

# 2016 Annual Security and Fire Safety Report



SIMPSON  
UNIVERSITY

## Welcome to Simpson University

*At Simpson University, the safety and well-being of our students, employees, and visitors is a top priority. With the support of many departments, the university is dedicated to creating an atmosphere that is safe and conducive for learning. The information in this handbook is offered with the hope that you will read it carefully and use it to help foster a safe environment for yourself and others on campus.*

### I. Overview of Campus Safety Department

The Simpson Campus Safety Department oversees all aspects related to campus safety for persons and property, responds to emergency situations, assists in related safety needs, and enforces campus parking regulations. There are safety personnel on campus around the clock every day. The Campus Safety Department is located in Modular 6 and can be contacted by calling extension 4911 or **(530) 941-7592**.

Welcome to Simpson University. Accept our best wishes for an enjoyable and safe year.

Sincerely,

Dennis Smith  
Campus Safety Operations Coordinator



Simpson University is a safety-conscious community. Keeping all members safe has long been a high priority of the university; however, crime does still occur, and your safety is our concern. Your first line of defense is a combination of awareness and prevention. An important rule for your personal safety and that of your fellow students is to remember, **“When in doubt, give a shout.”**

This report contains information that will help remind you that awareness is our most effective deterrent of crime. Please take a few moments to read this report and remember if it doesn't look right, it probably isn't.

Simpson University Campus Safety officers are not sworn peace officers and do not have arrest authority. The Redding Police Department has jurisdictional authority and operational responsibility for investigation of crimes and general law and order on the entire campus. The Campus Safety Department maintains a liaison with them and all law enforcement agencies in our area. You can report criminal activities or other emergencies by dialing 911. If time permits, also contact the Campus Safety department at extension 4911 or **(530) 941-7592**.

Simpson University does not have an anonymous reporting system.

Education Code section 673816 requires institutions to “adopt rules requiring each of their respective campuses to enter into written agreements with local law enforcement agencies that clarify operational responsibilities for investigations of Part 1 violent crimes occurring on each campus,” including designating which law enforcement agency has operational responsibility for the investigation of each Part 1 violent crime and establishing the geographical boundaries of each agency's jurisdiction.

Simpson University and Redding Police Department have a longstanding agreement regarding crime reporting and investigative responsibilities. This agreement has been formalized in a Memorandum of Understanding that has been reviewed, approved, and signed by both parties.

## **II. Procedures for Reporting Criminal Offenses**

Students, staff, or visitors should report possible criminal offense directly to 911, the Redding Police Department (530.225.4200), or Campus Safety (530.941.7592) at any time, day or night. Simpson University will take prompt action to investigate and adjudicate the complaint. Our goal is to complete the investigation and adjudication within 60 calendar work days. In most instances, the process will be resolved sooner. However, there may be times where the process may take longer (i.e. when requested by law enforcement authorities to wait until they complete their investigation), if that occurs, the university will communicate on an on-going basis with the complainant and respondent parties in a realistic timeline, and the circumstances regarding the same. Campus Safety and Redding Police Department will share information to the extent allowed by law.

### **III. Timely Warning Procedures**

The Simpson University Campus Safety Department is responsible for determining when a timely warning should be disseminated to the Simpson University community.

Various notification techniques are employed to broadcast warnings so that the entire campus community may be alerted. The Director of Facilities, in consultation with the President and the Campus Safety Director, is responsible for initiating the notification processes.

The Simpson University Campus Safety Department is committed to the accurate gathering and timely dissemination of crime statistics and related information. Campus Safety disseminates timely warnings about crimes that arise, either on- or off-campus that constitute an ongoing or continuing threat to the university community. Timely warnings will be distributed via the university's Campus Safety website, Simpson University email, and posted fliers throughout the university community. Victims and witnesses are encouraged to report crimes to Campus Safety and may do so on a confidential basis by dialing extension 4911 or 941-7592.

### **IV. Emergency Response and Evacuation Procedures**

Simpson University has in place several systems to provide notification to the campus community upon confirmation of a significant or dangerous situation involving an immediate threat to the health or safety of university community members occurring on or near campus. Simpson University will issue the warning without delay, taking into account the safety of the community unless the notification will, in the judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Various notification techniques are employed to broadcast warnings so that the entire campus community may be alerted. The Director of Facilities, in consultation with the President and the Campus Safety Director, is responsible for initiating the notification processes.

Simpson University maintains staff members trained in evacuating students, staff, faculty, and visitors to places of safety, and accounting for those evacuated to a centralized information collection point. These systems are tested at least annually, documenting the date, time, and announced or unannounced procedure.

Members of the Emergency Response Team are assigned responsibilities that will ensure that every effort will be made to protect the university's members, guests, and properties.

The Site Inspection Team meets quarterly to discuss, evaluate and recommend changes regarding campus safety issues. Please contact the Campus Safety Operations Coordinator with any questions or concerns you may want the committee to address.

## **V. Local Police Department**

Simpson University does not have any student organizations with off-campus housing facilities which local police monitor.

## **VI. Access to Campus Facilities**

The main campus is closed to the general public from 10 p.m. - 6 a.m., unless specific authorized events are scheduled. It is the responsibility of those who use campus classrooms, offices, resident halls, and other areas to close access doors, turn off lights, and close windows. Campus Safety will check these areas and lock doors after hours.

All residence halls exterior entrances remained locked and are controlled by an electronic card access system.

## **VII. Maintenance of Campus Facilities**

The Facilities Department seeks to maintain a safe campus. Students and employees submit request for repair or to report unsafe conditions through the Facilities Work Request System. Parking lot, pathway, and building lighting is being maintained and improved. A safety inspection team walks campus monthly and provides reports of unsafe conditions.

## **VIII. Education and Prevention Programs**

Simpson University engages in comprehensive education programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for student and faculty that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of California;
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than the bystander;
- Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- Provides an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.

Simpson University is developing an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting

information and materials during new employee orientation as well as participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis.

