pen. Code §§ 242 &amp; 243(e)(1)) provides penalties for battery (i.e., any willful and unlawful use of force or violence against another) when it is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.</p> <p>Also, Cal. Pen. Code § 273.5 provides penalties for willful infliction of corporal injury:</p>



# Campus Safety Policies

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
	<p>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, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.</p> <p>b. Subdivision (a) shall apply if the victim is or was one or more of the following:</p> <ol style="list-style-type: none"> <li>1. The offender's spouse or former spouse.</li> <li>2. The offender's cohabitant or former cohabitant.</li> <li>3. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.</li> <li>4. The mother or father of the offender's child.</li> </ol> <p>c. Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.</p> <p>d. As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.</p> <p>e. For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.</p>
Stalking (Ca. Pen. Code § 646.9)	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The following definitions apply to the crime of stalking: <ul style="list-style-type: none"> <li>○ "harasses" means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.</li> <li>○ "course of conduct" means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."</li> <li>○ "credible threat" means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of "credible threat."</li> <li>○ the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or</li> </ul> </li> </ul>



# Campus Safety Policies

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
	<p>paggers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.</p>
Sexual Assault	<p>The institution has determined, based on good-faith research, that California law does not define the term sexual assault. California prosecutes such crimes as "sexual battery" under Cal. Penal Code § 243.4 defined as:</p> <ol style="list-style-type: none"> <li>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.</li> <li>b. Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.</li> <li>c. Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).</li> <li>d. Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.</li> <li>e. (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery. (2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.</li> <li>f. As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.</li> <li>g. As used in this section, the following terms have the following meanings: <ol style="list-style-type: none"> <li>1. "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.</li> <li>2. "Sexual battery" does not include the crimes defined in Section 261 or 289.</li> <li>3. "Seriously disabled" means a person with severe physical or sensory disabilities.</li> <li>4. "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.</li> <li>5. "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.</li> <li>6. "Minor" means a person under 18 years of age.</li> </ol> </li> </ol>



# Campus Safety Policies

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under California law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape (Cal. Pen. Code § 261): (a) Rape is an act of sexual intercourse accomplished under any of the following circumstances:               <ol style="list-style-type: none"> <li>1. If a person who is not the spouse of the person committing the act is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. This paragraph does not preclude the prosecution of a spouse committing the act from being prosecuted under any paragraph of this subdivision or any other law.</li> <li>2. If 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.</li> <li>3. If a person is prevented from resisting by an intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused.</li> <li>4. If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact; (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.</li> <li>5. If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.</li> <li>6. If the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.</li> <li>7. If the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.</li> </ol> </li> <li>• (b) For purposes of this section, the following definitions apply: (1) “Duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim’s relationship to the defendant, are factors to consider in</li> </ul>



# Campus Safety Policies

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
	<p>appraising the existence of duress. (2) "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.</p> <ul style="list-style-type: none"> <li>• Fondling: The institution has determined, based on good-faith research, that California law does not define the term fondling. California prosecutes such crimes as "sexual battery" under Cal. Penal Code § 243.4 (defined above).</li> <li>• Incest (Cal. Pen. Code § 285): Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.</li> <li>• Statutory Rape: The institution has determined, based on good-faith research, that California law does not define the term statutory rape. California prosecutes such crimes as "Unlawful sexual intercourse with person under 18" under Cal. Penal Code § 261.5 (defined below).</li> </ul>
Other "sexual assault" crimes	<p>Other crimes under California law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Unlawful sexual intercourse with person under 18 (Cal. Pen. Code § 261.5):             <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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 felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.</li> <li>d. Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.</li> </ol> </li> <li>• Unlawful sexual intercourse, sexual penetration, oral copulation or sodomy; consent procured by false or fraudulent representation with intent to create fear (Cal. Pen. Code § 266c): Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.</li> <li>• Aggravated sexual assault of a child (Cal. Pen. Code § 269): Any person who commits any of the following acts [as defined by state law] upon a child who is under 14 years of age and seven or more years younger than the person is guilty of</li> </ul>



