



ANNUAL SECURITY REPORT

Trident University International
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Chandler, AZ 85286

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Campus Security and Crime Prevention Information

The University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Violence Against Women Act (VAWA). This report is prepared by University staff from the Ombudsman, Human Resources, and Regulatory Departments. Campus crime statistics are not reported for this online-only location; data for the University System's physical campuses can be found in the ASR for each campus.

Nothing in the law shall be construed to permit a school to retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual with respect to the implementation of the Clery Act.

Campus Facilities

Access is available to students 24/7 through the Virtual Campus. The University considers the safety of students when maintaining campus facilities and utilizes a regular maintenance schedule to minimize the potential for hazardous conditions. Staff who identify maintenance needs that may pose a risk to safety should contact the mailroom to pen a ticket.

Reducing Risk

While the University attempts to provide a safe and secure environment, students, faculty, staff, and campus visitors are ultimately responsible for their safety. Safety is enhanced when students and employees take precautions such as:

- Report all suspicious activity to a Campus Security Authority (CSA) or Responsible Employees immediately. The primary CSA for this campus is the Vice President, Policy and Administration (who is also the Title IX Coordinator). Responsible Employees include faculty, staff, and administrative personnel.
- Never take personal safety for granted.
- Avoid walking alone at night. Travel with a friend or companion.
- Avoid parking or walking in secluded or dimly lit areas.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, computers, etc.) unattended.
- Carry your keys with you at all times and don't lend them to anyone.
- Lock your car doors and close the windows when leaving your car.
- Never leave valuables in your car especially if they are easily noticeable.
- Inventory your personal property and make records of the serial numbers of all items of value.
- Never admit anyone without a valid ID badge on campus/school premises.

The University informs students and employees about campus security procedures and practices, crime prevention, and positive options for bystander intervention during new student and employee orientation programs. These sessions are held prior to the beginning of a term (for students) and when new employees are hired. In addition, these programs also encourage students and employees to be responsible for their own security and the security of others.

Reporting a Crime

([click here for contact information](#))

If a student or employee is aware that a crime has been, or is being, committed on University property or at a University sponsored or recognized event off-campus during the hours that the University is open, the crime should be reported as follows:

1. As soon as possible to the Senior Vice President's Office when the victim of a crime elects to, or is unable (physically/ mentally) to, make such a report. The Senior Vice President's office is located at 2200 East Germann Road, Suite 150, Chandler, AZ 85286.
2. If the crime has been committed after regular business hours, it should be reported to the front desk, CSA, or security guard.
3. If the crime has been committed when the University is closed, it should be reported to the Senior Vice President's Office or the CSA as soon as possible after school is open.
4. In addition to reporting the crime to the Senior Vice President's Office, the crime should be reported to the appropriate law enforcement authorities. The local police department for the University is the Chandler Police Department, 250 East Chicago Street, Chandler, AZ 85225. The local Police Department non-emergency number is 480-782-4130. In an emergency, the local Police Department may be contacted by dialing 911.

Other emergencies should also be reported to the Senior Vice President's Office.

Regular business hours for the University are 8:00am to 8:00pm Monday through Thursday and 8:00am to 5:00pm on Friday.

The security personnel have authority to determine whether individuals have lawful business at the University and may request identification to make that determination. In addition, they have the authority to ensure that University policies, such as parking and building access, are followed. They do not, however, have arrest authority. Security services are provided by G4S, a third-party contract security company. The University works with local law enforcement agencies and refers criminal incidents to the local police department having jurisdiction over such matters. The University does not have a written memorandum of understanding (MOU) with state or local law enforcement agencies to investigate alleged criminal offenses.

Certain institutional employees are designated as a CSA. The CSA may include any official of the institution who has significant responsibility for student and campus activities and who has the authority and duty to take action and respond to particular issues on behalf of the institution.

The primary CSA will work with local law enforcement, as appropriate, when a crime is reported. Crimes reported to the CSAs are included in the annual campus crime statistics.