### Check list for Prevention

- Do you know and trust the person before entering in a dating relationship?
- Are you extra cautious when meeting people on-line?
- When you go out, do you make a habit of telling your friends, parents or someone you trust where you are going, with whom and when you expect to be back?
- Do you know your limits and express them?
- Do you avoid drugs and alcohol?
- Do you know and understand the characteristics of a healthy relationship?
- Do you know where to go for on campus support and assistance?

Simpson University offered the following primary prevention and awareness programs for all incoming students and new employees in 2014: *Domestic Violence, Dating Violence, Sexual Assaults and Stalking are all covered in these programs.*

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Complies with VAWA</b>
Ladies Night Out	9/29/15	LR 204	Yes
Haven for SU students and employees	June 2015 and continuing	Online	Yes

### Warning Signs of Abusive Behavior

Domestic and dating abuse often escalates from threats and verbal abuse to violence and while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

- Being afraid of your partner.
- Constantly watching what you say to avoid a “blow up.”
- Feeling of low self-worth and helplessness about your relationship.
- Feeling isolated from family or friends because of your relationship.
- Hiding bruises or other injuries from family or friends.
- Being prevented from working, studying, going home, and/or using technology (including your cell phone).
- Being monitored by your partner at home, work or school.
- Being forced to do things you don’t want to do.

### Help Reduce Your Risk and Avoid Potential Attacks

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

- Get help by contacting the Counseling Center for support services.

- Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
- Consider making a report with Campus Safety and/or the Title IX Coordinator and ask for a “no contact” directive from the University to prevent future contact.
- Consider getting a restraining order.
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- Trust your instincts – if something doesn’t feel right in a relationship, speak up or end it.

### **Sexual Assault Prevention**

- Be aware of rape drugs.
- Try not to leave your drink unattended.
- Only drink from un-opened container or from drinks you have watched being made and poured.
- Avoid group drinks like punch bowls.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out your own.

### **Traveling around campus (walking)**

- Make sure your cell phone is easily accessible and fully charged.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to Facilities if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Walk with a buddy or call Campus Safety for a Safewalk.
- Carry a noisemaker (like a whistle) and a small flashlight on your keychain.

### **Safety Tips for Runners and Walkers**

Running and walking are excellent ways to maintain your exercise regimen. Here are a few pointers to help you stay safe as you hit the road:

- Plan your outing.
- Always tell someone where you are going and when you will return
- Tell friends and family your favorite exercise routes
- Run with a friend, even on campus
- Carry your cell phone with you
- Limit music usage

- Do not wear jewelry or carry cash
- Wear reflective material

Sometimes runners and walkers get lulled into a ‘zone’ where they are so focused on their exercise they lose track of what is going on around them. This can make you more vulnerable to attacks. Walk and run with confidence and purpose; if you get bored without music, practice identifying characteristics of strangers and memorizing license plates to keep you from ‘zoning out.’

### **Vehicle Assistance**

Campus Safety offers assistance with minor vehicle problems such as a battery jump. For problems such as keys locked in a vehicle or other serious problems, safety personnel can make the necessary calls to a locksmith or roadside assistance

### **Safewalk Program**

Campus Safety provides a safe-walk service to and from the parking lots upon request. Call the Campus Safety cell phone at 941-7592 or call extension 4911 from a campus phone to request this service.

### **Safety Whistle Program**

As part of Simpson University’s commitment to a safe campus, whistles are made available to all students and employees. Any member of the Simpson community who would like to participate should contact the Campus Safety office in the Owen Center.

We encourage the use of these whistles both as a deterrent to any potential criminal activity and as a means of drawing maximum attention in the event of an emergency. Those hearing a whistle blast should immediately move to that area (with others, if possible) to provide assistance such as:

- Rendering aid to the person soliciting help.
- Contacting Campus Safety at (530) 941-7592 or extension 4911.
- Calling 911 for assistance.

## **IX. Alcohol and Drug Policies**

Possession and consumption of alcoholic beverages is not permitted on campus. As prescribed by state law (section 25657-25667), it is illegal to sell alcohol without a permit, and no one under age 21 is permitted to consume alcohol.

Simpson University is committed to maintaining an environment of teaching and learning that is free of illicit drugs and alcohol. In compliance with the requirements of the Drug Free Schools and Communities Act, all students and employees of Simpson University are notified of the following:

1. The unlawful possession, use, distribution, or manufacturing of alcohol or controlled substances on the university campus or during university-sponsored activities is prohibited.

Students who are found to be in violation of this stated prohibition may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the State of California or the United States. Conviction can result in sanctions including probation, fines, and imprisonment.

Students who are found to be in violation of this stated prohibition are subject to discipline in accordance with the requirements and procedures of the Student Conduct Code. Discipline may include disciplinary probation or dismissal from the university.

2. Any student or employee who believes they have a drug or alcohol problem is urged to voluntarily seek confidential assistance through rehabilitation programs. Students are also encouraged to seek counsel and assistance from the Wellness Center at extension 4067 from a campus phone.

#### Simpson University's "Alcohol-Tobacco- and Drug-Free Policy"

In compliance with the federal Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3194 et. Seq.), the university also prohibits the use, possession, manufacture, cultivation, or dissemination of drugs determined to be controlled substances under the federal Controlled Substances Act (21 U.S.C. 811) or declared to be illegal under the laws of the state of California. Notwithstanding California laws such as the Compassionate Use Act or the Medical Marijuana Program Act (Health and Safety Code sections 11362.5 et. seq. and 11362.7- 11362.83), which provide a limited defense against criminal prosecution of persons with recommendations to possess or use medical marijuana, Simpson University, recognizing that medical marijuana remains a "controlled substance" under federal law, still prohibits its students from possessing or using medical marijuana both on and off campus. Further, the possession of any drug paraphernalia is prohibited and the misuse of pharmaceutical drugs is forbidden. Simpson University's campus, students, and its sponsored and sanctioned activities are smoke-free, drug-free and alcohol-free. Violation of Simpson University's "Alcohol- Tobacco- and Drug-Free Policy" will result in disciplinary action including dismissal and/or criminal prosecution, if applicable. When a student is found responsible for violating the alcohol and/or drug policy, a charge of \$75 will be applied for the first violation; any subsequent violation will result in a charge of \$200. This charge will be in addition to other sanctions that may be required by the SCA.