# Campus Safety Policies

CALIFORNIA	
Crime Type	Definitions (California Penal Code)
	<p>aggravated sexual assault of a child: (1) Rape; (2) Rape or sexual penetration, in concert; (3) Sodomy; (4) Oral copulation; (5) Sexual penetration.</p> <ul style="list-style-type: none"> <li>Sodomy (Cal. Pen. Code § 286): 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.</li> <li>Oral copulation (Cal. Pen. Code § 287): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.</li> <li>Forcible acts of sexual penetration (Cal. Pen. Code § 289):               <ol style="list-style-type: none"> <li>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 shall be punished by imprisonment in the state prison for three, six, or eight years.</li> <li>Any person who commits an act of sexual penetration upon a child who is under 14 years of age, 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, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.</li> <li>Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, 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, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.</li> </ol> </li> </ul>
Consent (as it relates to sexual activity)	<ul style="list-style-type: none"> <li>Cal. Pen. Code § 261.6: In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, "consent" means positive cooperation in 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, 286, 287, or 289, or former Section 262 or 288a.</li> <li>Cal. Pen. Code § 261.7: In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.</li> </ul>

HAWAII	
Crime Type	Definitions (Hawaii Revised Statutes)
Dating Violence	The institution has determined, based on good-faith research, that Hawaii law does not define the term dating violence.
Domestic Violence	<p>Under Hawaii's Health laws, "domestic violence" is physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault, extreme psychological abuse or malicious property damage between family or household members. Haw. Rev. Stat. § 321-471.</p> <p>Hawaii's criminal laws define the following:</p>



# Campus Safety Policies

HAWAII	
Crime Type	Definitions (Hawaii Revised Statutes)
	<ul style="list-style-type: none"> <li>Abuse of Family or Household Members (Haw. Rev. Stat. § 709-906): It shall be unlawful for any person, singly or in concert, to physically abuse a family or household member.               <ul style="list-style-type: none"> <li>“Family or household member”: (a) Means spouses or reciprocal beneficiaries, former spouses or reciprocal beneficiaries, persons in a dating relationship as defined under section 586-1, persons who have a child in common, parents, children, persons related by consanguinity, and persons jointly residing or formerly residing in the same dwelling unit; and (b) Does not include those who are, or were, adult roommates or cohabitants only by virtue of an economic or contractual affiliation.</li> </ul> </li> </ul> <p>Hawaii law also provides the following definitions related to domestic abuse protective orders (Haw. Rev. Stat. § 586-1):</p> <ul style="list-style-type: none"> <li>“Dating relationship” means a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of an intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.</li> <li>“Domestic abuse” means: (1) Physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault, extreme psychological abuse, coercive control, or malicious property damage between family or household members; or (2) Any act which would constitute an offense under section 709-906, or under part V or VI of chapter 707 committed against a minor family or household member by an adult family or household member.</li> <li>“Extreme psychological abuse” means an intentional or knowing course of conduct directed at an individual that seriously alarms or disturbs consistently or continually bothers the individual, and that serves no legitimate purpose; provided that such course of conduct would cause a reasonable person to suffer extreme emotional distress.</li> <li>“Family or household member”: (1) Means spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing or formerly residing in the same dwelling unit, and persons who have or have had a dating relationship; and (2) Does not include those who are, or were, adult roommates or cohabitants only by virtue of an economic or contractual affiliation.</li> <li>“Malicious property damage” means an intentional or knowing damage to the property of another, without his consent, with an intent to thereby cause emotional distress.</li> </ul>
Stalking	<ul style="list-style-type: none"> <li>Harassment by Stalking (Haw. Rev. Stat. § 711-1106.5): A person commits the offense of harassment by stalking if, with intent to harass, annoy, or alarm another person, or in reckless disregard of the risk thereof, that person engages in a course of conduct involving pursuit, surveillance, or nonconsensual contact upon the other person on more than one occasion without legitimate purpose.               <ul style="list-style-type: none"> <li>For purposes of this section, “nonconsensual contact” means any contact that occurs without that individual's consent or in disregard of that person's express desire that the contact be avoided or discontinued. Nonconsensual contact includes direct personal visual or oral contact and contact via telephone, facsimile, or any form of electronic communication, as defined in section 711-1111(2), including electronic mail transmission.</li> </ul> </li> </ul>