If you are the victim of or witness to a crime and do not want to pursue action through the University or the criminal justice system, you may still consider voluntarily making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. Reports filed in this manner are included in the annual crime statistics for the University. Students who wish to make a confidential report of a crime can do so by contacting the Campus Security Authority and informing that they wish to make a confidential report. The campus does not have any pastoral or professional counselors on staff and thus does not have any procedures to encourage such counselors to inform the persons they are counseling of the ability to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The University does not tolerate violence or other threatening conduct against any members of the University community. This includes criminal acts against persons or property, as well as harassment based on age, color, disability, genetic information, marital status, national origin, race, religion, sexual orientation, veteran status, or any other status protected by applicable federal, state, or local law. The University will impose strict disciplinary actions and appropriately involve law enforcement officials should any acts of violence or threatening conduct occur on University facilities or at University-sponsored events. This includes acts of violence against women.

In addition to any criminal sanctions, the University will impose appropriate disciplinary sanctions if the offender is a student or employee of the University. The Senior Vice President's Office, Title IX Coordinator, and Responsible Employees should be contacted should one wish to file a complaint. The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph. However, note that, in cases of dating violence, domestic violence, sexual assault, and stalking complaints both the accuser and the accused are given the results without the need to make a written request.

Timely Warnings

In an effort to provide timely notice to the campus community in the event of a Clery Act Crime that may pose a serious or ongoing threat to members of the community, the

University issues “Timely Warnings.” The University may issue a Timely Warning for the following: arson; aggravated assault; criminal homicide; domestic violence; dating violence; robbery; burglary; motor vehicle theft; sexual assault; hate crimes; and stalking. The University may also issue a Timely Warning for alcohol, drug, and weapon arrests or referrals that may cause a continuing threat to the community. The University will distribute these warnings through a variety of ways, including but not limited to emails, posters, web postings, and media. The University also has the ability to send text message alerts to the cell phone number listed in the student and employee University records.

The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable the community to take steps to protect themselves from similar incidents. The Senior Vice President or designee will issue Timely Warnings considering on a case-by-case basis the following criteria: (1) one of the above listed crimes are reported; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the safety of other members of the campus community because of this crime. The Senior Vice President or designee may also issue an alert in other circumstances, which may pose a significant threat to the campus community.

Additionally, the Senior Vice President or designee may, in some circumstances, issue Timely Warnings when there is a pattern of crimes against persons or property. The Senior Vice President or designee will make the determination, in consultation with other campus offices, if a Timely Warning is required. For incidents involving off-campus crimes, the University may issue a Timely Warning if the crime occurred in a location used and frequented by students, staff, and/or faculty.

Emergency Response and Evacuation Procedures

The University maintains an Emergency Response Operations Plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health and safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters. Emergency Response Guides are posted at the University in every classroom. The Emergency Response Guide provides guidelines and procedures for various emergency situations, including but not limited to medical emergencies, violent crime in progress, evacuations, fire, and weather emergencies. The University has also communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

To report concerns that may require an emergency response, refer to the steps listed in [“Reporting a Crime”](#) section of this document.

If a potential emergency has been reported, the Senior Vice President or designee will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating

the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Senior Vice President or designee will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

If it is determined that an impending or continuing threat to the health or safety of campus community members exists, University leadership and others involved in reviewing the threat will, without delay, and taking into account the safety of the community determine the content of an emergency notification using an existing template or developing new language. They will then initiate a campus safety alert via the University's emergency notification system. The University may delay a notification if issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

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. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Senior Vice President or designee is responsible for the issuance of an emergency notification/campus safety alert according to the notification system instructions. These alerts can be distributed in various ways, as deemed appropriate for the situation. Most commonly, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff, an announcement will be sent to the University community in multi-modal format (e-mail, voice mail, or text using information listed in the student and employee University records) with information and instructions. The University will coordinate with local law enforcement to communicate the threat to the larger community as necessary.

The University tests emergency response and evacuation procedures annually through drills or exercises. The tests may be announced or unannounced and are scheduled by the Senior Vice President, designee or the building management company. After the test is completed, these individuals will assess the effectiveness and identify opportunities for improvement, sometimes in consultation with the local agencies who performed the test. The University conducted an unannounced fire drill on July 31, 2019. Contact the Senior Vice President's Office for more information.

The Senior Vice President maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of

whether they were announced or unannounced. In connection with at least one such test each year, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

Registered Sex Offenders

The Jacob Wetterling Act requires states to obtain information concerning registered sex offenders' enrollment or employment at institutions of higher education. Those seeking to obtain information about registered sex offenders should visit the following websites:

State: <http://www.icrimewatch.net/index.php?AgencyID=55662>

National: <https://www.nsopw.gov>

Further, to the extent the State notifies an educational institution of information concerning registered sex offenders, the Family Educational Rights and Privacy Act (FERPA) does not prevent educational institutions from disclosing such information. The University currently does not receive information from local law enforcement about registered sex offenders who may be enrolled at or employed at the University.