Any student who feels he/she has a drug or alcohol or tobacco problem is urged to voluntarily seek confidential assistance through a rehabilitation program, and/or through the Counseling Center, located in the Wellness Center, second floor of the Owen Center, (530) 226-4106. Students are also encouraged to seek counsel and assistance from a member of the Student Development staff or the Amnesty Program at [amnestyprogram@simpsonu.edu](mailto:amnestyprogram@simpsonu.edu).

In the case of medical situations, exceptions may be granted to the absolute prohibition(s) of tobacco and e-cigarettes by the Director of the Wellness Center on a case-by-case basis.

### Background to Simpson University's Alcohol Policy

The Simpson University Student Code states in the Student Handbook that traditional undergraduate students enrolled at Simpson University are prohibited from possessing or using alcohol, tobacco, and cloves, both on and off campus, with the exception of students who are of legal age that receive wine at Holy Communion, in recognition of our diverse faith practices. Students of legal age are allowed to drink alcohol in moderation off campus during the times required to leave the residence halls for breaks (i.e., Christmas break, Spring break, and summer break) if doing so is done lawfully and responsibly.”

In response to an inquiry as to the background to this part of the student code, the following is offered in a spirit of understanding.

- Background #1: Relationship with the Christian and Missionary Alliance
  - Simpson University is an “affiliated enterprise” of the Christian and Missionary Alliance (CMA) denomination. Born out of the “holiness” tradition in America at the turn of the 19th century, the CMA has emphasized living a lifestyle above reproach. This includes the expectation that all CMA licensed workers would refrain from “alcohol and tobacco and addictive practices that are prevalent in our culture today” (reconfirmed by the CMA Board of Directors, 2/09).
  - Simpson University was birthed in the lifestyle culture of the CMA and the principle of “living above reproach.” While social norms may have changed, the principle of “living above reproach” remains a guide for all of life.
- Background #2: Community on a Christian college campus
  - Currently, the legal age for drinking is twenty-one. At a traditional residential college (like Simpson University) most students are under the age of twenty- one, making it illegal for them to consume alcohol. In deference to the larger community of under-age students, and in living out the biblical principle of not causing a brother or sister to stumble, Simpson University asks each student member of the college community for whom it is legal to drink alcohol, to set aside their right to drink alcohol for the sake of the larger student community. Setting aside one’s rights for the sake of others was the subject of two entire chapters of the apostle Paul (I Corinthians 8, 9) and is a mark of Christian maturity.
- Background #3: Balancing risks and responsibilities
  - The “jurisdiction” of the non-biblical and non-legal portions of the Student Code exclude those times when students are home for Christmas and summer breaks. In addition, the alcohol policy allows legal age students who are off campus during the times required to leave the residence halls for breaks (i.e.,
  - Christmas break, Spring break, and summer break) to drink in moderation. These guidelines are made for two primary reasons: 1) to give students the opportunity to use their own developing discernment in the absence of an institutional code; and 2) in order to recognize that some Simpson students are of the legal drinking age and if they are inclined to drink, ought to be given the opportunity to develop responsible drinking habits (studies indicate that most students who end up misusing alcohol start their misuse while in college and usually as a result of peer influence).

- At the same time, Simpson University takes seriously the risks that come in the absence of an alcohol policy. Date rape, sexual assault, student-to-student violence and more unwelcome behaviors are more frequent occurrences where alcohol is present. As part of Simpson University's commitment to providing a safe and healthy environment for its students, the Student Code seeks to strike a balance between giving legal-age students opportunities to develop while minimizing the risks that often result from student drinking.
- Background #4: Respect for parental and constituent expectations
  - While there has been no study done, a safe assumption could be made that a majority of parents who send their students to Simpson select Simpson with the expectation that the University will provide a safe and supportive environment that, in many instances, would not include permissible alcohol consumption. In addition, it is felt that the expectation of supporters, donors and constituents would include an alcohol-free campus policy for students.
- Conclusion
  - Simpson University does not consider the drinking of alcohol either a sin or an indicator of one's spiritual condition. Simpson University has, however, carefully weighed the issue of permissible alcohol drinking among its traditional undergraduate students and decided to enact the alcohol policy as found in the Student Code.
  - Simpson University realizes that not everyone will agree with the alcohol policy, but respectfully requires that each traditional undergraduate student, whether under-age or legal age, abide by the policy.
- Drug Testing
  - The Office of Student Development may require drug testing under the following circumstances:
    - when an allegation has been submitted involving potential prohibited drug use, and/or
    - as a method of ongoing accountability to be included as a sanction in a behavior contract,
    - as part of our ongoing athletic program. Drug tests are conducted without notice in order to ensure accurate testing and must be completed within 24 hours at one of the locations recommended by the office of Student Development (exceptions may be made on a case by case basis with prior approval).
  - Payment for drug testing is as follows:
    - When a drug test is required as part of the investigation process, the university will cover the cost of a negative result.
    - When a drug test is required as part of the investigation process, the student will cover the cost of a positive result.
    - Drug testing as a sanction in a behavior contract is at the expense of the student, regardless of the outcome of the test.
    - If a student refuses to submit to this test or to sign a release of information form, the university assumes the student is admitting responsibility for a violation and proceeds accordingly. Any student refusing to take a drug test is held responsible for the violation of prohibited drug use and

appropriate disciplinary response(s) will follow. Positive tests are considered conclusive that a student was in an environment where the respective prohibited drug activity occurred and/or that the student participated in such activity. Challenges to positive drug tests based on second-hand use/smoke, or similar arguments, are therefore not valid.