# Campus Safety Policies

HAWAII	
Crime Type	Definitions (Hawaii Revised Statutes)
Sexual Assault	<ul style="list-style-type: none"> <li>Sexual assault in the first degree (Haw. Rev. Stat. § 707-730): A person commits the offense of sexual assault in the first degree if the person: (a) Knowingly subjects another person to an act of sexual penetration by strong compulsion; (b) Knowingly engages in sexual penetration with another person who is less than fourteen years old; (c) Knowingly engages in sexual penetration with a person who is at least fourteen years old but less than sixteen years old; provided that the actor is: (i) No less than five years older than the minor; and (ii) Not legally married to the minor; (d) Knowingly subjects to sexual penetration a person who is mentally defective; provided that the actor is negligent in not knowing of the mental defect of the victim; or (e) Knowingly subjects to sexual penetration a person who is mentally incapacitated or physically helpless as a result of the influence of a substance that the actor knowingly caused to be administered to the other person without the other person's consent.</li> <li>Sexual assault in the second degree (Haw. Rev. Stat. § 707-731): A person commits the offense of sexual assault in the second degree if the person: (a) Knowingly subjects another person to an act of sexual penetration by compulsion; (b) Knowingly subjects to sexual penetration a person who is mentally incapacitated or physically helpless; (c) While employed: (i) In a state correctional facility; (ii) By a private company providing services at a correctional facility; (iii) By a private company providing community-based residential services to persons committed to the director of public safety [corrections and rehabilitation (effective Jan 1, 2024)] and having received notice of this statute; (iv) By a private correctional facility operating in the State; or (v) As a law enforcement officer as defined in section 710-1000, knowingly subjects to sexual penetration: an imprisoned person; a person confined to a detention facility; a person committed to the director of public safety [corrections and rehabilitation (effective Jan 1, 2024)]; a person residing in a private correctional facility operating in the State; a person in custody; a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes; provided that this paragraph shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or exception to the warrant clause; or (d) Knowingly subjects to sexual penetration a person who is at least sixteen years old and the actor is contemporaneously acting in a professional capacity to instruct, advise, or supervise such a person; provided that the actor is: (i) No less than five years older than the minor; and (ii) Not legally married to the minor.</li> <li>Sexual assault in the third degree (Haw. Rev. Stat. § 707-732): A person commits the offense of sexual assault in the third degree if the person: (a) Recklessly subjects another person to an act of sexual penetration by compulsion; (b) Knowingly subjects to sexual contact a person who is less than fourteen years old or causes such a person to have sexual contact with the actor; (c) Knowingly engages in sexual contact with a person who is at least fourteen years old but less than sixteen years old or causes such a person to have sexual contact with the actor; provided that the actor is: (i) No less than five years older than the minor; and (ii) Not legally married to the minor; (d) Knowingly subjects to sexual contact a person who is mentally incapacitated, or physically helpless, or causes such a person to have sexual contact with the actor; (e) Knowingly subjects to sexual contact a person who is mentally defective, or causes such a person to have sexual contact with the actor; provided that the actor is negligent in not knowing of the mental defect of the victim; (f) While employed: (i) In a state correctional</li> </ul>



# Campus Safety Policies

HAWAII	
Crime Type	Definitions (Hawaii Revised Statutes)
	<p>facility; (ii) By a private company providing services at a correctional facility; (iii) By a private company providing community-based residential services to persons committed to the director of public safety [corrections and rehabilitation (effective Jan 1, 2024)] and having received notice of this statute; (iv) By a private correctional facility operating in the State; or (v) As a law enforcement officer as defined in section 710-1000, knowingly subjects to sexual contact, or causes to have sexual contact: an imprisoned person; a person confined to a detention facility; a person committed to the director of public safety [corrections and rehabilitation (effective Jan 1, 2024)]; a person residing in a private correctional facility operating in the State; a person in custody; a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes; provided that this paragraph shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or an exception to the warrant clause; or (g) Knowingly, by strong compulsion, has sexual contact with another person or causes another person to have sexual contact with the actor.</p> <ul style="list-style-type: none"> <li>• Sexual assault in the fourth degree (Haw. Rev. Stat. § 707-733): A person commits the offense of sexual assault in the fourth degree if: (a) The person knowingly subjects another person, not married to the actor, to sexual contact by compulsion or causes another person, not married to the actor, to have sexual contact with the actor by compulsion; (b) The person knowingly exposes the person's genitals to another person under circumstances in which the actor's conduct is likely to alarm the other person or put the other person in fear of bodily injury; (c) The person knowingly trespasses on property for the purpose of subjecting another person to surreptitious surveillance for the sexual gratification of the actor; or (d) The person knowingly engages in or causes sexual contact with a minor who is at least sixteen years old and the person is contemporaneously acting in a professional capacity to instruct, advise, or supervise the minor; provided that: (i) The person is not less than five years older than the minor; and (ii) The person is not legally married to the minor.</li> <li>a. Continuous sexual assault of a minor under the age of fourteen years (Haw. Rev. Stat. § 707-733.6): A person commits the offense of continuous sexual assault of a minor under the age of fourteen years if the person: (a) Either resides in the same home with a minor under the age of fourteen years or has recurring access to the minor; and (b) Engages in three or more acts of sexual penetration or sexual contact with the minor over a period of time, while the minor is under the age of fourteen years.</li> </ul>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Hawaii law are as follows:</p> <ul style="list-style-type: none"> <li>a. Rape: The institution has determined, based on good-faith research, that Hawaii law does not define the term rape. Such offenses are generally prosecuted under the state's sexual assault provisions (Haw. Rev. Stat. § 707-730 et. seq.).</li> <li>b. Fondling: The institution has determined, based on good-faith research, that Hawaii does not define the term fondling.</li> <li>c. Incest (Haw. Rev. Stat. § 707-741): A person commits the offense of incest if the person commits an act of sexual penetration with another who is within the degrees of consanguinity or affinity within which marriage is prohibited.</li> <li>d. Statutory Rape: The institution has determined, based on good-faith research, that Hawaii law does not define the term statutory rape.</li> </ul>



