Campus Safety Policies

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Section I: University of Phoenix Safety

University of Phoenix (or “UOPX”) developed important programs to help protect your safety and well-being. The following information is not a contract. It is, however, a collection of our campus safety policies, and we encourage you to read it carefully.

1.1 UOPX Safety Declaration

Education requires a safe environment for success. University of Phoenix is strongly committed to crime prevention and the safety of our members. Your cooperation is essential to minimize criminal activity and create a safer community for all.

Institutions of higher education are not without occasional crimes. You are not only a citizen of the country and state in which you live; you are an important member of the UOPX community of students, faculty, and staff. This means that you must obey both U.S. laws and the policies of UOPX. Being aware of those policies and taking personal responsibility for your own conduct and safety improves the quality of life for everyone at UOPX.

A well-informed campus community helps create a safety-conscious public. UOPX follows federal law and annually publishes and distributes a security report for each separate campus consisting of campus crime policies and crime statistics for the three previous calendar years. You may review these statistics at http://www.phoenix.edu/about_us/campus-safety.html.

1.2 The Campus Security Authority

To help ensure the safety of the campus community, UOPX has Campus Security Authorities (CSAs) for reporting crimes and a designated Campus Safety Coordinator at every teaching campus (as defined in 34 C.F.R. § 668.46). All Campus Safety Coordinators are CSAs. At certain locations, we also provide security guards (via third-party contracted guard services). In some instances, we contract with law enforcement officials. 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, 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 USC 13701-14040) and the Illinois Preventing Sexual Violence in Higher Education Act (110 ILCS 155). 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.

This *Campus Safety Policies* document refers to the designated Campus Safety Coordinator as the individual UOPX designates at every campus location and identifies below. You can also find each Campus Safety Coordinator’s name and contact information 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). Additional information is provided on the In Case of an Emergency poster, included within the Poster Compliance Binder, in all UOPX classrooms and common areas (e.g., breakrooms).

Below are the persons to whom students, faculty, and staff should report crimes. Visitors and others not associated with UOPX can also contact these CSA reporting contacts to report crimes:

### Security Operations Center (SOC)

<table>
<thead>
<tr>
<th>Number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>(866) 992-3301</td>
<td><a href="mailto:SOC@phoenix.edu">SOC@phoenix.edu</a></td>
</tr>
<tr>
<td>(602) 557-7000</td>
<td></td>
</tr>
</tbody>
</table>

### Sr. Director of Security

<table>
<thead>
<tr>
<th>Name</th>
<th>Number</th>
<th>Email</th>
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<tbody>
<tr>
<td>Steve Lindsey</td>
<td>(602) 557-7537</td>
<td><a href="mailto:Steve.Lindsey@phoenix.edu">Steve.Lindsey@phoenix.edu</a></td>
</tr>
</tbody>
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### Title IX Coordinator

<table>
<thead>
<tr>
<th>Name</th>
<th>Number</th>
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<tbody>
<tr>
<td>Bridget Beville</td>
<td>(602) 557-1823</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(480) 273-0455</td>
<td><a href="mailto:TIXC@phoenix.edu">TIXC@phoenix.edu</a></td>
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### Clery Compliance Officer

<table>
<thead>
<tr>
<th>Name</th>
<th>Number</th>
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<tbody>
<tr>
<td>Jessica Flores</td>
<td>(602) 412-9253</td>
<td><a href="mailto:Jessica.Flores@phoenix.edu">Jessica.Flores@phoenix.edu</a></td>
</tr>
<tr>
<td></td>
<td>(602) 575-1595</td>
<td></td>
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</table>

### Ethics Helpline

<table>
<thead>
<tr>
<th>Phone</th>
<th>Email</th>
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<tbody>
<tr>
<td>(888) 310-9569</td>
<td><a href="http://www.UOPXhelpline.com">www.UOPXhelpline.com</a></td>
</tr>
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</table>

### Campus Safety Coordinators

#### Arizona

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Number</th>
<th>Email</th>
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<tbody>
<tr>
<td>Phoenix</td>
<td>Ashley Kucharik</td>
<td>(602) 557-1090</td>
<td><a href="mailto:Ashley.Kucharik@phoenix.edu">Ashley.Kucharik@phoenix.edu</a></td>
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#### California

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<th>Location</th>
<th>Name</th>
<th>Number</th>
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<tbody>
<tr>
<td>Bakersfield</td>
<td>Alex Monsibais III</td>
<td>(661) 565-9003</td>
<td><a href="mailto:Alex.MonsibaisIII@phoenix.edu">Alex.MonsibaisIII@phoenix.edu</a></td>
</tr>
<tr>
<td>Fresno</td>
<td>Heather Sanchez</td>
<td>(559) 738-3304</td>
<td><a href="mailto:Heather.Sanchez@phoenix.edu">Heather.Sanchez@phoenix.edu</a></td>
</tr>
<tr>
<td>Visalia</td>
<td>Heather Sanchez</td>
<td>(559) 738-3304</td>
<td><a href="mailto:Heather.Sanchez@phoenix.edu">Heather.Sanchez@phoenix.edu</a></td>
</tr>
<tr>
<td>Sacramento</td>
<td>Rodney Green</td>
<td>(916) 830-3807</td>
<td><a href="mailto:Rodney.Green@phoenix.edu">Rodney.Green@phoenix.edu</a></td>
</tr>
<tr>
<td>Salida</td>
<td>Rodney Green</td>
<td>(916) 830-3807</td>
<td><a href="mailto:Rodney.Green@phoenix.edu">Rodney.Green@phoenix.edu</a></td>
</tr>
<tr>
<td>San Diego</td>
<td>Jimmy Tighe</td>
<td>(858) 650-3899</td>
<td><a href="mailto:Jimmy.Tighe@phoenix.edu">Jimmy.Tighe@phoenix.edu</a></td>
</tr>
<tr>
<td>El Centro</td>
<td>Jimmy Tighe</td>
<td>(858) 650-3899</td>
<td><a href="mailto:Jimmy.Tighe@phoenix.edu">Jimmy.Tighe@phoenix.edu</a></td>
</tr>
<tr>
<td>Ontario</td>
<td>Justine Klieback</td>
<td>(909) 472-3712</td>
<td><a href="mailto:Justine.Klieback@phoenix.edu">Justine.Klieback@phoenix.edu</a></td>
</tr>
<tr>
<td>Gardena</td>
<td>Miguel Cadena</td>
<td>(310) 995-6022</td>
<td><a href="mailto:Miguel.Cadena@phoenix.edu">Miguel.Cadena@phoenix.edu</a></td>
</tr>
<tr>
<td>La Palma</td>
<td>Caron Trataris</td>
<td>(714) 735-5010</td>
<td><a href="mailto:Caron.Trataris@phoenix.edu">Caron.Trataris@phoenix.edu</a></td>
</tr>
<tr>
<td>Lancaster</td>
<td>Helen Martin</td>
<td>(661) 802-2487</td>
<td><a href="mailto:Helen.Martin@phoenix.edu">Helen.Martin@phoenix.edu</a></td>
</tr>
<tr>
<td>Murrieta</td>
<td>Kristy Geed</td>
<td>(909) 472-3748</td>
<td><a href="mailto:Kristy.Geed@phoenix.edu">Kristy.Geed@phoenix.edu</a></td>
</tr>
<tr>
<td>Pasadena</td>
<td>Erin Di Cesare</td>
<td>(818) 746-4063</td>
<td><a href="mailto:Erin.DiCesare@phoenix.edu">Erin.DiCesare@phoenix.edu</a></td>
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#### Hawaii

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<th>Name</th>
<th>Number</th>
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<tbody>
<tr>
<td>Kapolei</td>
<td>Ivy Wong</td>
<td>(808) 524-9848</td>
<td><a href="mailto:Ivy.Wong@phoenix.edu">Ivy.Wong@phoenix.edu</a></td>
</tr>
</tbody>
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#### Nevada

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<th>Name</th>
<th>Number</th>
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<tbody>
<tr>
<td>Las Vegas</td>
<td>Monica Moya</td>
<td>(702) 352-2928</td>
<td><a href="mailto:Monica.Moya@phoenix.edu">Monica.Moya@phoenix.edu</a></td>
</tr>
</tbody>
</table>

#### Texas

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<tr>
<th>Location</th>
<th>Name</th>
<th>Number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dallas</td>
<td>Shequeta Rainey</td>
<td>(214) 708-9052</td>
<td><a href="mailto:Shequeta.Rainey@phoenix.edu">Shequeta.Rainey@phoenix.edu</a></td>
</tr>
<tr>
<td>Houston</td>
<td>Leonardo Galvan</td>
<td>(713) 576-3876</td>
<td><a href="mailto:Leonardo.Galvan@phoenix.edu">Leonardo.Galvan@phoenix.edu</a></td>
</tr>
</tbody>
</table>

Individuals should report any complaints regarding non-compliance with the Clery Act, VAWA, or any state-specific regulations to their local Campus Safety Coordinator or any CSA.

The Clery Act states that other individuals may also support the CSA function such as front desk staff, those who provide security or monitor access to campus facilities or parking facilities, and those working in the library or Student Resource Center (SRC). These individuals serve as a point of contact in the event of an emergency, incident, or crime. The local Campus Safety Coordinator
advise these individuals of the CSA function, provides Clery Act training, and partners with them to maintain a constant working relationship. Employees and UOPX Corporate Security personnel who handle tasks like patrolling, monitoring access, or providing a driving or walking safety escort also serve in CSA capacities. The local Campus Safety Coordinator provides training on incident reporting and submitting crime reports.

1.2.1 UOPX Corporate Security

UOPX has a centralized campus 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. UOPX Corporate Security provides security guards (via third-party contracted guard services) on its properties, excluding the Dallas Campus. These state-licensed personnel report all incidents and crime information to the appropriate Campus Safety Coordinator and/or to UOPX Corporate Security per the Clery Act.

Our contracted security guards 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.

The number of contracted security guards UOPX Corporate Security assigns to a local campus may vary depending on the size of the campus community and local crime trends. Each contracted guard meets that state’s basic training requirements for uniformed security personnel. Authorized personnel may carry a guard license, guard certificate, security officer registration, or state-issued guard card. Additionally, UOPX Corporate Security may choose to deploy authorized armed security personnel as needed. Security personnel do not have the authority to make law enforcement arrests.

1.2.2 Training of Contracted Guards

UOPX 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 (where applicable), First Aid, and CPR certification
- Clery Act and Campus Security Authority (CSA)
- Personal appearance and conduct that meet both security industry standards and those of UOPX
- Personal protection and patrols
- Skills such as verbal communications/customer service, interviewing, and crowd control
- Monitor and control access to restricted areas both visually and electronically (where available)

1 A security presence is provided by the property managers at the Dallas Campus; however, the security guards do not have the authority to make arrests and are not affiliated with UOPX Corporate Security.
2 Automated External Defibrillator
3 Cardiopulmonary Resuscitation
- 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 the premises, time schedules, and other information as required
- Fire control, prevention, and evacuation procedures
- Provide response and assistance during emergency situations

UOPX 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 campuses. Additionally, during safety events, the Campus Safety Coordinator will communicate to students and staff that UOPX Corporate Security’s contracted 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.