## **X. Crime Statistics**

The following information is provided in accordance with the reporting requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This information is provided for the benefit of Simpson University students, parents and extended community. It is the desire of Simpson University to have an informed community which will result in a safety-conscious campus.

If you have any questions about this report please contact Campus Safety at (530) 941-7592 or extension 4911. You may also stop by the Facilities Office in the Owen Center Suite 308 during normal business hours.

### **Clery Act Reportable Crimes / Definitions**

#### Clery Act Primary Crimes

- Murder
  - The willful (non-negligent) killing of a human being by another
- Manslaughter
  - The killing of another person through gross negligence
- Sex Offenses
  - 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 his/her age or because of his/her 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
  - 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. This type of assault is usually accompanied by the use of a weapon or means likely to produce death or great bodily harm.
  - If the attack results in broken bones, a loss of consciousness or significant blood loss, or requires medical treatment or hospitalization, such as stitches or casting (regardless of whether or not the victim accepts such assistance), the incident shall be classified as an Aggravated Assault.
- Burglary
  - The unlawful entry of a structure to commit a felony or theft.
  - A incident must meet three conditions to be classified as a Burglary:
    - There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted.
    - The unlawful entry must occur within a structure, which is fined as having four walls, a roof and a door.
    - The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is larceny.
- Motor Vehicle Theft
  - The theft or attempted theft of a motor vehicle.
- Arson
  - 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.

#### Clery Act Arrests & Referrals for Disciplinary Action

- Illegal Weapons Possession
  - Manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above
  - Under California State Penal Code 626.10 the possession and/or use of any types of weapons, including but not limited to: firearms, air and spear guns, any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun knives with fixed blades over 2.5 inches, martial arts weapons, bows and arrows, swords, paint pellet guns, batons, clubs, tasers, stun guns, and explosives of any type is prohibited.
- Drug & Liquor Law Violations
  - The violation of laws prohibiting the production, 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, 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. The

relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine)

- 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 or drunkenness.

### Clery Act Hate Crimes

- Hate Crimes
  - A criminal act involving one/more of the Clery Act Primary Crimes listed above as well as the crimes of theft, simple assault, intimidation or vandalism, or any other crime involving bodily injury which: was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the race, gender, gender identity, religion, sexual orientation, disability, ethnicity, or national origin, or bias based upon the perception that the person or group has one or more of those characteristics.
- Larceny - Theft
  - A criminal act which includes the crimes of Pocket Picking, Purse Snatching, Shoplifting, Theft from Building, Theft from Coin Operated Machine or Device, Theft from Motor Vehicle, Theft of Motor Vehicle Parts or Accessories, and All Other Larceny.
- 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 a physical attack.
- Vandalism
  - 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.

### Violence Against Women Act (VAWA)

- 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
- Domestic Violence
  - A felony or misdemeanor crime or 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 similarly situated to a spouse of the victim under the domestic family violence laws of the jurisdiction in which the crime of violence occurred;

- 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

**California AB1433 Reporting**

As a condition for participation in the Cal Grant Program, this law requires campus security authorities to immediately—or as soon as practicably possible—disclose to local law enforcement any report of a Part 1 violent crime, hate crime, or sexual assault (including threats). (Ed. Code, § 67380, subd. (a)(6)(A).). This includes reports victims make directly to campus security authorities as well as reports victims make to other campus employees that are then conveyed to campus security authorities.

**2016 Crime Statistics Report for 2015**

<b>Offense</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>In Residence Facilities</b>	<b>Non-Campus Property</b>	<b>Public Property</b>
<b>Murder/Non-Negligent Manslaughter</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Manslaughter by Negligence</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Sex Offences – Rape</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Sex Offences – Fondling</b>	2013	N/A	N/A	N/A	N/A
	2014	0	0	0	0
	2015	0	0	0	0
<b>Sex Offences – Incest</b>	2013	N/A	N/A	N/A	N/A
	2014	0	0	0	0
	2015	0	0	0	0
<b>Sex Offences – Statutory Rape</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Robbery</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Aggravated Assault</b>	2013	0	0	0	0
	2014	1	1	0	0
	2015	0	0	0	0
<b>Burglary</b>	2013	3	3	0	0
	2014	1	0	0	0
	2015	6	5	0	0
<b>Motor Vehicle Theft</b>	2013	1	N/A	1	0
	2014	0	N/A	0	0
	2015	0	N/A	0	0
<b>Arson</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Dating Violence</b>	2013	N/A	N/A	N/A	N/A
	2014	3	3	0	0
	2015	0	0	0	0
<b>Domestic Violence</b>	2013	N/A	N/A	N/A	N/A
	2014	0	0	0	0
	2015	0	0	0	0
<b>Stalking</b>	2013	N/A	N/A	N/A	N/A
	2014	1	1	0	0
	2015	0	0	0	0

**2016 Crime Statistics Report for 2015**

<b>Offense</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>In Residence Facilities</b>	<b>Non-Campus Property</b>	<b>Public Property</b>
<b>Arrests: Weapons, Carrying, Possessing, Etc.</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Disciplinary Referrals: Weapons, Carrying, Possessing, Etc.</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2013	0	0	0	0
	2014	3	3	0	0
	2015	1	1	0	0
<b>Arrests: Liquor Law Violations</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>	2013	0	0	0	0
	2014	3	3	0	0
	2015	3	3	0	0

**Hate Crimes:**

**2015:** Two hate crimes: two on-campus, one incident characterized by religion bias, one incident by ethnicity.

**2014:** One hate crime: on-campus, intimidation incident characterized by race bias.

**2013:** No hate crimes were reported in 2013.

**Unfounded Crimes:**

There were no unfounded crimes at Simpson University in 2015.