Drug and Alcohol Abuse Prevention Information

In accordance with the requirements of the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226), and the Drug-Free Workplace Act of 1988 (Public Law 101-690), the University provides all students and employees with the following information concerning University policies and the consequences of the manufacture, distribution, possession, or use of any drug made illegal under federal, state or local law or the illegal possession and/or use of alcohol. In addition, the University conducts a biennial review of its drug and alcohol abuse prevention program to determine its effectiveness and ensure that sanctions are being consistently enforced. For more information about the biennial review, contact the Campus Security Authority. The University also enforces all federal, state and local drug laws, and also enforces the state's underage drinking laws.

Students must notify the Campus Security Authority, in writing, within five days of being convicted of a criminal drug statute at the University. Disciplinary action will occur within 30 days of receipt of the written notification and may range from a letter of admonishment to dismissal from the University.

Policy Regarding the Possession, Use and Sale of Drugs and Alcohol

Students and employees are prohibited from unlawfully manufacturing, distributing, possessing, or using any drug made illegal as a matter of federal, state, or local law or illegally possessing or using alcohol while on University property or misusing alcohol while participating in any University or work-related activity outside the University or workplace. Violation of this policy will subject students or employees to corrective action up to and including dismissal or termination of employment. In addition, a violation may result in local, state, and/or federal criminal charges.

Enforcement of State and Federal Laws Related to Drugs

The University enforces all federal, state, and local drug laws by referring individuals suspected of violating these laws to local law enforcement. This policy applies to all students, employees, and visitors. Many of the acts which violate this policy also violate criminal law and must be referred for prosecution.

Legal sanctions under local, state, and federal laws may include:

- suspension, revocation, or denial of a driver's license
- loss of eligibility for federal financial aid or other federal benefits
- property seizure
- mandated community service
- felony conviction that may result in 20-50 years imprisonment at hard labor without benefit of parole
- monetary fines

Enforcement of State Laws Related to Underage Drinking

The University enforces all state laws related to underage drinking by referring individuals suspected of violating these laws to local law enforcement. This policy applies to all students, employees, and visitors. State laws related to underage drinking prohibit persons under 21 years of age from possessing or consuming alcoholic beverages. Furnishing alcoholic beverages to underage persons is also prohibited. No person under legal drinking age or any obviously intoxicated person shall be furnished, served, or given an alcoholic beverage.

Drug and Alcohol Abuse Prevention

In addition to local and state authorities, the federal government has four agencies (the Drug Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation, and the U.S. Coast Guard) engaged in combating illicit drugs. One should be aware that:

- it is a crime to hold someone else's illicit drugs
- it is a crime to sell fake "dope"
- it is a crime for being in a house where people are using illicit drugs, even if you are not using them
- it is a crime if drugs are in your locker, car, purse, or house which is considered "constructive possession"

Drug abuse, which can affect one's physical and emotional health and social life, is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body and its processes, the mind and nervous system, and behavior. Drugs can be highly addictive and injurious to the body. Among the manifestations may be loss of sense of responsibility and coordination, restlessness, irritability, anxiety, paranoia, depression, acting slow-moving, inattentiveness, loss of appetite, sexual indifference, coma, convulsions, and death.

There are classic warning signs that could be indicative of drug use. These signs include:

- Unexplained change in personality or attitude
- Drop in attendance and performance at work or school
- Deterioration of physical appearance, personal grooming habits
- Sudden mood swings, irritability, or angry outbursts
- Unexplained need for money or financial problems. May borrow or steal to get it
- Engaging in secretive or suspicious behaviors
- Sudden change in friends, favorite hangouts, and hobbies

Information regarding the effects of commonly abused drugs may be found on the internet at www.nida.nih.gov/DrugsofAbuse.html

Drug and alcohol abuse education programs are offered by local community agencies. The University will post information about such education programs at campus Library's Circulation Desk.

In certain instances, students may be referred to counseling and/or a substance abuse help center. If such a referral is made, continued enrollment is contingent upon attendance and successful completion of any prescribed counseling or treatment. The cost of such assistance or treatment will be the responsibility of the student. Students who are seeking treatment for a substance abuse problem may contact the Campus Security Authority's Office. Confidentiality will be maintained. In addition, students who believe they have a substance abuse problem may find sources of treatment or advice by referring to the section of the local telephone book headed "Drug Abuse & Addiction Information and Treatment."