1.2.3 Contracted Guards’ Communication with Campus Safety Coordinators

UOPX Corporate Security’s contracted guards are required to report all crime information to the appropriate Campus Safety Coordinator and/or UOPX Corporate Security per the Clery Act. All information is reviewed by the Campus Safety & Security Manager for Clery Act crime reporting purposes.

1.3 Memorandum of Understanding with Local or State Police Agencies

UOPX currently does not have any formal Memoranda of Understanding (MOU) between its local campuses and any law enforcement agencies (local or state).

1.4 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 geography, and updating each separate campus’ Annual Security Report (ASR), to ensure continued compliance with Clery Act requirements.
Section II: 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.

2.1 Notifying the UOPX Community

Every year, UOPX community members 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
- States how to request a paper copy of the reports

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

2.1.1 Notifying Prospective Students, Faculty, and Staff

UOPX also notifies students, faculty, and staff about the availability of its annual security reports. The notice contains the exact website address to obtain these reports, a description of its contents, and states how to request a paper copy. Similarly, 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.

2.2 Procedure for Gathering and Disclosing Annual Crime Statistics

UOPX encourages accurate and prompt reporting of all crimes. 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. If asked, the Campus Safety Coordinator can assist with submitting police reports for personal property.

The Campus Safety Coordinator will prepare and maintain documentation for all reported campus crimes. Victims and witnesses can report crimes to a CSA or Campus Safety Coordinator to be included in the annual disclosure of crime statistics. If an individual wishes to report the crime on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, then they can contact the Ethics Helpline at (888) 310-9569 or http://www.UOPXhelpline.com to report anonymously. UOPX annual security reports must include all Clery Act crimes reported, regardless of who reported, whether an investigation is initiated, or whether there is any decision by a court, prosecutor, or any other non-campus official unless it has been determined to be “unfounded” by law enforcement personnel. In addition, UOPX annual security reports include any Clery Act crimes
reported to local law enforcement collected by the Campus Safety Coordinator through an information request. The Campus Safety Coordinator requests crime data from local law enforcement at least annually for reportable criminal activities occurring at UOPX locations.

UOPX Corporate Security prepares and distributes each separate campus’ Annual Security Report on behalf of UOPX. UOPX Corporate Security 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
- 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

2.2.1 The Campus Crime Log

The Campus Safety Coordinator also maintains a listing 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 in the Campus Crime Log. The Campus Crime Log must be made available to the public and maintained at the front desk for inquiring individuals. The Campus Crime Log will not contain any personal or private information regarding victims or witnesses of the crimes. 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 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, whether or not they are associated 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.
Section III: Safety Awareness and Crime Prevention

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

3.1 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

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

3.2 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 normal business hours; 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), non-employees must be escorted by an employee throughout their visit to any restricted access area. 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):

<table>
<thead>
<tr>
<th>Facility</th>
<th>Access Control to/within Facility</th>
<th>Security Cameras</th>
<th>Intrusion Alarm</th>
<th>Duress Button</th>
<th>On-Site Duress Notification</th>
<th>Window Blinds</th>
<th>“No Weapons” Signage</th>
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<tr>
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### 3.3 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.

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.

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4 Relocated from 1625 W. Fountainhead Pkwy. to 4035 S. Riverpoint Pkwy. in November 2018
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.

3.4 Safety Programs

Each UOPX teaching location sponsors two safety events and one sexual assault awareness and prevention training 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. Please contact your Campus Safety Coordinator for information on where and when these educational events will occur.

The two safety events include 1) training describing the differences between a timely warning notification and an emergency notification and 2) active shooter preparedness training. See your Campus Safety Coordinator for information about upcoming security awareness programs.

3.4.1 Informing New Staff of Safety Reporting Procedures

In addition to coordinating safety events, the Campus Safety Coordinator makes a good-faith effort to inform new and existing personnel of security reporting procedures. Staff members who have regular interaction with the campus community are informed that students, faculty, and staff may approach them with crime-related incidents that need to be reported quickly to the Campus Safety Coordinator.

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).

3.5 Emergency Evacuation Planning

UOPX maintains an Emergency Response Guide in classrooms and common areas to provide a hands-on resource for students, faculty, and staff to utilize in the event of emergencies involving medical response, evacuation, fire/smoke/explosion, severe weather, hazardous material, earthquake/power outage, active shooter, civil disturbance, and bomb threat. Students, faculty, and staff are encouraged to be familiar with these procedures. All UOPX locations post exit and evacuation diagrams on each floor.

The designated Campus Safety Coordinator at each location conducts at least one emergency evacuation drill per year. These drills are scheduled and may be announced or unannounced. Evacuation drills also include an emergency notification component to verify that students, faculty, and staff are familiar with the emergency notification messages and required actions. Drill results are reviewed by facility and security leadership for follow-up and additional training. The campus community receives an annual communication describing its Emergency Mass Notification policies and procedures. In addition, there is an annual test of the emergency system for each location which is documented by the Security Operations Center (SOC). Documentation for emergency evacuation drills conducted are on file with UOPX Corporate Security and each UOPX location.
3.5.1 Emergency Evacuation Assistance

Individuals who require assistance during an emergency are strongly urged to disclose this need to the Campus Director or Campus Operations Manager at their local UOPX location. In conjunction with the Campus Safety Coordinator, Human Resources, and Real Estate & Facilities, the Campus Director and/or Campus Operations Manager develops a personal emergency plan that includes specific notification and evacuation procedures for students, faculty, or staff that require assistance in the event of an emergency. Such plans may, for example, include designated areas of refuge where individuals may gather during an emergency evacuation or drill.

3.6 Timely Warning Notifications to the Campus Community

In the event of a Clery Act crime occurring within the Clery geography of our UOPX locations is reported to a Campus Security Authority (CSA) or local law enforcement that, in the judgment of the CSA constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. UOPX Corporate Security and designated Campus Safety Coordinators are responsible for issuing and releasing a Timely Warning Notification (TWN) to alert the campus community of crimes or events that may potentially threaten students, faculty, staff, or property. Posting these notices is necessary when a serious threat or a systematic pattern of crimes or threats may put anyone in the campus community at risk. The designated Campus Safety Coordinators are responsible for alerting the campus community of a particular crime or trend of crimes in a manner that is timely and will aid in the prevention of similar crimes. TWNs can be issued for threats to persons or to property. Names of victims or any personally identifiable information will not be placed in the notification.

TWNs are posted in visible, accessible areas at UOPX locations where such threats occur. UOPX locations may use posters, emails, on-site digital video monitors, or other available means to inform the campus community. A combination of communication methods may be used.

It is important to note that designated Campus Safety Coordinators are not required to issue a TWN for every crime reported but must, at minimum, follow Clery Act guidelines. When making their decision, UOPX Corporate Security and the Security Operations Center (SOC) may consult with local law enforcement. Whether the designated Campus Safety Coordinator issues a TWN is determined on a case-by-case basis in conjunction with all the facts surrounding the crime(s), including such factors as:

- The nature of the crime
  - TWNs should focus on those crimes and offenses specifically required for reporting according to the Clery Act and the seriousness of the crime
- The continuing danger to the campus community
  - TWNs should be released if the campus community is at risk of becoming victims of similar crimes, so it is important to evaluate whether the crime was a one-time occurrence or the result of a trend of reported crimes
- The possible risk of compromising law enforcement efforts
  - The Campus Safety Coordinator should consider law enforcement efforts when issuing a TWN, consulting with public authorities regarding the issuance of further TWNs so as not to compromise an ongoing investigation or other law enforcement efforts
- Community safety and awareness
When issuing a TWN, the Campus Safety Coordinator must balance the need to include pertinent information about the crime that triggered the warning, while also protecting the confidentiality of the victim to the maximum extent possible.

The information in the TWN also promotes safety and aids in the prevention of similar crimes.

Students, faculty, and staff may contact the SOC regarding security concerns at (866) 992-3301. SOC personnel are available 24/7/365. However, in the event of an emergency, call 9-1-1 first.
Section IV: Emergency Mass Notification

UOPX maintains emergency management policies, procedures, and systems to protect lives and property, and to continue necessary critical functions and essential services.

An emergency is defined as a situation that poses an immediate threat to the health or safety of someone in the campus community, at a UOPX location, or that significantly disrupts the normal course of business at UOPX. Our response to an emergency is designed to ensure there is a timely 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. 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.

The Emergency Mass Notification (EMN) process includes emergency escalation procedures, mass notifications, and supporting systems. In an emergency, dangerous, or otherwise high-risk situation, these processes enable UOPX to, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system to enrolled students and current employees (faculty and staff) unless issuing the notification system will, in the professional judgement of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

4.1 General Policy

The University has assigned responsibility of managing the Emergency Mass Notification (EMN) policy and procedures to UOPX Corporate Security. The review of emergency events and the related issuance of EMNs is the responsibility of the Security Operations Center (SOC) in partnership with the UOPX Crisis Management Team.

UOPX uses the emergency notification system, AppArmor, to provide alerts via email, text message, phone call, or through a Phoenix Safe push notification. Phoenix Safe is an emergency notification service and comprehensive safety application available to students, faculty, and staff. Phoenix Safe can be used to send emergency mass notifications within minutes of an emergency or dangerous situation. 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.

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., UOPX 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 UOPX Corporate Security and the SOC 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.

The UOPX Crisis Management Team may consist of members from various UOPX organizations as defined in the Crisis Management Plan to include University Legal Services, UOPX Corporate Security, Human Resources, Marketing, Real Estate & Facilities, Campus Operations, Student Services, and other departments as deemed necessary.

Current UOPX Crisis Management Team members include the Senior Vice President & General Counsel, the Sr. Director of Corporate Security, the Director of Internal Communications, the Vice President of Public Affairs, the Vice President of Litigation Risk, the Vice President of Facilities, and the Chief Operating Officer. Additional backup members from each participating organization are also assigned to take the place of the primary member(s) if unavailable. The UOPX Crisis Management Team will assign backup individuals when appropriate.

4.1.1 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 EMN system will also be used to notify members of the University or campus community of location closings or delayed openings, significant systems/network outages, recurring non-Clery Act crimes, or other important information that must be disseminated 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 Security Operations Center (SOC) as soon as possible. The SOC will then send an EMN 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).

4.2 Reporting Emergencies

Individuals should immediately call emergency 9-1-1 for police assistance if they believe the situation warrants it. In addition to 9-1-1 reports, incidents that may warrant contacting a Campus Security Authority (CSA), Campus Safety Coordinator, or Security Operations Center (SOC) are those posing a serious or continuous health or safety threat to the campus community such as dangerous or otherwise high-risk situations at a UOPX location. The Emergency Response Guide, located in all classrooms and common areas (e.g., breakrooms), details how to contact the local Campus Safety Coordinator.

The Campus Safety Coordinator contact list is available online at: http://www.phoenix.edu/about_us/campus_safety/campus_safety_contact_list.html.

Other contacts include UOPX Corporate Security’s contracted security guards, where available. Students, faculty, and staff on-campus or at other UOPX locations may contact the SOC directly at (866) 992-3301 or by initiating emergency/panic alarms where available.
The SOC is responsible for maintaining copies and tracking all emergency notifications. CSAs and Campus Safety Coordinators must promptly report any emergencies they receive to the SOC for escalation to the UOPX Crisis Management Team for immediate review. The CSA and Campus Safety Coordinator also maintains a record of all EMNs for their location, including EMN tests, in the private CSA Notebook.