The Campus Safety Office Coordinator and the Director of Facilities annually review and prepare this annual security report in collaboration with the Title IX Officer, Student Conduct Coordinator, Director of the Wellness Center, Director of Residence Life, and the Associate Vice President for Student Development. Sources for its contents and the crime statistics are:

- Campus Safety Incident Reports
- Student Conduct Incident and Allegation Reports
- Athletic Director Incident Reports
- Redding Police Department Incident Reports

**Patrol Jurisdiction for the Simpson University Campus Safety Department**

The map below indicates the areas of patrol for the SU Campus Safety Department.

**60 Day Crime/Incident Log**

The Campus Safety Department also maintains a 60-day crime/incident log that includes all incidents or reports of criminal offenses where a case number is generated. The log includes the date the incident/crime was reported, the date and time the incident occurred, general location of the incident, and disposition. The Simpson University campus crime log is available to the general public at the Campus Safety Office in Mod 61 between the hours of 9:00 a.m. until 5:00 p.m. If no one is in the office, please call 530-941-7592 and staff will meet you there.

**XI. Annual Fire Safety Report****Residential Fire Safety Systems – 2016**

Resident Halls	Fire Alarm Monitoring Done by Cal Safety	Full Sprinkler System	In Room Smoke Detection	Corridor Smoke Detection	Fire Extinguisher Devices	Evacuation Plans	Number of Evacuation Drills each Academic Year
Thompson/Mangham	X	X	X	X	X	X	2
Irwin/Shellrude	X	X	X	X	X	X	2
Morgan/Sharpe	X	X	X	X	X	X	2
Currie/Ediger	X	X	X	X	X	X	2
Cooper/Heath	X	X	X	X	X	X	2
Measell/Taylor	X	X	X	N/A*	X	X	2

\*Measell/Taylor Resident Hall has apartment style housing. There are no corridors.

**2013 Residence Halls Fire Statistics**

Residential Facilities	Total Fires in each building	Reported date	Occurred date	Occurred time	Number of injuries requiring treatment at a Medical facility	Number of fire related deaths	Appox. Value of Property damage by fire	Case number
Thompson/Mangham	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Irwin/Shellrude	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Morgan/Sharpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Currie/Ediger	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cooper/Heath	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Measell/Taylor	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**2014 Residence Halls Fire Statistics**

Residential Facilities	Total Fires in each building	Reported date	Occurred date	Occurred time	Number of injuries requiring treatment at a Medical facility	Number of fire related deaths	Appox. Value of Property damage by fire	Case number
Thompson/Mangham	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Irwin/Shellrude	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Morgan/Sharpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Currie/Ediger	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cooper/Heath	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Measell/Taylor	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### 2015 Residence Halls Fire Statistics

Residential Facilities	Total Fires in each building	Reported date	Occurred date	Occurred time	Number of injuries requiring treatment at a Medical facility	Number of fire related deaths	Approx. Value of Property damage by fire	Case number
Thompson/Mangham	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Irwin/Shellrude	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Morgan/Sharpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Currie/Ediger	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cooper/Heath	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Measell/Taylor	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

#### Fire Drills

Campus Safety conducts fire drills twice annually in the Residence Halls. Fire drills in academic and administrative buildings are conducted annually.

#### Campus Housing Fire Safety Policies

##### Portable electrical appliances

Devices with electric heating sources and non-UL approved appliances are not allowed in campus residence halls.

##### Smoking and open flame policy

Smoking and open flames (candles) are banned from all residence halls.

##### Evacuation procedures

Evacuations policy and procedures are posted in all residence halls. These procedures are reviewed at living area meetings at the start of each semester.

##### Fire Safety Education Programs (student and faculty)

Annual safety training is made available to faculty and staff.

Residential students attend frequent hall and floor meetings where safety issues are addressed.

##### Future Improvement of Fire Safety

The university continues to update systems for the reduction of campus risk. Future improvements include additional training related to evacuation procedures.

## XII. Missing Students

Residential students have the option of submitting an emergency notification form to the Residence Life Department. These forms are forwarded to Campus Safety to keep in case of a report of a missing student. This information will be registered confidentially, and will be accessible only to authorized campus officials and law enforcement, and disclosed only in the event of a missing person investigation.

Students, employees, or other individuals should report any student that has been missing for 24 hours. Make the report to any of the following:

- Campus Safety Officer

- Campus Safety Operations Coordinator
- Director of Residence Life
- Director of Facilities
- Director of the Wellness Center
- Director of Human Resources
- Associate VP for Student Development
- Redding Police Department

Any reports of a missing student must be forwarded immediately to the Campus Safety Office or the Redding Police Department. Campus Safety will promptly forward the report to the Redding Police Department. The report will be investigated by Campus Safety and/or Redding Police Department. Should the investigation determine the student has indeed been missing for 24 hours: the missing student's identified emergency contact will be notified within 24 hours, OR if the student has not identified an emergency contact and is under 18 years of age and is not emancipated, the student's custodial parent or guardian or any other designated contact will be notified within 24 hours.

### **XIII. Sexual Assault Policies**

Simpson University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, Simpson University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official. If you are the victim of a sexual assault, you can call 911 or One Safe Place (530-244-0117) (any time of day or night).

Call a friend, or someone you trust, for support, and seek medical attention at once since all injuries are not readily apparent. Do not bathe, douche, change, or wash your clothes - it is important to preserve evidence in case you decide to press charges.

You are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Simpson University hearing boards/investigators or police.

You have the right to report sexual assault, domestic violence, dating violence, or stalking to the police. To file a criminal complaint, contact campus Safety at 530-941-7592 or call RPD at 530-225-4200 or call 911.

**If the perpetrator is affiliated with Simpson University, you should report the violence to the University.**

If the perpetrator is a Simpson University student, you can report to the Office of Student Conduct or the Title IX Office. They will investigate the alleged violence. Information about this process and possible sanctions are available in the student handbook. Remember, some crimes will be reported to the RPD.

If the perpetrator is a Simpson University employee, volunteer, or vendor, report to the Title IX Administrator or the Director for Human Resources.

You can also report to the university without filing a criminal complaint.