# Campus Safety Policies

HAWAII	
Crime Type	Definitions (Hawaii Revised Statutes)
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that Hawaii law does not define the term consent (as it relates to sexual activity). However, Hawaii law provides that a person commits a sex crime if the person subjects another person to a sexual act by compulsion; or the person subjects to a sexual act another person who is mentally defective, mentally incapacitated, or physically helpless. HRS §§ 707-730; 707-731; 707-732.

TEXAS	
Crime Type	Definitions (Texas Code Annotated)
Dating Violence (Tex. Fam. Code Ann. § 71.0021)	<p>The institution had determined, based on good-faith research, that the criminal statutes of Texas do not define the term dating violence.</p> <p>However, Section 71.0021 of the Texas Family Code provides the following:</p> <ol style="list-style-type: none"> <li>“Dating violence” means an act, other than a defensive measure to protect oneself, by an actor that: (1) is committed against a victim or applicant for a protective order: (A) with whom the actor has or has had a dating relationship; or (B) because of the victim’s or applicant’s marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.</li> <li>For purposes of this title, “dating relationship” means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type of interaction between the persons involved in the relationship.</li> <li>A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a “dating relationship” under Subsection (b).</li> </ol> <p>In addition, Sections 51.251 and 51.281 of the Texas Education Code provide that “dating violence” shall have the meaning assigned by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20.U.S.C. Section 1092(f)(6)(A)). This law defines dating violence to mean violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.</p>
Domestic Violence	<p>The institution has determined, based on good-faith research, that Texas law does not define the term domestic violence.</p> <p>However, Texas law does define the term “Family Violence” (Tex. Fam. Code Ann. § 71.004) as follows: (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; (2) abuse [as defined under state law] by a member of a family or household toward a child of the family or household; or (3) dating violence, as that term is defined by Section 71.0021.</p>



# Campus Safety Policies

TEXAS	
Crime Type	Definitions (Texas Code Annotated)
Stalking (Tex. Penal Code Ann. § 42.072)	<p>Stalking (Tex. Penal Code Ann. § 42.072):</p> <ol style="list-style-type: none"> <li>a. A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed at a specific other person, knowingly engages in conduct that:               <ol style="list-style-type: none"> <li>1. constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening: (A) bodily injury or death for the other person; or (B) that an offense will be committed against: (i) a member of the other person's family or household; or (ii) an individual with whom the other person has a dating relationship; or (iii) the other person's property;</li> <li>2. causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship: (A) to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship, or the other person's property; or (B) to feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended; and</li> <li>3. would cause a reasonable person under circumstances similar to the circumstances of the other person to: (A) fear bodily injury or death for the person; (B) fear that an offense will be committed against a member of the person's family or household or an individual with whom the person has a dating relationship; (C) fear that an offense will be committed against the person's property; or (D) feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended.</li> </ol> </li> <li>b. An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:               <ol style="list-style-type: none"> <li>1. the laws of another state;</li> <li>2. the laws of a federally recognized Indian tribe;</li> <li>3. the laws of a territory of the United States; or</li> <li>4. federal law.</li> </ol> </li> <li>c. For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.</li> <li>d. In this section:               <ol style="list-style-type: none"> <li>1. "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code;</li> <li>2. "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.</li> </ol> </li> </ol> <p>In addition, Sections 51.251 and 51.281 of the Texas Education Code provide that "stalking" shall have the meaning assigned by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20.U.S.C. Section 1092(f)(6)(A)). This law defines stalking as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.</p>