4.3 Emergency Notifications

The process to initiate the Emergency Mass Notification (EMN) system (AppArmor) is triggered as soon as the Security Operations Center (SOC) receives notice of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, and/or staff. Upon notification, the SOC will immediately perform the following functions:

- Use pre-templated messaging and EMN standard operating procedures to develop messaging content that can be used if an EMN is to be issued
- Recommend which UOPX or local campus community segments should receive notifications
- Initiate a notice to be sent out to the impacted campus community by the EMN system (AppArmor) based on the direction of the UOPX Crisis Management Team or SOC protocols
- If necessary, notify the UOPX Crisis Management Team to convene and review the issue considering factors described in the next paragraph below

The SOC, in conjunction with the UOPX Crisis Management Team, is responsible for reviewing issues on a case-by-case basis, considering factors such as:

- The nature of the situation
- The continuing danger to the campus community
- The content of the notification
- The possible risk of compromising law enforcement efforts
- Those incidents that, in the judgment of the SOC or UOPX Crisis Management Team, warrant an EMN

UOPX has the flexibility to alert only a segment of the campus community that may be at risk. When there is at least the potential that a very large segment of the campus community would be affected by a situation, or when a situation threatens the operation of the campus as a whole, the entire campus community will be notified. If, however, the risk is limited to a small area of the campus community, only those students, faculty, and staff associated with such an area will be notified (the SOC will continue assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action). Further, depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. As appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The UOPX Crisis Management Team will use its discretion to determine what information should be disclosed and whether the notice should be delayed or limited to certain segments of the campus community. The UOPX Crisis Management Team will make these determinations based on the nature of the issue and instructions from public safety officials to consider whether its release could
compromise efforts to contain the emergency or the safety of the community. The decision to segment a notification will consider factors including, but not limited to, the severity of the situation, proximity (e.g., on-campus or near campus), and UOPX personnel involved. The only reason that UOPX would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

Depending on the severity of the incident, the SOC has the authority to send an EMN before the UOPX Crisis Management Team convenes. If the incident is a large-scale emergency, as determined by the SOC supervisor or a member of UOPX Corporate Security, that individual will be responsible for making these decisions.

Notices sent as part of the EMN policy and procedures may include the following information:

- Date and time of the notification and incident
- The reason for the notification
- The risk, threat, or emergency facing the campus community
- The locations that may be affected (which could include targets)
- Appropriate procedures, which may include:
  - Evacuation
  - Lockdown or shelter in place
- Safety suggestions
- Location closing information
- Procedures to help contain or protect against the problem
- Contact information for related questions or issues
- Resources such as telephone numbers, websites, and other sources for information regarding the incident
- Additional details and directives to preserve safety and security, maps, or other useful attachments
- Computer prompted questions may be presented

UOPX will disseminate emergency information to the larger community through local coordinated efforts with first responders.

All warnings, notifications, and related communications must be approved by the SOC or UOPX Crisis Management Team. For the duration of the emergency, follow-up information will be provided to the campus community as warranted. If deemed necessary, at the direction of UOPX Crisis Management Team, the SOC will notify local law enforcement of the emergency if they are not already aware of it and, when appropriate, the UOPX Communications & Public Relations Department may relay further status information to local media outlets to ensure the larger community outside the campus will be aware of the emergency.

At the conclusion of an incident and when authorized by the UOPX Crisis Management Team, an “all clear” message may be sent to all recipients of previous alert messages.
Executive management, the UOPX Crisis Management Team, and the SOC will receive copies of all notifications and alerts. Those sent to executive management will be labeled as “informational only” unless the executive team is being asked to act or make decisions. The SOC will be responsible for maintaining copies and tracking all EMNs.

4.3.1 Notification Methods

The SOC or the UOPX Crisis Management Team may activate all or individual elements of the EMN system. Depending on the nature of the incident, EMNs may be distributed by any of the following means by individuals authorized by the SOC or the UOPX Crisis Management Team:

- **Technology alerts** – 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.
  - Text messaging
  - 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 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

4.3.2 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 EMN system. Note that 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 or transmissions, omission; 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 EMN system using relevant data sources on a regular basis.
4.3.2.1 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.

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.

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

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

4.4 Responsibility for Emergency Mass Notification Administration

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

- Establishing and communicating processes to report potential issues to the Security Operations Center (SOC) and UOPX Crisis Management Team for its review and consideration
- Creating and implementing campus community training regarding the EMN process including:
  - Determining how potential issues should be reported
  - Maintenance of emergency contact information
  - Appropriate response procedures when the EMN system is used
  - Developing and maintaining overlapping and redundant backup systems to support
- Providing written procedures used by the SOC and UOPX Crisis Management Team to administer the EMN processes
- Tracking and retention of all EMNs that are sent
- Ensuring appropriate staff coverage and call trees to activate the EMNs
- Overseeing periodic testing, at least annually, of EMN systems and processes, documenting the following:
  - Evacuation and lock-down systems
Scheduled exercises to ensure students, faculty, and staff are aware of the EMN process
Document whether the EMN annual test was announced or unannounced
Publicize the EMN and evacuation procedures in conjunction with at least one test per year
Response of the EMN test
Description of the exercise, its date, and time

4.5 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 employee 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.

4.6 Definitions

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).

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 – An 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.

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. Tests may be announced or unannounced. The emergency response and evacuation procedures should be publicized, and each test should be documented with a description of the exercise, the date, time, and whether it was announced or unannounced. The system should be exercised or used in conjunction with scheduled exercises to maintain awareness of the system by students, faculty, and staff.

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).
Section V: 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, excluding the Dallas Campus. 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 to report anonymously.

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, UOPX Corporate Security 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 meeting 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.

5.1 Reporting Emergency Criminal Activities

In emergencies, dial 9-1-1 first.

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.
5.1.1 Reporting Weapons on Campus

No weapons are permitted on-campus. In the event anyone brings a weapon on-campus and 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.

5.2 Reporting Criminal Activity to the Campus Safety Coordinator

CSA reporting contacts report crimes to the designated Campus Safety Coordinator (for additional information on the University’s CSA reporting contacts, please see Section 1.2). A designated Campus Safety Coordinator is available at all UOPX teaching locations for students, faculty, and staff. 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 is on the UPOX website at www.phoenix.edu/about_us/campus_safety/campus_safety_contact_list.html.

5.2.1 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.
5.3 Anonymous and Confidential 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.

<table>
<thead>
<tr>
<th>State</th>
<th>City</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Phoenix</td>
<td>(480) 948-6377</td>
</tr>
<tr>
<td>California</td>
<td>Bakersfield</td>
<td>(661) 322-4040</td>
</tr>
<tr>
<td></td>
<td>Fresno</td>
<td>(559) 498-7867</td>
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<tr>
<td></td>
<td>Visalia</td>
<td>(559) 734-5302</td>
</tr>
<tr>
<td></td>
<td>Sacramento</td>
<td>(916) 874-8477</td>
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<tr>
<td></td>
<td>Salida</td>
<td>(209) 521-4636</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td>(888) 580-8477</td>
</tr>
<tr>
<td></td>
<td>El Centro</td>
<td>(760) 339-6333</td>
</tr>
<tr>
<td></td>
<td>Ontario</td>
<td>(800) 782-7463</td>
</tr>
<tr>
<td></td>
<td>Gardena</td>
<td>(800) 222-8477</td>
</tr>
<tr>
<td></td>
<td>La Palma</td>
<td>(855) 847-6227</td>
</tr>
<tr>
<td></td>
<td>Lancaster</td>
<td>(800) 222-8477</td>
</tr>
<tr>
<td></td>
<td>Murrieta</td>
<td>(800) 950-2444</td>
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<td></td>
<td>Pasadena</td>
<td>(800) 222-8477</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kapolei</td>
<td>(808) 955-8300</td>
</tr>
<tr>
<td>Nevada</td>
<td>Las Vegas</td>
<td>(702) 385-5555</td>
</tr>
<tr>
<td>Texas</td>
<td>Dallas</td>
<td>(877) 373-8477</td>
</tr>
<tr>
<td></td>
<td>Houston</td>
<td>(713) 222-8477</td>
</tr>
</tbody>
</table>

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](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
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, 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.

5.3.1 Staff Support

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

5.3.2 Confidential Reporting to a Counselor

UOPX operates educational training facilities known as Counseling Skills Centers. 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.

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 his or her 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 policies or procedures that encourage pastoral and professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis.
Section VI: Reportable Offenses

The Clery Act delineates the violations which need to be reported. 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.

6.1 List of Clery Act Reportable Offenses

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 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, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson
- **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 Law Violations, and Liquor Law Violations
- **Hate Crimes** – Any of the above-mentioned 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

6.1.1 Crime Definitions

6.1.1.1 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** – 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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5 Sexual Assault is also a Violence Against Women Act of 2013 (VAWA) Offense but is included in the Criminal Offenses category for Clery Act reporting purposes
- **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.

### 6.1.1.2 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.
**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.

**6.1.1.3 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 situation 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.

**6.1.1.4 Arrests and Referrals for Disciplinary Action**

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.
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.

6.2 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, 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.

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 On-Campus incidents or Public Property incidents:
Reported by Local Police – Applicable statistics reported by local and state law enforcement not already included in the University’s annual security reports.

6.2.1 Clery Act Geography

Legend: On-campus, public property, and patrol jurisdiction (when applicable)

Arizona – Phoenix Main Campus
4035 S. Riverpoint Pkwy.
Phoenix, AZ 85040

NOTE: Patrol jurisdiction includes area regularly patrolled during daylight hours only.
NOTE: The campus is located within a city-owned convention center; however, the parking lots are privately owned. There is no agreement for use of any portion of the private parking lot.

California - Sacramento Valley Campus
2860 Gateway Oaks Dr.
Sacramento, CA 95833

NOTE: The business park has a public walking path running through it.
Califorinia – Modesto Learning Center
5330 Pirrone Rd.
Salida, CA 95368

Califorinia – San Diego Campus
9645 Granite Ridge Dr.
San Diego, CA 92123
California – Gardena Learning Center
1515 W. 190th St.
Gardena, CA 90248

NOTE: A public sidewalk runs through the property.

California – La Palma Learning Center
6 Centerpointe Dr.
La Palma, CA 90623

NOTE: A public sidewalk runs through the property.
6.3 “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 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.
Section VII: University 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 by facilitating timely lines of communication in case the authorities need to respond to an incident at a local campus location.

Sometimes UOPX may employ contract based off-duty police officers, but currently there is not a formal Memoranda of Understanding (MOU) in place with local or state law enforcement agencies. Every local campus does contact, at least annually, the appropriate authorities for annual crime reporting purposes. In addition, law enforcement agencies are contacted in the event of an emergency on-campus that requires 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
Section VIII: No Weapons on Campus

No weapons are permitted on UOPX property. Possession, use, or storage of weapons on land and/or in buildings owned, leased, or under the control of UOPX or its affiliated or related entities (geography that is separately and collectively referred to as "University Controlled Property") 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.

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, 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 death or serious injury.

It is important to clarify that UOPX will not prohibit an on-duty law enforcement official from bringing their weapon on campus if they are on official police business. UOPX values its cooperative relationships with federal, state, and local law enforcement agencies and has created a policy exception process for students, faculty, and visitors who are qualified, active law enforcement officers.