If reporting to the police seems intimidating. You can request that an advocate accompany you by calling Campus Safety (941-7592), One Safe Place (244-0117) or the Wellness Center (226-4667).

Victims are not required to report sexual assault, domestic violence, dating violence, or stalking to Campus Safety, Redding Police Department or the Student Conduct Office. You can receive university services regardless of whether or not you report an act of violence. However, **because the University wants to prevent future sexual violence, you are encouraged to report.**

You are encouraged to seek help in coping with the aftermath of the assault and in exploring and arranging for counseling. The Simpson University Counseling Center or One Safe Place (530-244-0117) provides assistance and support with sexual abuse and assault.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, and disciplinary proceedings or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Safety or other law enforcement to preserve evidence in the event that the victim changes his/her mind at a later date.

For violations of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors; students who would like to report an incident should carefully review the following information on where to report an incident, the investigatory process, the complaint resolution process and the appeals process.

## **Sexual Awareness Resources and Contacts**

### Campus Resources

- Wellness Center Suite 208, Owen Center
- Counseling Center 530-226-4106
- Health Center 530-226-4178
- Title IX Administrator Suite 308, Owen Center
- Administrator and Investigator 530-226-4419
- Student Conduct Office Suite 206, Owen Center
- Administrator and Investigator 530-226-4708
- Campus Safety Mod 61
- Safety Officer 530-941-7592

### Other Campus Resources

- Student Development Offices
- Administrative Assistant 530-226-4177
- Campus Pastor 530-226-4978
- Residence Life Director 530-226-4108
- FYE and Connection Groups
- Associate VP 530-226-4728
- Title IX Deputies
- For Employees 530-226-4501

- For Administration and Faculty 530-226-4152
- For Student Behavior 530-226-4708
- For Athletics 530-226-4731
- For Prevention and Training 530-226-4154

### Community Resources

- Community Sexual Violence Service
- “One Safe Place” 1670 Market St. 3rd Floor Redding, CA
- Executive Dir. 530-224-0118
- 24/7 Hotline 530-244-0117
- Other Community Resources
- Redding Police Department (RPD) 1313 California St. 530-225-4200
- Weed Police Department (WPD) 550 Main St, Weed, CA 96094 (530) 938-5000
- Shasta County D.A. Office 1355 West St. Redding CA. 530-245-6300
- Mental Health Services 2650 Breslauer Way, Redding CA. 530-225-5252
- Sheriff’s Office 1525 Court St. Redding, CA. 530-245-6165

### **IN AN EMERGENCY, CALL 911**

#### **Confidentiality**

Sometimes survivors of sexual assault, domestic violence, dating violence, or stalking may have concerns about how their information will be safeguarded. Health care providers at Simpson University’s Wellness Center, counselors and psychologists at Simpson University’s Counseling Center, and the Campus Pastor are not required to report acts of violence to the university.

All university employees and faculty, including resident life student staff (RA’s) must report sexual assault, domestic/ dating violence, and stalking to the Title IX Administrator. The Title IX Administrator will keep your information as private as possible. However, if the university becomes aware of the identity of an alleged perpetrator or has sufficient information, the university may investigate the report in addition to the Title IX investigation.

While the reporting disclosure of the act of violence itself is mandated, a victim’s identity may not be disclosed to local law enforcement unless the victim consents to being identified after being informed of his or her right to have identifying information withheld. If a victim does not consent to disclosing his or her identity, the alleged perpetrator’s identity may not be disclosed either.

Any Simpson University employee becoming aware of child sexual abuse must report it immediately to Campus Safety and his/her supervisor. Anonymous reports can be made to Shasta County Public Health child abuse hotline: 530-225-5144.

*If you or someone you know experiences violence, you’re not alone. Help is available.*

#### **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint, Simpson University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide

each victim with a written explanation of their rights. In California, a victim of sexual assault, domestic violence, dating violence, or stalking has the following rights:

Marsy's Law significantly expands the rights of victims in California. Under Marsy's Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

- To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
- To be reasonably protected from the defendant and persons acting on behalf of the defendant.
- To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
- To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
- To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
- To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
- To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
- To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
- To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
- To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
- To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
- To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
- To restitution.
- It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

- Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
- All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
- To the prompt return of property when no longer needed as evidence.
- To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
- To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
- To be informed of the rights enumerated in paragraphs (1) through (16).

Further, Simpson University complies with California law recognizing orders of protection i.e. restraining orders. Any person who obtains a restraining order from the State of California should provide a copy to Campus Safety and the Office of the Title IX Coordinator. A complainant may then meet with Campus Safety to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: Safewalks, special parking arrangements, changing classroom location.

To the extent of the victim's cooperation and consent, university offices, including Campus Safety, Counseling Center and Student Life will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement.

### **Investigations**

Simpson University will take prompt action to investigate and adjudicate the complaint. Our goal is to complete the investigation and adjudication within 60 calendar work days. In most instances, the process will be resolved sooner. However, there may be times where the process may take longer (i.e. when requested by law enforcement authorities to wait until they complete their investigation), if that occurs, the university will communicate on an on-going basis with the complainant and respondent parties in a realistic timeline, and the circumstances regarding the same.

- Students should report incidents that they consider violations of this policy to the Title IX Administrator, Title IX Investigator, or any of the five (5) Title IX Deputies on campus. All faculty, staff and university administrators are identified by the university as reporting authorities, or official on-campus resources, and shall report any incidents or allegations to the Title IX Administrator who will determine if a preliminary investigation into the incident is necessary. If a determination is made that an investigation is warranted, the Title IX Administrator will initiate, and so instruct the investigator to proceed with an investigation. This may include notification of the Redding Police Department, and/or the Shasta County Sheriff's Department.