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their manager or Human Resources to receive assistance or referrals to appropriate resources in the community. Employees may also contact the Employee Assistance Program (EAP) by calling 1-800-272-2727.

There are also national organizations that may be contacted for help, such as:

- The National Institute on Drug Abuse Treatment Referral Hotline 1-800-662-HELP (4357) or <http://findtreatment.samhsa.gov/>
- Al-Anon for Families of Alcoholics 1-888-425-2666 - www.al-anon.org

IMPORTANT

As stated in the institution's catalog students convicted of any criminal offense while enrolled must report that conviction to the University within ten (10) days of receiving the conviction.

Sexual Assault and Prevention Policy

Consistent with the University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX") (see 34 C.F.R. § 106 *et seq.*), the University prohibits Sexual Harassment that occurs within its education programs or activities. The University is committed to creating and maintaining a community in which students, faculty and employees work in an environment free from all forms of discrimination, harassment, or violence. The Sexual Harassment Policy prohibits sexual harassment including: Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty member, staff, students, contractors, guests, and other members of the University community who commit Sexual Harassment are subject to the full range of University discipline including verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; fines; permanent separation from the institution (that is, termination or dismissal); physical restriction from University property; cancellation of contracts; and any combination of the same.

The University will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's Education Programs or Activities.

Information about the scope of this policy as well as support services are available to complainants and respondents is provided in writing to students and employees within the Annual Security Report (this document). This information can also be accessed on the [Student Consumer Information page](#).

Reporting Sexual Harassment to the University

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours. Contact information for the Title IX Coordinator can be found in the Contact Information section of this document, or by clicking [here](#).

In addition to reporting to the Title IX Coordinator, any person may report Sexual Harassment to any University employee with managerial authority over other employees, including president's cabinet members, deans, program chairs, department heads, supervisors, and other managers (collectively "Reporting Officials") who must promptly forward such report of Sexual Harassment to the Title IX Coordinator.

If you believe you are the victim of Sexual Assault, Domestic Violence, or Dating Violence, get to safety and do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of Sexual Assault, Domestic Violence, or Dating Violence, the University recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime – avoid bathing, using the toilet, rinsing one’s mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred – preserve for law enforcement.
- Preserve all forms of electronic communication that occurred before, during, or after the assault.
- Contact law enforcement by calling 911.
- Get medical attention – all medical injuries are not immediately apparent. This will also help collect evidence that may be needed in case you decide to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should you wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional licensed counselor, University chaplain, or health care provider who can help explain options, give information, and provide emotional support.
- Make a report to the Title IX Coordinator.
- Explore this policy and avenues for resolution under the Title IX Grievance Process.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Sexual Harassment investigations. Students and employees who report to the University that they have been a victim of dating violence, domestic violence, sexual assault, or stalking will receive a written explanation of their rights and options.

Rights for Involved Parties

Complainants are encouraged to exercise their rights, if desired, including the following actions which are provided to the complainant in writing.

- Obtaining immediate medical attention, including a forensic examination (completing a forensic examination does not require the complainant to file a police report)
- Receiving counseling referral information

- Receiving information on services for health, advocacy, legal assistance, visa and immigration assistance, and student financial aid
- Completing crime reports
- Seeking supportive measures such as changing academic and work situations (e.g., student's course schedule; employee's work environment)
- Seeking a no-contact order from the University and information relating to judicial restraining and protective orders

The University strongly encourages the reporting of sexual harassment, sexual assault, dating violence, domestic violence or stalking in a timely manner. Complainants may report an allegation of the above to the Title IX Coordinator or designee by contacting them either in writing or in person. Complainants also have the option of notifying local law enforcement. If requested by the complainant, the University will assist in notifying law enforcement. The complainant also has the option to decline notifying authorities.

The University will:

- (a) provide complainants and respondents with information about existing counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, and other supportive measures available for both parties, within the University and in the community; and
- (b) provide complainants and respondents with written information about their options for, and available assistance in seeking supportive measures, such as changing academic, living, transportation and working situations if requested and reasonably available. Supportive measures will be available irrespective of whether the complainant chooses to report the offense to campus security or to local law enforcement or participate in informal or formal hearing proceedings.