Some UOPX locations’ building owners may restrict any and all carrying of weapons except for only “on-duty” qualified, active law enforcement officers on their private property. Also, depending on specific federal and state regulations, this policy might be preempted if the building owner posts such a restriction, which should prompt the Campus Safety Coordinator to seek further advice from UOPX Corporate Security, the Security Operations Center (SOC), and University Legal Services.

Additionally, UOPX Corporate Security may choose to deploy authorized armed security personnel as needed.

8.1 Uniformed Law Enforcement Officers

Any state or local certified law enforcement officer in uniform (i.e., students, faculty, and visitors) may have their agency-approved firearm on their person while on the campus or facility grounds, per the following process:

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

NOTE: In the event a UOPX location does not have a front desk area, the uniformed officer should approach a UOPX staff member in the Student Resource Center (SRC) (if one is on-campus). In rare instances where there is no front desk and no SRC, the officer will need to contact the Campus Safety Coordinator.
8.2 Non-uniformed Law Enforcement Officers

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

All non-uniformed law enforcement officers (i.e., students, faculty, and visitors), wearing an agency-approved firearm, are required to sign-in at the front desk (or other designated location) each time they arrive on-site. The non-uniformed officer must also be prepared to show front desk personnel their department-issued law enforcement ID card. If this card cannot be presented or is non-verifiable, the officer will be advised that they are not permitted to carry a weapon while on campus grounds until such conditions are met.

8.2.1 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 carrying a weapon while off-duty
2. The Campus Safety Coordinator will provide this letter to the SOC for verification
3. The Campus Safety Coordinator will notify the student once the request is approved or denied
4. Approved students must sign in at the front desk upon arrival
5. Every two (2) years, students who have been approved via this process must re-verify with the Campus Safety Coordinator by showing their department-issued law enforcement ID card
   a. If the Campus Safety Coordinator is not able to verify the state-issued police ID card, the student will no longer be permitted to carry a weapon while on campus grounds

NOTE: If the Campus Safety Coordinator denies the request or an individual does not actually need to carry the weapon while off-duty, the student may instead secure the weapon in their vehicle while on campus.

8.2.2 Request Process for Faculty Members

1. A faculty member who is a qualified, active law enforcement officer will need to contact the Campus Safety Coordinator and request to carry their weapon on campus
   a. A faculty member who is an inactive (e.g., retired) law enforcement officer and requests to carry their weapon on campus will be denied
2. The faculty member must show the Campus Safety Coordinator their state-issued police ID card
   a. If the Campus Safety Coordinator verifies the department-issued law enforcement ID card, no further action is required
   b. If the department-issued law enforcement ID card is non-verifiable, the faculty member will be advised by the Campus Safety Coordinator that they are not permitted to carry a weapon while on campus grounds
3. Approved faculty must sign in at the front desk upon arrival.

4. The Campus Safety Coordinator will collect the following information from faculty members who have been verified to carry a weapon while on campus: direct supervisor’s name, badge/employee number, and the expiration date on the state-issued police ID card, if available.
   a. If a faculty member’s department-issued law enforcement ID card references an expiration date, they will need to re-verify with the Campus Safety Coordinator prior to the noted expiration date.
Section IX: Policies and Programs Concerning Alcohol and Other Drugs

UOPX has a “Zero-Tolerance” policy regarding the unlawful use, sale, possession, or distribution of illegal drugs and alcohol on University Controlled Property, or as part of any UOPX activity. Misconduct violations relating to the Student Code of Conduct, Faculty Code of Conduct, and/or the Code of Ethics are subject to disciplinary sanctions. Consequences for inappropriate behavior can be severe, up to and including dismissal from UOPX. If any individual is found violating any alcohol or other drug related law while at a UOPX location or activity, UOPX will fully cooperate with federal and state law enforcement agencies. UOPX will enforce federal and state drug laws in cooperation with local law enforcement agencies for any individual violating a drug related law while on University Controlled Property or at a UOPX activity. UOPX will also enforce state underage drinking laws on University Controlled Property. (NOTE: the legal drinking age in the United States is 21 and over.) UOPX abides by federal Drug-Free Workplace and Drug-Free Schools and Communities Act regulations regardless of individual state legalization.

UOPX has established specific courses of action regarding alcohol and other drug abuse and has steps in place to prevent abuse and generate awareness:

- Each year, all students, faculty, and staff receive notification, to include the location, of Campus Safety Policies and the University’s Consumer Information Guide
- Campus Safety Policies 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 other drug abuse counseling resources for individuals and their family members
  - The Campus Safety Coordinator’s contact information is available at http://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html
- 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 program to:
  - Determine its effectiveness and implement changes to the program if they are needed

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7 Land and/or in buildings owned, leased, or under the control of UOPX or its affiliated or related entities.
9.1 Alcohol and Other Drug Abuse Prevention and Counseling Services

Every UOPX location offers sexual assault awareness and prevention training annually to students, faculty, and staff. This program involves how alcohol and other drugs can facilitate sexual assault. Please contact the Campus Safety Coordinator for information on where and when this educational event will occur.

9.1.1 Student Resources

UOPX also 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 services that are confidential, available 24/7/365, accessible by calling (844) 492-0546, and free to students.

For more information, please refer to Appendix B.4.1.

9.1.2 Employee Resources

UOPX provides an Employee Assistance Program (EAP) as an employee benefit. All employees have access to EAP whether or not they obtain other benefits through UOPX. Information about the program is available at all times through the Benefit Central site at https://compass.empyreanbenefits.com/UOPX. 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 additional 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 18 and older. Ginger is an emotional support app that provides 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.

For more information, please refer to Appendix B.4.2.

9.1.3 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. Support is always available with confidentiality and discretion! One need only ask.

- 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/
9.2 Health Risks of Alcohol and Other 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.

9.3 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; strokes; high blood pressure; violent outbursts; paranoia; anxiety; 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://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts.
9.4 Standards of Conduct

UOPX Codes of Conduct clearly state that the unlawful manufacture, sale, delivery, unauthorized possession, or use of any illicit drug is prohibited on property owned or otherwise controlled by UOPX. UOPX enforces a “Zero Tolerance” policy regarding underage drinking and will enforce state underage drinking laws on its campus premises (NOTE: the legal drinking age in the United States is 21 and over).

Additional standards of conduct for employees are addressed in the University Alcohol and Drug Abuse Prevention policy in the Policy Library. If any individual is found violating any alcohol or other drug related law while at a UOPX location or activity, UOPX will fully cooperate with federal and state law enforcement agencies.

9.5 Sanctions the University Will Impose for Alcohol or Other Drugs Violations

UOPX abides by federal, state, and local sanctions regarding unlawful possession of drugs and the unlawful consumption of alcohol. Any member of the campus community found consuming or selling alcohol and other drugs on UOPX property is subject to disciplinary action up to and including dismissal from UOPX.

9.6 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.
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.

### 9.7 State Drug and Alcohol Statutes

<table>
<thead>
<tr>
<th>Category</th>
<th>Summary (Arizona Revised Statutes)</th>
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<tbody>
<tr>
<td><strong>Possession of Marijuana</strong></td>
<td>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. § 13-2852. 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. Medical marijuana for certain conditions is allowed if the person possesses 2.5 ounces of usable marijuana. See A.R.S. § 36-2801. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</td>
</tr>
<tr>
<td><strong>Controlled Substances</strong></td>
<td>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 are prescribed under A.R.S. § 13-702. “Serious drug offenses,” patterns of violation/repeat offenses, and involvement in enterprises yielding a “significant source of income” (greater than $25,000 per calendar year) each result in more severe penalties. 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 and 13-3403. As an example, a person who knowingly possesses, sells, transfers or offers to sell or transfer peyote is guilty of a Class 6 felony which carries a presumptive jail term of one year and at least a $1,000 fine.</td>
</tr>
<tr>
<td><strong>Alcohol &amp; Minors</strong></td>
<td>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 minor alcohol. Id. A minor 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.</td>
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## ARIZONA

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<tbody>
<tr>
<td></td>
<td>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. <em>Id.</em> 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. <em>Id.</em></td>
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<tbody>
<tr>
<td>Driving Under the Influence (DUI)</td>
<td>A person is guilty of a DUI if the person 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. A person convicted of a DUI is guilty of a Class 1 misdemeanor. <em>Id.</em></td>
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## CALIFORNIA

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<tr>
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<tbody>
<tr>
<td>Possession of Marijuana</td>
<td>Possession of 28.5 grams or less of cannabis will require 4 hours of drug education and 10 hours of community service if the offender is under the age of 18. If the offender is under the age of 21, a fine of $100 will be imposed. If the offender is over the age of 18 and possesses more than 28.5 grams, an imprisonment of not more than 6 months or a fine of not more than $500 will be imposed, or both. See Cal. Health &amp; Safety Code § 11357. As the amount of cannabis increases, the crime classification becomes more severe and related penalties increase.</td>
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<tbody>
<tr>
<td>Controlled Substances</td>
<td>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as &quot;narcotics&quot; and &quot;restricted dangerous drugs.&quot; See Cal. Health &amp; Safety Code §§ 11350 – 11392. 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. 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, and/or community service. Possession of gamma hydroxybutyric acid (&quot;date rape drug&quot;) with intent to commit sexual assault is punishable by up to 3 years imprisonment.</td>
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<tr>
<td>Alcohol &amp; Minors</td>
<td>A minor who purchases alcohol or consumes any alcoholic beverage in any on-sale premises is punishable by a fine of $250 or between 24 and 32 hours of community service. Second or subsequent offenses are punishable by up to $500 and between 36 and 48 hours of community service. See Cal. Bus. &amp; Prof. Code § 25658. A person who sells, furnishes, or gives alcohol to a minor is guilty of a misdemeanor, as is a minor who purchases any alcoholic beverage. <em>Id.</em> Furnishing an alcoholic beverage to a minor is punishable by a fine of $1,000 and at least 24 hours of community service. If the minor subsequently consumes the alcohol and causes great bodily injury or death to himself/herself 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. <em>Id.</em></td>
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### CALIFORNIA

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<tr>
<td>Driving Under the Influence (DUI)</td>
<td>It is illegal to operate a car with a blood alcohol content of 0.08 percent or more. It is also illegal to operate a vehicle when addicted to the use of any drug. See Cal. Veh. Code § 23152. 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.</td>
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### HAWAII