- Members of the universities Health and Counseling Center and their staff are confidential resources and do not investigate incidents, nor do they make identifiable reports of incidents to Official On-Campus Resources unless the student requests them to do so. All faculty, staff and administrators outside of these two areas are not deemed confidential resources and must report all allegations.
- Investigations will be conducted under the authority of the Title IX Administrator, and performed by a Title IX Investigator designated by the Title IX Administrator. Investigation by the university will begin promptly and may be concurrent with any investigation by Simpson University, the Redding Police, or Shasta County Sheriff's Departments. As otherwise stated, all reasonable efforts will be made to keep all information private during the universities investigation and adjudication of said complaint.
- Students charged with violating this policy may be subject to an interim suspension or other temporary adjustments to living arrangements, class schedule, etc. until the complaint is fully resolved. These actions are not however, meant to be a presumption of responsibility for said violation(s) of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors. Please see the interim suspension policy in the student handbook for more information.
- The investigation will commonly include an interview with the complainant, respondent, and any witnesses reported by either the complainant or respondent, and anyone else deemed by the Title IX Investigator as having important information the related to the incident. The complainant and respondent are permitted to have an advisor present during this interview(s) as well as during any meetings with the Title IX Administrator during the adjudication of stated charges. Advisors must be faculty, an administrator, staff member or student of the Simpson University community. The role of an Advisor is to support the complainant, respondent, but the Advisor may not represent the respondent or complainant in any way. The student and Advisor may speak quietly to one another during the interview(s), or request a short break in order to speak to one another.
- Oversight of the adjudication of Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behavior complaints will be conducted by the Title IX Administrator or her/his designee. The Title IX Investigator will prepare a written report of the investigation including recommendations and any possible sanctions to the Title IX Administrator at the conclusion of his/her investigation.
- Upon the rendering of his/her report to the Title IX Administrator, the Title IX Investigator will produce written charges to be delivered to the respondent. The charge letter should indicate the potential elements of this policy that may have been violated. In addition to the formal charge letter, the respondent will receive copies of written statements provided by witnesses during the inquiry process. The respondent will have five (5) calendar days from receipt of the charge letter and statements to submit a response to the Title IX Administrator.
- The Title IX Administrator will determine if a violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors occurred and, if so, will further determine any necessary sanctions.
- The Title IX Administrator will base her/his decision on the information available in the written report, interviews with the complainant, respondent, and all witnesses interviewed, and any other information that is deemed relevant and pertinent to the case.

Additional investigations may be conducted at the discretion of the Title IX Administrator.

- The Title IX Administrator will resolve a complaint of a violation of this policy by:
  - Determining that the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors has been violated and assigning appropriate sanctions.
  - Determining that there was not a violation of the Policy on Sexual Misconduct, Sexual Harassment and/or Sexually Inappropriate Behaviors, and therefore dismissing the complaint.
  - Determining that there is insufficient information to find the respondent responsible for violation of the policy. Depending upon the circumstances of the case, students who are found not responsible due to insufficient information may still be required to relocate and/or have no contact with the complainant. Other educational sanctions may also be required.
  - The respondent(s) and complainant(s) will be notified in writing of the decision made by the Title IX Administrator.
  - A student found responsible for violating this policy may be assigned sanctions that include, but are not limited to, expulsion, suspension, probation, residence reassignment, or no-contact.

## **Appeals**

Reasons for Appeal: The respondent or complainant may appeal a decision in a case for the following reasons:

- To determine whether the sanction(s) imposed was inappropriate for the violation of policy for which the student was found responsible;
- To determine procedural error or absence of conformity with prescribed procedures during the investigative stage preventing either the complainant and respondent a reasonable opportunity to prepare and present information to the investigator; and
- To determine that new information was discovered which was not available at the time of the investigative process, and which could have affected the outcome of the case.

Appellate panel: Appeals of Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors complaint decisions adjudicated by the Title IX Administrator will be heard by an appellate panel. The panel will consist of one voting faculty member who will serve as chairperson; one voting administrator; and one voting staff member. Members of the panel will be appointed for one to two year terms, and will be trained on issues related to sexual misconduct policy and process.

## **Process**

A student wishing to appeal should submit his/her written appeal to the Title IX Administrator within 7 calendar working days of receipt of the original decision. Appeals are due by 5:00pm on the seventh day following the original decision.

- Once a panel has been convened, the original appeal letter will be submitted to the chairperson of the Appeals panel.
- Contact information for the chairperson is available in the Title IX Administrators office.

- If the respondent submits an appeal, the complainant will be informed that an appeal has been submitted; if the complainant appeals, the respondent will be informed that an appeal has been submitted.
- Once all parties have been notified that an appeal has been submitted, the complainant or respondent will then have 3 calendar working days of the receipt of the appeal notification to respond to the appeal.
- The complainant would have the right to appeal in the case that the respondent was found “Not Responsible”, if there was a procedural error, or if new information has been discovered.

All appeals submitted on the grounds of process error, inappropriate sanction(s), or on the grounds of new information will go through the Title IX Administrators office to be submitted to the chairperson. The Title IX Administrator may determine that the new information has no influence on the original decision, that the original decision should be amended, or that there needs to be a new hearing. She/he will send the final recommendation to the Chairperson for approval. All information may be referred back to the appellate panel for further clarification, discussion and recommendations.

The appellate panel will be convened and the appellate panel will review the relevant materials and vote on whether or not there are grounds for an appeal. A non-voting administrator may be appointed by the chairperson to assist with the process.

The Respondent or Complainant may request the removal of a member of the appellate panel, including the non-voting administrator, if the student feels that the member may not be fair or impartial. This request, including rationale, must be submitted to the chairperson in writing at least 48 hours in advance of the hearing. In cases where the student would like the chairperson removed, this request, including rationale, must be submitted to the Title IX Administrator or their designee in writing at least 48 hours in advance of the hearing. The final decision as to the removal of a member of the panel will be solely at the discretion of the Title IX Administrator.

The panel will have access to all reports, statements by the complainant, respondent, all witnesses and any other materials gathered during the investigation relevant to the appeal. If, and only if, the panel decides that one of the three grounds for an appeal are met, the panel at a subsequent meeting will vote on whether or not the original findings and/or sanctions should be amended. Amendment of the sanctions may include an increase or decrease in severity.