# Campus Safety Policies

TEXAS	
Crime Type	Definitions (Texas Code Annotated)
Sexual Assault	<p>The Texas Penal Code provides the following definitions for sexual assault and aggravated sexual assault:</p> <ul style="list-style-type: none"> <li>• Sexual Assault (Tex. Penal Code Ann. § 22.011): A person commits an offense if: <ul style="list-style-type: none"> <li>○ (1) the person intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or</li> <li>○ (2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of a child by any means; (B) causes the penetration of the mouth of a child by the sexual organ of the actor; (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.</li> </ul> </li> <li>• Aggravated sexual assault (Tex. Penal Code Ann. § 22.021): A person commits an offense: <ul style="list-style-type: none"> <li>○ If the person: (A) intentionally or knowingly: (i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (B) regardless of whether the person knows the age of the child at the time of the offense, intentionally or knowingly: (i) causes the penetration of the anus or sexual organ of a child by any means; (ii) causes the penetration of the mouth of a child by the sexual organ of the actor; (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and</li> <li>○ If: (A) the person: (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode; (ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person; (iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person; (iv) uses or exhibits a deadly weapon in the course of the same criminal episode; (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or (vi) with the intent of facilitating the commission of the offense; administers or provides to the victim of the offense any substance capable of impairing</li> </ul> </li> </ul>



# Campus Safety Policies

TEXAS	
Crime Type	Definitions (Texas Code Annotated)
	<p>victim's ability to appraise the nature of the act or to resist the act; (B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or (C) the victim is an elderly individual or a disabled individual.</p> <p>In addition, Sections 51.251 and 51.281 of the Texas Education Code provide that "sexual assault" shall have the meaning assigned by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20.U.S.C. Section 1092(f)(6)(A)). This law defines sexual assault as any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.</p>
Rape, Fondling, Incest, Statutory Rape	For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. The institution has determined, based on good-faith research, that Texas law does not define these terms.
Other "sexual assault" crimes	<p>Other crimes under Texas law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Prohibited Sexual Conduct (Tex. Penal Code Ann. § 25.02): A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy: (1) the actor's ancestor or descendant by blood or adoption; (2) the actor's current or former stepchild or stepparent; (3) the actor's parent's brother or sister of the whole or half blood; (4) the actor's brother or sister of the whole or half blood or by adoption; (5) the children of the actor's brother or sister of the whole or half blood or by adoption; or (6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.</li> <li>• Indecency With a Child (Tex. Penal Code Ann. § 21.11): A person commits an offense if, with a child younger than 17 years of age, whether the child is of the same or opposite sex and regardless of whether the person knows the age of the child at the time of the offense, the person (1) engages in sexual contact with the child or causes the child to engage in sexual contact; or (2) with the intent to arouse or gratify the sexual desire of any person: (A) exposes the person's anus or any part of the person's genitals, knowing the child is present; or (B) causes the child to expose the child's anus or any part of the child's genitals.</li> <li>• Improper Relationship Between Educator and Student (Tex. Penal Code Ann. § 21.12): (a) An employee of a public or private primary or secondary school commits an offense if the employee: (1) engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person who is enrolled in a public or private primary or secondary school at which the employee works; (2) holds a position described by Section 21.003(a) or (b), Education Code, regardless of whether the employee holds the appropriate certificate, permit, license, or credential for the position, and engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person the employee knows is: <ul style="list-style-type: none"> <li>○ (A) enrolled in a public or private primary or secondary school, other than a school described by Subdivision (1); or</li> <li>○ (B) a student participant in an educational activity that is sponsored by a school district or a public or private primary or secondary school, if students enrolled in a public or private primary or secondary school are the primary participants in the activity; or</li> </ul> </li> </ul>



# Campus Safety Policies

TEXAS	
Crime Type	Definitions (Texas Code Annotated)
	<ul style="list-style-type: none"> <li>(3) engages in conduct described by Section 33.021, with a person described by Subdivision (1), or a person the employee knows is a person described by Subdivision (2)(A) or (B), regardless of the age of that person.</li> </ul>
Consent (as it relates to sexual activity) (Tex. Penal Code Ann. § 22.011)	A sexual assault is without the consent of the other person if: (1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; (8) the actor is a public servant who coerces the other person to submit or participate; (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; or (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor; (13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or (14) the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

Note: The laws here are taken directly from state statute, which, in some cases may not reflect gender inclusive terminology.