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<tr>
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<tbody>
<tr>
<td>Possession of Marijuana</td>
<td>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. Promoting a detrimental drug in the third degree is a petty misdemeanor. See HRS § 712-1249. 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. See HRS § 706-663. As the amount of the marijuana increases, the crime classification becomes more severe and related penalties increase.</td>
</tr>
<tr>
<td>Controlled Substances</td>
<td>Hawaii statutes cover offenses related to the &quot;promotion&quot; (meaning possession, distribution, or manufacture) of dangerous, harmful, or detrimental drugs in the first through third degrees. See HRS §§ 712-1241 – 712-1249.7. Penalties for promotion of controlled substances include prison sentences and monetary fines. See HRS §§ 706-659 – 706-664 for terms of imprisonment and HRS §§ 706-640 and 706-650 for applicable fines.</td>
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<td>Penalties vary widely by the type and amount of substance confiscated. Trafficking methamphetamine or manufacturing a controlled substance with a child present will result in more severe penalties. See HRS §§ 712-1240.7 and 712-1240.5. The use of firearms in certain felony offenses and prior/repeat offenses by the individual also heighten the applicable penalties. See HRS §§ 706-659 and 706-606.5. For example, possession of 1 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.</td>
</tr>
<tr>
<td>Alcohol &amp; Minors</td>
<td>Promoting intoxicating liquor to a person under the age of 21, including providing or purchasing liquor for consumption or use by any person under 21, is a misdemeanor. See HRS §§ 712-1250.5 and 281-101.5.</td>
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<td>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. See HRS § 281-101.5. Any person between the ages of 18 and 21 who is in violation is guilty of a petty misdemeanor, and the court may impose penalties related to driver's license suspension in addition to other penalties permitted by law. See HRS § 281-101.5.</td>
</tr>
<tr>
<td>Driving Under the Influence (DUI)</td>
<td>A blood alcohol content of greater than 0.08 percent while operating a vehicle is a violation. For the first offense, a person will be sentenced to a 14 hour substance rehabilitation program, 1 year revocation of his or her 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. See HRS § 291E-61.</td>
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### NEVADA

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<tr>
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<tbody>
<tr>
<td>Possession of Marijuana</td>
<td>Possession, delivery, or production of less than 1 ounce of marijuana is legal for persons over 21 under certain circumstances. See N.R.S. § 678D.200. A person convicted of possession of one ounce or less of marijuana is guilty of a misdemeanor and shall be</td>
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### NEVADA

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<tbody>
<tr>
<td>Controlled Substances</td>
<td>N.R.S. §§ 453.324 – 453.348 include a wide range of offenses related to controlled substances and imitation controlled substances in the state of Nevada. 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, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. Things that can enhance applicable penalties include allowing a child to be present during commission of certain violations, failing to render or seek medical assistance to persons injured by the use of controlled substances under certain circumstances, or violations near schools or other facilities for minors. See N.R.S. §§ 453.3325, 453.3335, and 453.3345. As an example, a person convicted of a second violation of selling a controlled substance to a minor is subject to life in prison with the possibility of parole after 5 years or a definite sentence of 15 years as well as a fine of up to $20,000. See N.R.S. § 453.334.</td>
</tr>
<tr>
<td>Alcohol &amp; Minors</td>
<td>A person under 21 who purchases or consumes any alcoholic beverage is guilty of a misdemeanor. See N.R.S. § 202.020. A person under age 21 who falsely represents himself or herself to be 21 years of age or older in order to obtain any intoxicating liquor is guilty of a misdemeanor. See N.R.S. § 202.040. Attempting to use or proffer any counterfeited, forged, altered, (etc.) identification to establish falsely or misrepresent his or her actual age for the purpose of purchasing alcoholic liquor or being served alcoholic liquor is a misdemeanor. See N.R.S. § 205.460. Selling, giving, or otherwise furnishing an alcoholic beverage to any person under 21 is also a misdemeanor, unless furnished by the minor's parent or guardian. See N.R.S. § 202.055.</td>
</tr>
<tr>
<td>Driving Under the Influence (DUI)</td>
<td>The offense of Driving Under the Influence occurs when an individual has a blood alcohol concentration of 0.08 percent or more while driving or within 2 hours of having driven. See N.R.S. § 484C.110. A single offense within 7 years constitutes a misdemeanor. The offender must pay for tuition for educational course, be imprisoned for 2 days but not more than 6 months, perform not less than 48 hours but not more than 96 hours of community service, and/or be fined $400 to $1000. See N.R.S. § 484C.400.</td>
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### TEXAS

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<tr>
<th>Category</th>
<th>Summary (Texas Code Annotated)</th>
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<tbody>
<tr>
<td>Possession of Marijuana</td>
<td>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. 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. § 12.22. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</td>
</tr>
<tr>
<td>Controlled Substances</td>
<td>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. 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.</td>
</tr>
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### TEXAS Category

#### Summary (Texas Code Annotated)

**As of September 1, 2021,** 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. *See* 2021 Tex. Sess. Law Serv. Ch. 808 (H.B. 1694).

#### Alcohol & 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. § 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.

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.

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.

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. § 106.06.

#### 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 et seq. and Tex. Transp. Code Ann. § 524.022.
Section X: Sexual Violence Policy and Prevention

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.

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.

Sexual harassment, 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 may be viewed in its entirety at: https://www.phoenix.edu/content/dam/altcloud/doc/Equal-Opportunity-Harrassment-and-Nondiscrimination-Policy.pdf.

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
(602) 557-1823 office
(480) 273-0455 mobile

Regardless of where an incident occurs, any person may report sex discrimination, including sexual harassment (whether or not 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 a Campus Safety Coordinator.

Complainants may email TIXC@phoenix.edu and 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
• 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
  o 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 to/from the parking facility, if requested.

UOPX will provide a Rights and Options document 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. Documents can be found at 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).

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.
10.1 Reporting Dating Violence, Domestic Violence, Sexual Assault, and Stalking

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, and/or the Ethics Helpline at (888) 310-9569 or http://UOPXhelpline.com

10.2 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 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.

**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 other 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.

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.
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).

**10.2.1 State Definitions**

<table>
<thead>
<tr>
<th>ARIZONA Crime Type</th>
<th>Definitions (Arizona Revised Statutes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dating Violence</td>
<td>The institution has determined, based on good-faith research, that Arizona law does not define the term dating violence.</td>
</tr>
<tr>
<td>Domestic Violence (Ariz. Rev. Stat. § 13.3601)</td>
<td>&quot;Domestic violence&quot; 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:</td>
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<td>• 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.</td>
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<td></td>
<td>• The victim and the defendant have a child in common.</td>
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<td></td>
<td>• The victim or the defendant is pregnant by the other party.</td>
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<td></td>
<td>• 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.</td>
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<td></td>
<td>• 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.</td>
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|                                     | • 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 interaction between the victim and the
## ARIZONA Crime Type

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<td>defendant; (d) If the relationship has terminated, the length of time since the termination.                                                                FOXED</td>
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</table>

### Stalking

**Ariz. Rev. Stat. § 13-2923**

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:

- 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; (iii) A person with whom the victim has or has previously had a romantic or sexual relationship; (iv) 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.

- 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.

### Sexual Assault

- 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.

- 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.

### 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. These definitions under Arizona law are as follows:

- **Rape**: The institution has determined, based on good-faith research, that Arizona law does not define the term rape.

- **Fondling**: The institution has determined, based on good-faith research, that Arizona law does not define the term fondling.

- **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.

- **Statutory Rape**: The institution has determined, based on good-faith research, that Arizona law does not define the term statutory rape.

### Other "sexual assault" crimes

Other crimes under Arizona law that may be classified as a "sexual assault" include the following:

- **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.

- **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.

- **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
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<tr>
<td>Consent (as it relates to sexual activity) (Ariz. Rev. Stat. § 13-1401(7))</td>
<td>&quot;Without consent&quot; 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, &quot;mental defect&quot; 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.</td>
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<tr>
<th>CALIFORNIA</th>
<th>Definitions (California Penal Code)</th>
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<tbody>
<tr>
<td>Dating Violence</td>
<td>The institution has determined, based on good-faith research, that California law does not define the term dating violence.</td>
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</table>
| Domestic Violence                 | "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) California law (Cal. Pen. Code §§ 242 & 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. Also, Cal. Pen. Code § 273.5 provides penalties for willful infliction of corporal injury: 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. b. Subdivision (a) shall apply if the victim is or was one or more of the following: 1. The offender’s spouse or former spouse. 2. The offender’s cohabitant or former cohabitant. 3. The offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243. 4. The mother or father of the offender’s child. 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. 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.
### CALIFORNIA Crime Type | Definitions (California Penal Code)
---|---
#### 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.

**Stalking (Ca. Pen. Code § 646.9)**
- Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.
- The following definitions apply to the crime of stalking:
  - "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.
  - "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."
  - "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."
  - the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

**Sexual Assault**
- The institution has determined, based on good-faith research, that California law does not define the term sexual assault.

**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. These definitions under California law are as follows:
  - Rape (Cal. Pen. Code § 261): Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:
    1. Where a person is incapacitated, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act.
    2. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
    3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
    4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's
fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

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

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

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

- Rape of a spouse (Cal. Pen. Code § 262): Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:
  1. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
  2. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.
  3. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
  4. Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
  5. Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

- Fondling: The institution has determined, based on good-faith research, that California law does not define the term fondling.

- 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.
CALIFORNIA

Crime Type | Definitions (California Penal Code) |
---|---|
• Statutory Rape: The institution has determined, based on good-faith research, that California law does not define the term statutory rape. |

Other "sexual assault" crimes | Other crimes under California law that may be classified as a "sexual assault" include the following: |
---|---|
• Unlawful sexual intercourse with person under 18 (Cal. Pen. Code § 261.5): |
a. Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age. |
b. Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. |
c. Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or 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. |
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. |

• 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. |

• 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 aggravated sexual assault of a child: (1) Rape; (2) Rape or sexual penetration, in concert; (3) Sodomy; (4) Oral copulation; (5) Sexual penetration. |

• 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. |

• 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. |

• Forcible acts of sexual penetration (Cal. Pen. Code § 289): |
a. 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. |
b. 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
<table>
<thead>
<tr>
<th>CALIFORNIA</th>
<th>Definitions (California Penal Code)</th>
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<tr>
<td>Crime Type</td>
<td>Definitions (California Penal Code)</td>
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<td>bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.</td>
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<td></td>
<td>c. 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.</td>
</tr>
<tr>
<td>Consent (as it relates to sexual activity)</td>
<td>Cal. Pen. Code § 261.6: In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, in which consent is at issue, &quot;consent&quot; shall be defined to mean 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, 262, 286, 287, or 289, or former Section 288a.</td>
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<td>Cal. Pen. Code § 261.7: In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 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.</td>
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<tr>
<th>HAWAII</th>
<th>Definitions (Hawaii Revised Statutes)</th>
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<tbody>
<tr>
<td>Crime Type</td>
<td>Definitions (Hawaii Revised Statutes)</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>The institution has determined, based on good-faith research, that Hawaii law does not define the term dating violence.</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>Under Hawaii law, &quot;domestic violence&quot; 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. However, Hawaii law does define the following:</td>
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<td>• 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.</td>
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<td></td>
<td>o &quot;Family or household member&quot;: (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.</td>
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<td>Hawaii law also provides the following definitions related to domestic abuse protective orders (Haw. Rev. Stat. § 586-1):</td>
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<td>• &quot;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.</td>
</tr>
<tr>
<td></td>
<td>• &quot;Domestic abuse&quot; means: (1) 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; 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.</td>
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<tr>
<td>Crime Type</td>
<td>Definitions (Hawaii Revised Statutes)</td>
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<tr>
<td>• &quot;Extreme psychological abuse&quot; 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.</td>
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<tr>
<td>• &quot;Family or household member&quot;: (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.</td>
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<tr>
<td>• &quot;Malicious property damage&quot; means an intentional or knowing damage to the property of another, without his consent, with an intent to thereby cause emotional distress.</td>
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</table>
| Stalking | • 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.  
  o 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. |
| Sexual Assault | • Sexual assault in the first degree (Haw. Rev. Stat. § 707-730): A person commits the offense of sexual assault in the first degree if: (a) The person knowingly subjects another person to an act of sexual penetration by strong compulsion; (b) The person knowingly engages in sexual penetration with another person who is less than fourteen years old; (c) The person knowingly engages in sexual penetration with a person who is at least fourteen years old but less than sixteen years old; 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; (d) The person knowingly subjects to sexual penetration another person who is mentally defective; or (e) The person knowingly subjects to sexual penetration another 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.  
  • 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) …; 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.  
  • 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 defective, mentally
### HAWAII