Prior to the "subsequent meeting" referred to in (f) above, the panel may, in its sole discretion, meet with the complainant, respondent, investigator, or adjudicator and/or other individuals in order to assist it in determining whether the original findings and/or sanctions should be amended. During any meeting with the complainant, respondent and/or other individuals, the Panel will not revisit the entire matter, but will limit its discussion to the "ground(s) for appeal" previously identified.

The decision of the Appeals Panel will be final.

## **XIV. Sex Offender Registry**

In Redding, California, convicted sex offenders must register with the Redding Police Department. You can link to this information by accessing the following website: <http://www.meganslaw.ca.gov/> . The Shasta County Sheriff's office also has this information available at their office on Court Street.

## **XV. Violence Against Women Act (VAWA)**

Sexual misconduct violates the law and the standards of our community, is unacceptable at Simpson University, and may constitute a form of discrimination. Experiencing sexual misconduct can be devastating to the person who experiences it directly and can adversely impact family, friends, and the larger community. Regardless of the definitions provided below, people who believe they have experienced any sexual misconduct are encouraged to report the incident and to seek medical care and support as soon as possible. If you are sexually assaulted, resources are available both on and off campus (see section XIII above for listing). Simpson University has adopted the following commitment in responding to sexual assault.

### **Statement of Philosophy**

Simpson University is a residential college committed to providing a safe and healthy environment that supports student development. To this end, Simpson University will not tolerate sexual assault, sexual misconduct, sexual harassment or sexually inappropriate conduct in any form, as it interferes with and disrupts the educational environment of the campus and interferes with the rights of other students.

Simpson University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result Simpson University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occur on or off campus and when it is reported to a University official.

For a complete copy of Simpson University's policy governing sexual misconduct, visit <http://simpsonu.edu/Pages/About/Resources/Student/Sexual-Assault-Prevention/index.htm>

Simpson University has established a Sexual Assault Response Team. The team consists of members from the Counseling Center, the Title IX Coordinator, Student Life, Business Services and Academics.

### VAWA Crime Statistics Reporting

The SaVE Act adds the following offenses to the list of criminal offense for which statistics must be reported:

- Domestic violence
- Dating violence
- Stalking

A student or employee who reports to an institution of higher education that she/he has been a victim of these crimes shall be provided with a written explanation of his or her rights and options.

### Definition of Important Terms

#### Consent

Consent means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity following these guidelines:

- Consent must be **voluntary**, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must **always** be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim's request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Consent cannot be given by a person who is **incapacitated**. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is **incapacitated** if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an **intoxicated** person (as a result of using alcohol or other drugs) is **incapacitated** depends on the extent to which the alcohol or other drugs impact the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.
- Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused's position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age. (*See California Penal Code, 261.6 for complete definition*).

### Abuse

Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another. *(For complete information see California Penal Code Section 13700)*

### Dating Violence

Dating violence means violence committed by a person – (a) who is or has been in a social relationship of a romantic or intimate nature with victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

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

*(For complete information see California Penal Code Section 13700)*

### Domestic Violence/Family Violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

- Sexual relations between the parties while sharing the same living quarters
- Sharing of income or expenses
- Joint use or ownership of property
- Whether the parties hold themselves out as husband and wife
- The continuity of the relationship
- The length of the relationship.

*(For complete information see California Penal Code Section 13700)*

### Crime of Violence

According to Section 16 of title 18 of the United States Code, the term “crime of violence” means:

- An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

### Stalking

Stalking means any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, of his or her immediate family.

Elements of stalking include:

- A person willfully, maliciously, and repeatedly followed or harassed another person;
- That person following or harassing made a credible threat;

- The person who made the threat did so with the specific intent to place the other person in reasonable fear for his or her safety or the safety of the immediate family of such person(s).  
(For complete information see California Penal Code 646.9)

### **Bystander Intervention**

Simpson University's Step Up AWAREness Program is designed to help students learn how to safely step in and offer help or step out and get help for an individual in need. Together we can maintain a safer campus community!

#### **It only takes five steps to be an active bystander!**

1. Notice the event.

It is extremely easy to miss something that you're not looking for. Students are busy people! You can be distracted by social media, friends, homework, etc. Sometimes we aren't aware of our surroundings or just don't want to notice something that appears to be wrong. In order to create a safer campus community, all of us must be aware of what is going on around us.

2. Interpret the event as a problem.

We also have to fight the temptation to conform. We all are exposed to peer pressure. Sometimes we look to see what an authority is doing, like the president of your student organization. Other times we see what the people around us are doing. If no one else steps in to offer help, we assume that we shouldn't either. This can be hard to fight, but we can create a safer campus community if we take responsibility for our Simpson University family.

3. Assume personal responsibility.

Research shows that if you are alone you will help 80 percent of the time, but if you are in a group you will help only 20 percent of the time because of diffusion or responsibility (you think someone else will do something). You can take personal responsibility and be the first person to step up.

4. Know how to help.

Anyone can be an active bystander, and you should **never** put yourself in danger, but in most situations, there is *something* that you can do to help. Below are ways in which you can help.

- Look for exit strategies to get you and others out of the situation.
- Be clear and direct with your requests. Make safe choices.
- Understand your boundaries and limits as a helper.
- Engage other bystanders to help.
- Know campus and community resources.

### 5. Step Up! and offer help.

For many people, step five can be the hardest part of being an active bystander. Often times we know something is wrong, may know how to help, may want to help, but we just decide not to. In such situations, you must consider the cost of not stepping up.

When it's time for you to step in and offer help or step out and get help, you should:

- Carefully consider the situation before taking any action.
- Step up early before the problem becomes a crisis or disaster.
- Know your limits! This means walking away when it is unsafe and calling someone else to help, maybe the police.

For more information on being an active bystander, you can schedule a meeting with the Title IX Officer.