In addition, the Title IX Coordinator or designee will provide the complainant with written information on off-campus organizations and agencies that provide services to victims of a sex offense. Specific contact information for the services identified in this section is listed on the last page of this document or by clicking [here](#).

Requests for supportive measures should be made to the individuals listed in the Contact Information section of this document; these individuals are responsible for deciding what, if any, supportive measures will be implemented. When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the requester
- The burden, if any, of the supportive measure on both parties and the ability to reduce or mitigate those concerns for each party
- Alternative supportive measures available to accomplish the goal specified by the requester
- The severity or pervasiveness of the allegations

- Any continuing effects of the alleged misconduct
- Whether the parties share the same class or job location
- The age of the parties involved

The University will maintain as confidential any supportive measures provided to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the supportive measure. Such decisions will be made by the Title IX Coordinator in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the supportive measure is provided. In the event it is necessary to disclose information about a party in order to provide a supportive measure, the University will inform the impacted party of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

If either party informs the institution that they have an order of protection, no-contact order, restraining order or similar lawful order issued by a criminal, civil, or tribal court in effect, the institution will uphold the conditions of the order to the best of its ability. The institution does not issue orders of protection, but will assist parties in identifying available resources to assist them in filing for an order.

The order is a document obtained from a court, to order the abusive person not to contact the individual requesting the order and to prevent abusive behavior. In the United States, each state has its own restraining order laws covering areas such as domestic violence, sexual assault, harassment and stalking. Arizona Revised Statutes (A.R.S.) contains the following information for this location:

13-3602. Order of protection; procedure; contents; arrest for violation; penalty; protection order from another jurisdiction A person may file a verified petition, as in civil actions, with a magistrate, justice of the peace or superior court judge for an order of protection for the purpose of restraining a person from committing an act included in domestic violence. If the person is a minor, the parent, legal guardian or person who has legal custody of the minor shall file the petition unless the court determines otherwise. The petition shall name the parent, guardian or custodian as the plaintiff and the minor is a specifically designated person. If a person is either temporarily or permanently unable to request an order, a third party may request an order of protection on behalf of the plaintiff. After the request, the judicial officer shall determine if the third party is an appropriate requesting party for the plaintiff. For the purposes of this section, notwithstanding the location of the plaintiff or defendant, any court in this state may issue or enforce an order of protection.

Students and staff who reside in states other than Arizona should review the laws of the applicable state for additional details.

Confidentiality

The institution will protect the privacy interests of the parties to the greatest extent practicable. Publicly available recordkeeping, such as mandatory Clery reporting, will be accomplished without the inclusion of identifying information, to the extent permitted by law.

Informing a University employee of alleged misconduct allows the University an opportunity to promptly take remedial action and to investigate so that the complainant may have an academic experience free from discrimination. The University can only address a specific situation if it is aware of it. However, the University understands that some individuals may feel more comfortable speaking with an off-campus resource in lieu of or in addition to a University employee.

Filing a Police Report

Although the procedure for filing a police report varies from city to city, there are basic steps to follow when you file a report.

- Contact the police department in the city where the crime occurred. Talk to a police officer as soon as possible after the crime took place so your memory of the incident and individuals involved is fresh.
- Know that you can file a police report at the police station or ask for an officer to come to your home. Some police jurisdictions allow you to file a police report online. Be prepared to answer questions such as the type of crime that transpired, items missing or damaged, name of the person who committed the crime (if known) and a description of the suspect along with the address and vehicle type (if known). Give your contact information so the officer can follow up with you on the case.
- Receive a case number for your police report. Refer to the number when you want an update on your case and if you would like a copy of the police report.
- Understand that there is no fee to file a police report. However, there is often a fee to get a copy of the police report.

The local police department for the University is the Chandler Police Department, 250 East Chicago Street, Chandler, AZ 85225; 480-782-4130.

Investigation Procedures

The University is committed to undertaking prompt, thorough, impartial and fair investigations upon receiving formal notice or allegation of a complaint of sexual misconduct and/or sexual harassment. The University will make no determination regarding responsibility for the alleged conduct until the conclusion of the investigative and adjudicative process. From the initial investigation to the final result, the University will treat all involved individuals with respect and sensitivity. Depending upon the nature of the alleged or suspected policy violation, the relevant University official (or his or her designee) will conduct an investigation either alone or with one or more other University officials as deemed appropriate by the University.