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<tr>
<th>Crime Type</th>
<th>Definitions (Hawaii Revised Statutes)</th>
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<td>incapacitated, or physically helpless, or causes such a person to have sexual contact with the actor; (e) ...; (f) Knowingly, by strong compulsion, has sexual contact with another person or causes another person to have sexual contact with the actor.</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
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<td></td>
<td>• 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.</td>
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<tr>
<th>Rape, Fondling, Incest, Statutory Rape</th>
<th>For purposes of the Clery Act, the term &quot;sexual assault&quot; includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Hawaii law are as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Rape: The institution has determined, based on good-faith research, that Hawaii law does not define the term rape.</td>
</tr>
<tr>
<td></td>
<td>• Fondling: The institution has determined, based on good-faith research, that Hawaii law does not define the term fondling.</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
</tr>
<tr>
<td></td>
<td>• Statutory Rape: The institution has determined, based on good-faith research, that Hawaii law does not define the term statutory rape.</td>
</tr>
</tbody>
</table>

| 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, Haw. Rev. Stat. § 707-700 does define "compulsion" to mean an absence of consent, or a threat, express or implied, that places a person in fear of public humiliation, property damage, or financial loss. |

### NEVADA

<table>
<thead>
<tr>
<th>Crime Type</th>
<th>Definitions (Nevada Revised Statutes)</th>
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</thead>
<tbody>
<tr>
<td>Dating Violence</td>
<td>The institution has determined, based on good-faith research, that Nevada law does not define the term dating violence.</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>• Nevada’s protective order statutes provide the following definition for domestic violence (Nev. Rev. Stat. § 33.018):</td>
</tr>
</tbody>
</table>
|                           |   o Domestic violence occurs when a person commits one of the following acts against or upon the person’s spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the
<table>
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<tr>
<th>NEVADA</th>
<th>Definitions (Nevada Revised Statutes)</th>
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<tbody>
<tr>
<td>Crime Type</td>
<td>person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child: (a) A battery; (b) An assault; (c) Coercion pursuant to NRS 207.190; (d) A sexual assault; (e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to: (1) Stalking; (2) Arson; (3) Trespassing; (4) Larceny; (5) Destruction of private property; (6) Carrying a concealed weapon without a permit; (7) Injuring or killing an animal; (8) Burglary; (9) An invasion of the home; (f) A false imprisonment; (g) Pandering.</td>
</tr>
<tr>
<td>Stalking (Nev. Rev. Stat. § 200.575)</td>
<td>• A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking.</td>
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<td>• A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily harm commits the crime of aggravated stalking.</td>
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<tr>
<td>• The following definitions apply to the crimes above:</td>
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<td></td>
<td>• &quot;Course of conduct&quot; means a pattern of conduct which consists of a series of acts over time that evidences a continuity of purpose directed at a specific person.</td>
</tr>
<tr>
<td></td>
<td>• &quot;Family or household member&quot; means a spouse, a former spouse, a parent or other person who is related by blood or marriage or is or was actually residing with the person.</td>
</tr>
<tr>
<td>Sexual Assault (Nev. Rev. Stat. § 200.366.1)</td>
<td>A person is guilty of sexual assault if he or she: (a) Subjects another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct; or (b) Commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself or another, or on a beast.</td>
</tr>
<tr>
<td>Rape, Fondling, Incest, Statutory Rape</td>
<td>For purposes of the Clery Act, the term &quot;sexual assault&quot; includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Nevada law are as follows:</td>
</tr>
<tr>
<td></td>
<td>• Rape: The institution has determined, based on good-faith research, that Nevada law does not define the term rape.</td>
</tr>
<tr>
<td></td>
<td>• Fondling: The institution has determined, based on good-faith research, that Nevada law does not define the term fondling.</td>
</tr>
<tr>
<td></td>
<td>• Incest (Nev. Rev. Stat. § 201.180): Persons being within the degree of consanguinity within which marriages are declared by law to be incestuous and void who intermarry with each other or who commit fornication or adultery with each other shall be punished</td>
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</tbody>
</table>
### NEVADA Crime Type Definitions (Nevada Revised Statutes)

<table>
<thead>
<tr>
<th>Crime Type</th>
<th>Definition</th>
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<tbody>
<tr>
<td>NEVADA Crime Type Definitions (Nevada Revised Statutes)</td>
<td>for a category A felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of life with the possibility of parole, and may be further punished by a fine of not more than $10,000. (The degree of consanguinity referenced above is in NRS 122.020(1) and stated as &quot;not nearer of kin than second cousins or cousins of the half blood.&quot;)</td>
</tr>
</tbody>
</table>

- **Statutory Rape**: The institution has determined, based on good-faith research, that Nevada law does not define the term statutory rape.

### Other "sexual assault" crimes

Other crimes under Nevada law that may be classified as a "sexual assault" include the following:

- **Statutory Rape**: Nevada law provides penalties for the crime of statutory sexual seduction at Nev. Rev. Stat. § 200.368. "Statutory sexual seduction" is defined at Nev. Rev. Stat. § 200.364.10 and means ordinary sexual intercourse, anal intercourse or sexual penetration committed by a person 18 years of age or older with a person who is 14 or 15 years of age and who is at least 4 years younger than the perpetrator.

- **Sexual conduct between certain employees of college or university and student** (Nev. Rev. Stat. § 201.550):
  1. Except as otherwise provided in subsection 3, a person [is guilty of a category C felony if he or she]: (a) Is 21 years of age or older; (b) Is employed in a position of authority by a college or university; and (c) Engages in sexual conduct with a student who is 16 years of age or older, who has not received a high school diploma, a general educational development certificate or an equivalent document and who is enrolled in or attending the college or university at which the person is employed.
  2. For the purposes of subsection 1, a person shall be deemed to be employed in a position of authority by a college or university if the person is employed as: (a) A teacher, instructor or professor; (b) An administrator; or (c) A head or assistant coach.
  3. The provisions of this section do not apply to a person who is married to the student at the time an act prohibited by this section is committed.
  4. The provisions of this section must not be construed to apply to sexual conduct between two students.

- **Consent (as it relates to sexual activity)** The institution has determined, based on good-faith research, that Nevada law does not define the term consent (as it relates to sexual activity).

### TEXAS Crime Type Definitions (Texas Code Annotated)

#### DATING VIOLENCE

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<thead>
<tr>
<th>Crime Type</th>
<th>Definitions (Texas Code Annotated)</th>
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<tbody>
<tr>
<td>DATING VIOLENCE (Tex. Fam. Code Ann. § 71.0021)</td>
<td>The institution had determined, based on good-faith research, that the criminal statutes of Texas do not define the term dating violence. However, Section 71.0021 of the Texas Family Code provides the following:</td>
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</table>

a. "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.

b. 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...
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<tr>
<th>Crime Type</th>
<th>Definitions (Texas Code Annotated)</th>
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<td>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.</td>
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<td></td>
<td>c. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a &quot;dating relationship&quot; under Subsection (b).</td>
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<td>In addition, Sections 51.251 and 51.281 of the Texas Education Code provide that &quot;dating violence&quot; 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.</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>The institution has determined, based on good-faith research, that Texas law does not define the term domestic violence.</td>
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<td>However, Texas law does define the term &quot;Family Violence&quot; (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.</td>
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<td></td>
<td>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 specifically at another person, knowingly engages in conduct that:</td>
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<td>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; (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or (C) that an offense will be committed against the other person's property;</td>
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<tr>
<td></td>
<td>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 to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and</td>
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<tr>
<td></td>
<td>3. would cause a reasonable person to: (A) fear bodily injury or death for himself or herself; (B) fear bodily injury or death for a member of the person's family or household or for 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, annoyed, alarmed, abused, tormented, embarrassed, or offended.</td>
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<td></td>
<td>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:</td>
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<td>1. the laws of another state;</td>
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<td>2. the laws of a federally recognized Indian tribe;</td>
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<td>3. the laws of a territory of the United States;</td>
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<td>4. federal law.</td>
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<tr>
<td>TEXAS Crime Type</td>
<td>Definitions (Texas Code Annotated)</td>
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<td>c.</td>
<td>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.</td>
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<tr>
<td>d. In this section:</td>
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<tr>
<td>1. “Dating relationship,” “family,” “household,” and “member of a household” have the meanings assigned by Chapter 71, Family Code;</td>
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<tr>
<td>2. “Property” includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.</td>
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<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>The Texas Penal Code provides the following definitions for sexual assault and aggravated sexual assault:</td>
</tr>
<tr>
<td>• Sexual Assault (Tex. Penal Code Ann. § 22.011): A person commits an offense:</td>
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<td>o If 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</td>
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<tr>
<td>o 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 (D) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.</td>
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<tr>
<td>• Aggravated sexual assault (Tex. Penal Code Ann. § 22.021): A person commits an offense:</td>
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<tr>
<td>o 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</td>
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</table>
|   o 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,
<table>
<thead>
<tr>
<th>TEXAS Crime Type</th>
<th>Definitions (Texas Code Annotated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape, Fondling, Incest, Statutory Rape Other “sexual assault” crimes</td>
<td>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 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. In addition, Sections 51.251 and 51.281 of the Texas Education Code provide that &quot;sexual assault&quot; 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.</td>
</tr>
</tbody>
</table>

Consent (as it relates to sexual activity) (Tex. Penal Code Ann. § 22.011) | Other crimes under Texas law that may be classified as a "sexual assault" include the following: |
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</thead>
<tbody>
<tr>
<td></td>
<td>• 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.</td>
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<td></td>
<td>• 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.</td>
</tr>
</tbody>
</table>

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
TEXAS Crime Type | Definitions (Texas Code Annotated)
--- | ---
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.

10.3 Facts about Dating Violence, Domestic Violence, Sexual Assault, and Stalking

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 in the U.S. are victims of rape, physical violence, or stalking by an intimate partner. Annually, this equates to more than 12 million people per year.
- Only 310 out of every 1,000 sexual assaults are reported to police. That means more than 2 out of 3 go unreported.
- 8 out of 10 sexual assaults are committed by someone known to the victim.
- Half (50%) of all perpetrators are 30 years old or older.
- Ages 12-34 are the highest risk years for sexual assault.
- 1 out of every 6 American women have been the victim of an attempted or completed sexual assault in her lifetime.
- U.S. males ages 18-24 who are college students are approximately 5x more likely than non-students of the same age to be a victim of sexual assault (1 out of every 10 sexual assault victims are male).
- 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).
- American Indians are twice as likely to experience sexual assault compared to all races.

10.4 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 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.

UOPX offers Building Supportive Communities: Clery Act and Title IX training for faculty and staff as well as the Sexual & Interpersonal Violence Prevention and Response Course (SPARC) for students which includes safe and positive options for active bystander intervention. For more information on this training, please contact a Campus Safety Coordinator or refer to **Section 10.12**.