Commencement and Timing

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies

with the University and not with the parties. The investigation will culminate in a written investigation report, specified in "Investigation Report," that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within sixty (60) days to ninety (90) days of the transmittal of the written notice of Formal Complaint.

Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in "Sexual History." The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

Access to the Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the Investigating Officer will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

Investigation Report

After the period for the parties to provide any written response as specified in "Access to Evidence" has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

Training of Investigators

The official(s) designated to investigate and adjudicate the case shall be trained in the investigation of, and other issues related to Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, shall not have a conflict of interest or bias for or against any parties involved in the potential Policy violation, and shall have received at least annual training on issues related to these issues delivered by third-party providers with specialized expertise in this area. Topics include, but are not limited to: 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. Training materials are available on the University website; and additional documentation can be requested from the Title IX Coordinator.

Informal Resolution Process

At any time after the parties are provided written notice of the Formal Complaint as specified in "Notice of Formal Complaint," and before the completion of any appeal specified in "Appeal," the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution, the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication as specified in "Administrative Adjudication" is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;

- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University. Notwithstanding the forgoing, if the form of informal resolution is Administrative Adjudication as specified in "Administrative Adjudication," there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process specified in "Administrative Adjudication," all other forms of informal resolution pursuant to this Section are not subject to appeal.

A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

Other language in this Section notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

Formal Resolution Process

The formal resolution process applies (a) when any party so requests in connection with a matter that is eligible for informal resolution; and (b) to all matters that are not eligible for informal resolution (i.e., matters involving alleged or suspected sexual misconduct as well as complaints of an employee violating this policy with a student. The Title IX Coordinator may also elect to use the formal resolution process in any matter when the University deems it appropriate, including when complaints are brought forward anonymously and/or the Title IX Coordinator has received reports of serious misconduct and no particular alleged victim wishes to sign a formal complaint. The University may consolidate formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances. As part of the formal resolution process, the University may determine that further steps are required to complete the University's investigation. Formal complaints may be filed with the Title IX Coordinator in person, by mail, or by e-mail. This process applies to both students and University employees.

The following procedural protections apply to matters that are not resolved using the Informal Resolution Process described above:

- *Terminating a Formal Complaint.* The University may terminate the formal resolution process at any time during the investigation or hearing if: (a) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (b) the respondent is no longer enrolled or employed by the institution; or (c) the institution is prevented from gathering evidence sufficient to reach a determination regarding the formal complaint or allegations therein. If this occurs, the institution will notify all parties in a timely manner. In some circumstances, such as those where there is an ongoing threat to the campus community, the Title IX Coordinator may decide to pursue formal Title IX processes against an alleged perpetrator even if the complainant withdraws their formal complaint.
- *Standard for Determining Responsibility.* The standard used to determine whether this policy has been violated is whether it is more likely than not that the accused violated this policy. This is often referred to as a "preponderance of the evidence" standard. This standard is utilized in all investigations under Title IX for both students and employees.

Adjudication Process Selection

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes specified in the Adjudication section of the Sexual Misconduct Policy. The notice will explain that the hearing process specified in the Hearing Process section of the policy is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as specified in the Administrative Adjudication (Optional) section as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each party that, if both parties execute the written consent

to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this policy (including the entirety of the Adjudication section), consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each party will have three (3) days from transmittal of the notice specified in this Section to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

Sanctions; Corrective Actions

The range of potential sanctions/corrective actions that may be imposed are as follows:

Student sanctions may include but are not limited to: written or verbal apology; sexual assault, dating violence, domestic violence or stalking prevention education; verbal, written or final warning; no-contact order issued by the University; probation, suspension, and/or dismissal from the University.

Employee sanctions may include but are not limited to: verbal coaching; documented coaching; formal policy reminder; written warning; final written warning; termination of employment; administrative leave of absence; sexual assault, dating violence, domestic violence or stalking prevention education; training; and/or no-contact order issued by the University. *Note: Employees are also subject to all Employee Handbook, department, and workplace policies, including but not limited to the Code of Business Conduct & Ethics.*

Guests and other third parties sanctions may include but are not limited to: removal from the University property; referral to law enforcement; requirement to complete prevention education training prior to resuming a relationship with the University; termination of contractual or other arrangements.