### 10.5 Risk Reduction

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

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, (602) 557-7000 or (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.

Technology may also aid with preventing violence before it happens:

- **Circle of 6** – Free app for iPhone and Android makes it quick and easy to reach the 6 people you choose. If you need help getting home or need an interruption, two taps lets your circle know where you are and how they can help. For more information, visit [http://www.circleof6app.com/](http://www.circleof6app.com/).

- **The ASPIRE News App** – ASPIRE News is a free application for iPhone and Android which contains summaries of top stories in world, sports, and entertainment news, from the When Georgia Smiled: The Robin McGraw Revelation Foundation (and powered by Yahoo!). 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/](https://www.whengeorgiasmiled.org/aspire-news-app/).

- **myPlan App** – myPlan was created to help people determine if a friend or family member is in an unsafe intimate relationship, and if so how to support them. For more information, visit [http://www.joinonelove.org/my_plan_app](http://www.joinonelove.org/my_plan_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; Jekyll-and-Hyde personality.
Become familiar with 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
- 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

10.6 Title IX Policies and Procedures – Sex Discrimination, Sexual Harassment, and Sexual Violence

The University’s Equal Opportunity, Harassment, and Nondiscrimination Policy may be viewed in its entirety at: https://www.phoenix.edu/content/dam/altcloud/doc/Equal-Opportunity-Harrassment-and-Nondiscrimination-Policy.pdf.

10.6.1 Privacy

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

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. Upon request, a report of the details of the incident can be filed with UOPX without revealing the reporter’s identity. Such anonymous 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 anonymous 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. 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, please visit http://www.phoenix.edu/students/counseling-skills-centers.html.

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, the public Campus Crime Log, or other reporting and/or disclosures.

10.7 Importance of Preserving Evidence

If you or someone you know has experienced sexual assault, domestic violence, dating violence, 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 sexual assault, dating violence, domestic violence, or stalking.

After a sexual assault, it is very important that the victim receive medical attention to treat any possible injuries and to screen for sexually transmitted infection (STI) and 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\(^8\) 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 now or at a later time. Agreeing to a forensic exam does not require the victim to subsequently file a police report.

Preserving DNA evidence from the 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

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\(^8\) Deoxyribonucleic acid; carrier of genetic information
occurring. Even if the perpetrator is not prosecuted, their DNA may be added to the national database (CODIS\textsuperscript{9}), 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 in order 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 your belongings, including the clothes you were wearing, in a \textbf{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 \url{https://centers.rainn.org/}. Sexual assault service providers can also offer information and resources for ongoing support related to sexual violence.

UOPX Corporate Security 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.

10.8 Surviving Sexual Violence

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 in the surrounding community.

10.8.1 University Resources

\textbf{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, 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;

\textsuperscript{9} Combined DNA Index System
• 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) as an employee benefit. All employees have access to EAP whether or not they obtain other benefits through UOPX. Information about the program is available at all times through the Benefit Central site at https://compass.empyreanbenefits.com/UOPX. This service provides referral services and treatment sessions as needed. Work-Life Services are also offered to help with problems that often overwhelm people; those problems include legal, financial, identity theft, elder and childcare, housing, education, personal services, and a host of other needs. Calls and online inquiries are tracked by category. Employees enrolled in health care plans can obtain additional 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 18 and older. Ginger is an emotional support app that provides 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, he/she 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.

10.8.2 National Resources

• National Domestic Violence Hotline: (800) 799-7233
• National Sexual Assault Hotline: (800) 656-4673
• loveisrespect: (866) 331-9474, http://www.loveisrespect.org/, or 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
• Adult Protective Services: http://www.napsa-now.org/get-help/help-in-your-area
• College Resources for Students with Disabilities: https://dealspotr.com/article/college-resources-for-disabled-students
• The Trevor Project: (866) 488-7386 or https://www.thetrevorproject.org/get-help-now/
• The Anti-violence Project: (212) 714-1141 or https://avp.org
• Forge-forward: (414) 559-2123 or https://forge-forward.org
10.8.3 State/Local Resources

| Arizona | Arizona Crisis Hotline: (602) 222-9444 or (800) 631-1314  
| Arizona Victims Services: (602) 542-1853 or (866) 787-7233 |
| Phoenix | HonorHealth: (480) 312-6340  
| Tempe St. Luke’s Hospital: (480) 784-5500 |

| 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 |
| Visalia | Kaweah Delta Health Care District: (559) 624-2000  
| Adventist Health Hanford: (559) 582-9000  
| Tulare County Crisis Hotline: (800) 320-1616 |
| Sacramento | Mercy General Hospital: (916) 453-4545  
| Sutter Medical Center: (916) 887-0000  
| Sacramento County Crisis Hotline: (888) 881-4881 |
| Salida | Kaiser Permanente: (209) 735-5000  
| Doctors Medical Center: (209) 578-1211  
| Stanislaus County Crisis Hotline: (209) 558-4600 |
| San Diego | Scripps Mercy Hospital San Diego: (619) 294-8111  
| Sharp Memorial Hospital: (858) 939-3400  
| San Diego County Crisis Hotline: (888) 724-7240 |
| El Centro | El Centro Regional Medical Center: (760) 339-7100  
| Pioneers Memorial Hospital: (760) 351-3333  
<p>| Imperial County Crisis Hotline: (800) 817-5292 |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Contact Information</th>
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<tbody>
<tr>
<td>California</td>
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<tr>
<td></td>
<td>California Victims Services: (877) 433-9069</td>
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</tbody>
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| 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 |
| La Palma      | West Anaheim Medical Center: (714) 827-3000  
|               | La Palma Intercommunity Hospital: (714) 670-7400  
|               | Orange County Crisis Hotline: (800) 273-8255 |
| Lancaster     | Antelope Valley Hospital: (661) 949-5000  
|               | Palmdale Regional Medical Center: (661) 382-5000  
|               | 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 |
| Nevada        |                     |
|               | Crisis Support Services of Nevada: (800) 273-8255  
|               | Nevada Victims Services: (775) 977-5733 |
| Las Vegas     | Summerlin Hospital Medical Center: (702) 233-7000  
|               | Kindred Hospital Las Vegas – Sahara: (702) 871-1418 |
| 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 |
| Houston       | Memorial Hermann Memorial City Medical Center: (713) 242-3000  
|               | Houston Methodist West Hospital: (832) 522-1000  
|               | Houston Crisis Hotline: (832) 416-1177 |
10.9 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.

Requests for supportive/protective measures should be made to the Title IX Coordinator at 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, UOPX may consider, among other factors, the following:

- The specific need expressed by the complainant
- 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 confidential any accommodations or supportive/protective measures provided to the extent that maintaining such privacy and confidentiality would not impair the University’s ability to provide them. However, there may be times when certain information must be disclosed in order to implement the accommodation or 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 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.
10.10 Possible Sanctions UOPX May Impose for Dating Violence, Domestic Violence, Sexual Assault, or Stalking 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.

- **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.

- **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.
  - Suspension without pay.
  - Termination.

10.11 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.

10.11.1 Investigation Procedures and Protocols

For complete details regarding investigative procedures and protocols, please view the Equal Opportunity, Harassment, and Nondiscrimination Policy.
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 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.

10.11.2 Rights of the Parties in an Institutional Proceeding

During the course of 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:
     o 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.
     o 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.
     o 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.

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. Have the outcome determined using 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.

10.12 Educational Programs – Dating Violence, Domestic Violence, Sexual Assault, and Stalking 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.

- **Building Supportive Communities: Title IX and Clery Act Training.** Staff and faculty are encouraged to review and acknowledge this training every other year. The training includes what Title IX and the Clery Act is, our responsibilities under Title IX and the Clery Act, what behaviors are covered under Title IX, what rights and protections are granted under Title IX, how to report a Title IX concern, and possible sanctions if a violation of Title IX is found.

- **Sexual & Interpersonal Violence Prevention and Response Course (SPARC)** will be available to all current students in the Fall of 2021 and a hyperlink to access the training is sent via email.

- **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. 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
  - Resources for survivors
  - Information on how alcohol and other 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.

- UOPX provides an **Employee Assistance Program (EAP)** as an employee benefit. All employees have access to the EAP whether or not they obtain other benefits through the University. Information about the program is available at all times through the **Benefit Central** site at [https://compass.empyreanbenefits.com/UOPX](https://compass.empyreanbenefits.com/UOPX). This service provides information on sexual assault, dating violence, domestic violence, and stalking along with referral services and treatment sessions as needed. UOPX also provides a mental wellness benefit, **Ginger**, for employees and their dependents age 18 and older. Ginger is an emotional support app that provides 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 other 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.
Section XI: Sex Offender Registry

The UOPX Campus Safety website at 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.

11.1 Reporting Convicted Sex Offenders

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

**Nevada**
http://www.nvsexoffenders.gov/

**Texas**
https://records.txdps.state.tx.us/SexOffenderRegistry
Section XII: Enrollment, Employment, and Student Organizations

12.1 Enrollment

Like many institutions of higher learning, UOPX has an open enrollment policy and does not discriminate based on an applicant’s criminal convictions. However, students must disclose criminal convictions for illegal drug violations when applying for Title IV Federal Financial Assistance.

12.1.1 Total Enrollment

Total enrollment for all UOPX local campuses can be found at http://nces.ed.gov/collegenavigator/.

12.2 Student Housing

UOPX does not have a Missing Student Notification Policy or Fire Safety Report & Statistics because it does not provide on-campus student housing facilities at any of its local campuses or locations.

12.3 Employment

Staff and faculty members must pass a background investigation and have their criminal record checked before employment at UOPX.

12.4 Student Organizations

A Recognized Student Organization (RSO) is a student organization that UOPX has reviewed for policy compliance and approved (“recognized”) through the UOPX Academic Council. Academic Clubs, Professional Associations, Honor Societies, and Service/Philanthropic Organizations are all eligible to become an RSO.

RSOs are permitted to use classroom space at local campuses for meeting in accordance with the guidelines outlined in the Recognized Student Organizations Handbook. There are no RSOs that are part of UOPX “noncampus” geography. Any crimes and/or incidents that occur during an RSO activity must be reported to a Campus Security Authority (CSA) or Campus Safety Coordinator in accordance with the Clery Act regardless of the activity location. Student organizations that are not “recognized” by UOPX may be subject to additional directives in order to use UOPX facilities for organization activities.

Students interested in starting a new RSO or local chapter of an existing RSO should contact the UOPX Office of Educational Equality at Student.Organizations@phoenix.edu. A current list may be found on http://www.phoenix.edu/RSO.
Appendices

A: Contacting the Campus Safety Coordinator

UOPX has a Campus Safety Coordinator assigned to each local campus. Specific information can be located on the phoenix.edu Campus Safety Contact List page: http://www.phoenix.edu/about_us/campus-safety/campus-safety-contact-list.html.

The Campus Safety Coordinator will assist all students, faculty, and staff who are victims of any crime with locating or notifying the appropriate local law enforcement authorities, if requested.

In addition to receiving reports of dating violence, domestic violence, sexual assault, or stalking the designated Campus Safety Coordinator and/or Title IX Coordinator, Bridget Beville (602) 557-1823 TitleIX@phoenix.edu, will provide a “Rights and Options” written notification to complainants and respondents (students, faculty, and staff), whether the offense occurred on or off campus, about the services available. The “Rights and Options” documents are available to the public at https://www.phoenix.edu/about_us/title-ix.html.