The University may also disclose to the complainant information about any sanctions or corrective actions taken that relate directly to the complainant (e.g., a “no contact” order). The University will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, or audio recordings, etc.). Under no circumstances will either party be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.

Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by the “Discipline and Remedies” section of the Sexual Misconduct Policy, the hearing council will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University official as referenced in the Discipline and Remedies section;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal, as specified in the Appeal section.

The hearing council's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in the Appeal section.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing council's written determination within fourteen (14) days of the conclusion of the hearing.

Appeal

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, hearing council, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in

writing to the appeals officer, who is identified and serves as the appeal officer for the formal case. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

Retaliation

It is a violation of this policy to engage in Retaliation. Reports and Formal Complaints of retaliation may be made in the manner specified in the Reporting Sexual Harassment, and Formal Complaint sections. Any report or Formal Complaint of Retaliation will be processed under this policy in the same manner as a report or Formal Complaint of Sexual Harassment, as the case may be. The University retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

Confidentiality

The University will keep confidential the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation including any Complainant, the identity of any individual who has been reported to be a perpetrator of Sexual Harassment or Retaliation including any Respondent, and the identity of any witness. The University will also maintain the confidentiality of its various records generated in response to reports and Formal Complaints, including, but not limited to, information concerning Supportive Measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, the University may reveal the identity of any person or the contents of any record if permitted by FERPA, if necessary to carry out the University's obligations under Title IX and its implementing regulations including the conduct of any investigation, adjudication, or appeal under this policy or any subsequent judicial proceeding, or as otherwise required by law. Further, notwithstanding the University's general obligation to maintain confidentiality as specified herein, the parties to a report or Formal Complaint will be given access to investigation and adjudication materials in the circumstances specified in this policy.

In order to comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the process is not open to the general public. Accordingly, CTU will not disclose documents prepared in anticipation of the meeting, documents, testimony, or other information provided to the Council for review, and any transcript of the meeting itself may not be disclosed outside of the proceedings, except as may be required or authorized by law and/or CTU policy.

While the University will maintain confidentiality specified in this Section, the University will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties are advised, however, that the manner in which they communicate about, or discuss a particular case, may constitute Sexual Harassment or Retaliation in certain circumstances and be subject to discipline pursuant to the processes specified in this policy.

Note that certain types of Sexual Harassment are considered crimes for which the University must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information.

Bad Faith Complaint and False Information

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal

under this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Conduct Policy in the case of students and other University policies and standards, as applicable, for other persons.

Prevention and Awareness Programs

The University will provide primary prevention and awareness programs for all incoming students and new employees that address topics including definitions, risk reduction, bystander intervention, reporting and investigation procedures, and sanctions as described within this document. The University will also provide ongoing prevention and awareness campaigns for students and employees that include this same information.

Specifically, these programs:

- Identify that the University prohibits any forms of conduct that can be identified as domestic violence, dating violence, sexual assault and stalking; and
- Define dating violence, domestic violence, sexual assault and stalking and identify what behavior and actions constitute consent to sexual activity as those terms are defined by the local jurisdiction.

Information about these definitions can be found in the “[Definitions](#)” section of this document. The prevention and awareness campaigns are also designed to promote risk reduction and safe options for bystander intervention as described below.

Warning Signs of Abusive Behavior

General crime prevention strategies can help reduce the risk of falling victim to sexual related crimes (see the [Reducing Risk](#) section earlier in this document). In addition, recognizing the warning signs of abusive behavior can serve as a deterrent to sexual related crimes. The following is an example of behaviors seen in people who abuse their partners. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Use of force during an argument
- Jealousy
- Controlling behavior
- Quick involvement
- Unrealistic expectations
- Isolation
- Blames others for problems
- Blames others for their feelings
- Hypersensitivity
- Cruelty to animals or children
- Jekyll-and-Hyde personality

Bystander Intervention

An engaged bystander is someone who intervenes in a safe and positive way before, during, or after a situation or event in which they see or hear behaviors that promote dating violence, domestic violence, sexual assault, or stalking. The bystander approach

attempts to teach community members how to be engaged bystanders in a safe and effective way.

Primary prevention activities take place before violence happens to prevent perpetration or victimization. If you see someone in danger of being assaulted:

- Step in and offer assistance. Ask if the person needs help. Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 9-1-1 instead.
- Don't leave. If you remain at the scene and are a witness, the perpetrator is less likely to do anything.
- If you know the perpetrator, tell the person you do not approve of their actions. Ask the person to leave the potential victim alone.

Information about bystander intervention is provided to students and staff on their respective campus portals.

Ongoing Prevention and Awareness Campaigns

The University did not become part of the AIU System until March 2020, so there is no 2019 prevention and awareness campaign activity to report.

Contact Information

REMEMBER TO CALL 911 FIRST IN THE EVENT OF AN EMERGENCY

Internal Contacts

Title IX Coordinator*

Primary Campus Security Authority

Daniel Sessions, MSC.RMA- daniel.sessions@trident.edu
2200 East Germann Road, Suite 100, Chandler, AZ 85286
Phone: 847-585-2097

University Senior Vice President*

Travis Allen, 800-375-9878 or president@trident.edu

Student Finance Department

800-375-9878 x1061 or studentfinance@trident.edu

**Contact these individuals for assistance with options related to academic, living, transportation, and working situations as well as protective measures.*

Resources Appendix and External Contacts

Local Police	Chandler Police Department 250 East Chicago Street Chandler, AZ 85225 (480) 782-4130
Hospital	Chandler Regional Medical Center 1955 West Frye Road Chandler, AZ 85224 (480) 728-3000 Dignity Health Arizona General Hospital 1064 East Ray Road Chandler, AZ 85225
Legal Assistance	The Arizona Legal Center Arizona Law Help Community Legal Services, Inc.
Victim Support	Chandler Police Department Victim Support Unit Arizona Coalition to End Sexual and Domestic Violence A.S.K. Arizona
Restraining Orders	Process to request a restraining order: Click here Forms to request a restraining order: Click here
Visa and Immigration Assistance	Immigration Advocates Network

Other National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>

Definitions

Additional definitions related to the Sexual Harassment Policy are available [here](#).

Campus Security Authority

A campus security authority (CSA) is any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department; any individual to whom students and employees should report criminal offenses; or an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings.

Consent

“Without consent” includes any of the following: a) the victim is coerced by the immediate use or threatened use of force against a person or property; b) the victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant; c) the victim is intentionally deceived as to the nature of the act; or d) the victim is intentionally deceived to erroneously believe that the person is the victim’s spouse. [A.R.S. § 13-1401](#)

Dating Violence

The institution has determined, based on good-faith research, that Arizona law does not define the term dating violence. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

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 purpose 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. [34 CFR § 668.46](#)

Domestic Violence

"Domestic violence" means any act that is a dangerous crime against children or one of the following offenses as prescribed in state law: negligent homicide, manslaughter, second degree murder, first degree murder, endangerment, threatening or intimidation, assault, aggravated assault, custodial interference, unlawful imprisonment, kidnapping, sexual assault, unlawful distribution of pictures depicting nudity or specific sexual acts, criminal trespass in the third degree, criminal trespass in the second degree, criminal trespass in the first degree, criminal damage, interference with judicial proceeding, disorderly conduct, intentional cruelty to animals, intentional interference or prevention

of person making an emergency phone call, or use of electronic communication to terrify, intimidate, threaten or harass, harassment, aggravated harassment, stalking, surreptitious photographing, aggravated domestic violence, or child or vulnerable adult abuse, of any of the following applies:

- The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
- The victim and the defendant have a child in common.
- The victim or the defendant is pregnant by the other party.
- 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.
- 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.
- 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 defendant; (d) If the relationship has terminated, the length of time since the termination. [A.R.S. § 13-3601](#)

Responsible Employees

A responsible employee is any employee who (a) has the authority to take action to redress the harassment; (b) has the duty to report to appropriate University official(s) sexual harassment or any misconduct by students or employees; or (c) is an individual who a student could reasonably believe has this authority or responsibility. Responsible Employees include faculty, staff, and administrative personnel.

Stalking

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. [A.R.S. § 13-2923](#)

Sexual Assault

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. [A.R.S. § 13-0406](#)

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. [A.R.S. § 13-1423](#)

Sexual Offenses

The institution has determined, based on good-faith research, that Arizona law does not define the term sexual offenses. Therefore, the University utilizes the federal definition when investigating sexual harassment complaints.

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 his/her age or because of his/her temporary or permanent mental incapacity.

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

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. [34 CFR § 668.46](#)

Arizona law include the following definition for incest.

Incest: 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. [A.R.S. § 13-3608](#)