B: Counseling and Assistance Resources

B1: Assistance and Services for Victims of Sexual Violence

Esperanza United (Casa de Esperanza)
Esperanza United is a Latina organization. If you are experiencing domestic violence or if you know someone in that situation, call the confidential 24-hour, bilingual domestic violence helpline at (651) 772-1611 or send an email to info@casadeesperanza.org. For more information, visit https://www.casadeesperanza.org/.

Clery Center
The Clery Center is a national nonprofit dedicated to helping college and university officials meet the standards of the Clery Act. The Clery Center offers resources for students and families looking to understand what their rights are. For more information, visit https://clerycenter.org/.

DOD Safe Helpline
Members of the Department of Defense (DOD) community affected by sexual violence can receive live, free, confidential help through the DOD Safe Helpline at (877) 995-5247. For more information visit https://www.safehelpline.org.

Domesticshelters.org
Victims of domestic violence can utilize this free searchable directory of domestic violence service providers in the U.S. and Canada. Services provided may include legal representation, immigration services, sexual violence support groups, transportation, relocation services, etc. For more information, visit https://www.domesticshelters.org/.

FORGE
Provides direct services to transgender, gender non-conforming, and gender non-binary survivors of sexual assault, domestic violence, dating violence, stalking, or hate violence. Visit https://forge-forward.org/anti-violence/for-survivors/ or call (414) 559-2123.
HRSA Health Centers
The Health Resources & Services Administration (HRSA) health centers deliver high-quality, culturally competent, comprehensive primary care regardless of patients’ ability to pay (charge for services are on a sliding fee scale). For more information visit https://findahealthcenter.hrsa.gov/.

It’s On Us
It’s On Us is a national movement to end sexual assault. It’s On Us asks everyone – students, community leaders, parents, organizations, and companies – to step up and realize that the conversation changes with us. Take the pledge and commit to helping create a culture of consent, bystander intervention, and survivor support at https://www.itsonus.org/.

Loveisrespect
Those affected by dating violence can receive free and confidential 24/7/365 phone, live chat, and texting services: (866) 331-9474, http://www.loveisrespect.org, or text “LOVEIS” to 22522.

MaleSurvivor
MaleSurvivor provides resources to male survivors of sexual abuse, including directories to find a therapist or support group. For more information, visit https://malesurvivor.org/.

National Alliance to End Sexual Violence
Leaders from statewide anti-sexual violence organizations joined with local rape crisis centers and prominent national advocates to create the National Alliance to End Sexual Violence. Its mission is to be the voice in Washington, D.C. for state coalitions and local programs working to end sexual violence and support survivors. For more information, visit http://www.endsexualviolence.org/.

National Center for Victims of Crime
Website includes the National Center’s Connect Directory to assist with locating crime victim assistance organizations near you. Types of assistance include legal services, support groups, medical services, housing, financial assistance, and mental health/counseling services. For more information, visit http://www.victimsofcrime.org/home.

National Domestic Violence Hotline
Those affected by domestic violence can receive confidential, one-on-one support, 24 hours a day via the National Domestic Hotline: (800) 799-SAFE (7233). Online chat is also available 24/7/365 at https://www.thehotline.org/help/.

NO MORE
NO MORE is a public awareness and engagement campaign focused on ending domestic violence and sexual assault. You can find your state coalition and additional local resources at http://nomore.org/local-organizations/.

One Love Foundation
One Love works with young people across the country to raise awareness about the warning signs of abuse and activate communities to work to change the statistics around abuse, sexual assault, and harassment. For more information, visit http://www.joinonelove.org/.

RAINN
Victims of sexual assault can receive free, confidential 24-hour help by calling the National Sexual Assault Hotline at the Rape, Abuse, and Incest National Network (RAINN): (800) 656-HOPE (4673). You can also visit https://hotline.rainn.org online to receive 24/7/365 support via confidential online chat. To find independent sexual assault service providers near you, search RAINN’s national
database at https://centers.rainn.org/. Services are usually free or low cost and may include individual counseling, group counseling/support groups, legal/criminal justice system advocacy, crime victim assistance advocacy, emergency shelter, medical attention, and hospital accompaniment.

**Stalking Resource Center**
Website includes victim assistance resources and information about federal, state, tribal, and military stalking statutes. For more information, visit http://www.victimsofcrime.org/our-programs/stalking-resource-center.

**Student Financial Aid**
Additional information on student financial aid is available at https://studentaid.gov/ and https://www.finaid.org/. Students are also encouraged to discuss questions or concerns with their school finance advisor.

**The NW Network**
The NW Network of Bi, Trans, Lesbian, and Gay Survivors of Abuse offers free and confidential support for LGBT survivors of domestic, dating, and sexual abuse. Services include advocacy-based counseling, support groups, safety and support planning, basic legal advocacy, resources and referrals for housing, food banks, and mental health programs. For more information call (206) 568-7777 or visit https://www.nwnetwork.org/.

B2: National Legal Services

**ABA Center for Pro Bono**
Many communities offer legal services or have legal aid societies which provide free or reduced cost legal assistance and/or representation. Visit the American Bar Association’s Center for Pro Bono at https://www.americanbar.org/groups/center-pro-bono/ for more information.

**Fierberg National Law Group**
For students and families who experience crime on campus, including sexual assault and Title IX violations, Fierberg National Law Group provides civil legal services. For more information visit https://tfnlgroup.com/, call (202) 351-0510, or email info@tfnlgroup.com.

**National Crime Victim Bar Association**
The National Crime Victim Bar Association (NCVBA) assists victims with finding a qualified attorney by providing referrals to local attorneys specializing in victim-related litigation. For more information visit https://victimsofcrime.org/our-programs/national-crime-victim-bar-association/for-victims or email victimbar@victimsofcrime.org.

**U.S. Citizenship and Immigration Services**
Information on the legal rights available to immigrants in the United States can be found at https://www.uscis.gov/.

**WomensLaw.org**
This website provides state-specific legal information and resources for survivors of abuse. Visit https://www.womenslaw.org/ for help with finding an attorney, shelter, or courthouse location in your state.
B4: University of Phoenix Sponsored Student and Employee Assistance Programs

B4.1 Student Resources

Currently enrolled students can access the Life Resource Center from the online student website, MyPhoenix. The Life Resource Center offers services that are confidential, available 24/7, accessible by calling (844) 492-0546, and free to students. 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 skills, work-life balance skills, managing change/transitions, and managing stress

B4.2 Employee Resources

UOPX provides an Employee Assistance Program (EAP) as an employee benefit. All employees have access to EAP whether or not they obtain other benefits through the university. Information about the program is available at all times through the Benefit Central site at https://compass.empyreanbenefits.com/UOPX. Services include:

- Treatment sessions and referrals
- Work-life services for problems such as legal, financial, identity theft, child and elder care, and housing

UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 18 and older. Ginger is an emotional support app that provides 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.

B5: Alcohol and Other Drug Abuse Referral Services

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

- 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/
- National Institute on Alcohol Abuse and Alcoholism https://www.niaaa.nih.gov/
- National Institute on Drug Abuse (800) 662-HELP (662-4357) https://www.drugabuse.gov/
B6: Suicide Referral Services

In addition to the University of Phoenix sponsored Student and Employee Assistance Programs, the following are available for assistance to students and individuals contemplating suicide:

- The Jed Foundation [https://www.jedfoundation.org/](https://www.jedfoundation.org/)
- The National Suicide Prevention Lifeline 800-273-TALK (8255) or text “START” to 741-741
- The Trevor Project (LGBTQIA+) (866) 488-7386 [https://www.thetrevorproject.org/](https://www.thetrevorproject.org/)

B7: Veteran Referral Services

- U.S. Department of Veterans Affairs [https://www.mentalhealth.va.gov/](https://www.mentalhealth.va.gov/)
- Veterans Crisis Line at (800) 273-8255 and press 1
- A crisis line for active-duty, Veterans, National Guard, and Reserve members of the military at [https://www.veteranscrisisline.net/ActiveDuty.aspx](https://www.veteranscrisisline.net/ActiveDuty.aspx)
- A VA responder line text a message to 838255
- A self-check quiz at [https://www.vetselfcheck.org/Welcome.cfm](https://www.vetselfcheck.org/Welcome.cfm) and a confidential online chat session for Veterans or Service members in crisis at [https://www.veteranscrisisline.net/ChatTermsOfService.aspx](https://www.veteranscrisisline.net/ChatTermsOfService.aspx)

The Campus Safety Coordinator can provide additional referral resources within the local area.

The SOC provides student, faculty, and staff support 24/7/365. To report information, call (866) 992-3301. Students and other members of the campus community may also contact their local Silent Witness or Crime Stopper program 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 his or her 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.

C: Contacting the Campus Safety Team

For further questions or help, please contact the Campus Safety Team:

**Security Operations Center (SOC):** (866) 992-3301 or [SOC@phoenix.edu](mailto:SOC@phoenix.edu)

**Sr. Director Security:** (602) 557-7537 or [Steve.Lindsey@phoenix.edu](mailto:Steve.Lindsey@phoenix.edu)

**Title IX Coordinator:** (602) 557-1823 or [TIXC@phoenix.edu](mailto:TIXC@phoenix.edu)

**Clery Compliance Officer:** (602) 412-9253 or [Jessica.Flores@phoenix.edu](mailto:Jessica.Flores@phoenix.edu)
Your safety is of paramount importance. UOPX urges students, faculty, and staff to report all crimes or threatening situations that occur on-campus to your local and state police department, and then notify us. If anything makes you feel unsafe or threatened, dial 9-1-1.

D: Acronyms

AED  Automated External Defibrillator
ASR  Annual Security Report
CAASE Chicago Alliance Against Sexual Exploitation
CPR  Cardiopulmonary Resuscitation
CSA  Campus Security Authority
DOD  Department of Defense
EAP  Employee Assistance Program
EMN  Emergency Mass Notification
ERG  Emergency Response Guide
FBI  Federal Bureau of Investigation
FDLE Florida Department of Law Enforcement
FERPA Family Educational Rights and Privacy Act
HRSA Health Resources & Services Administration
ICASA Illinois Coalition Against Sexual Assault
IEMA Illinois Emergency Management Agency
LGBTQIA+ Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex, Alley, +anyone not included
LRC  Life Resource Center
MOU  Memoranda of Understanding
NCVBA National Crime Victim Bar Association
OCR  Office for Civil Rights
OPAC  Ongoing Prevention and Awareness Campaign
PPAP  Primary Prevention and Awareness Program
RAINN Rape, Abuse & Incest National Network
RSO  Recognized Student Organization
SANE Sexual Assault Nurse Examiner
SOC  Security Operations Center
STI  Sexually Transmitted Infection
TWN  Timely Warning Notification
UCR  Uniform Crime Reporting
UOPX University of Phoenix
VA  Veterans Affairs
VAWA Violence Against Women Reauthorization Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. § 668.46. The Clery Act is a federal statute that requires colleges and universities that receive federal financial aid funding to compile crime statistics from their campuses and provide safety information. Compliance is enforced by the United States Department of Education, which can impose civil penalties, up to $59,017 per violation, against institutions for each infraction and can suspend institutions from participating in federal student financial aid programs.