



# Sexual Misconduct Title IX

## The Law

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

## Chapman Policy

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

## Harassment and Discrimination

Chapman Complaint Line: (877) 527-7533

## Online Harassment and Discrimination Policy & Complaint Procedures:

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

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

### Office for Civil Rights

U.S. Department of Health and Human Services  
90 7th Street, Suite 4-100 San Francisco, CA 94103  
Voice Phone: (415)437-8310  
Fax: (415)437-8329 | TDD: (415) 437-8311  
Customer Service Hotline: (800) 421-3481  
Email: [OCR@ed.gov](mailto:OCR@ed.gov) | Web: <http://www.ed.gov/ocr>



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UNIVERSITY**

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## Reporting Incidents

Students, faculty, and staff may report incidents to any faculty or staff member of the University. Managers, supervisors, faculty, staff, and any other agent of the University have a duty to report alleged incidents to a Title IX Coordinator unless they are designated as confidential and privileged. You may also make a report directly to any one of the following Title IX Coordinators:

### For Faculty and Staff:

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

### For Students:

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

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

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

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

## Law Enforcement

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

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

# Chapman University

Orange, California

Irvine, California

## Sexual Misconduct & Title IX

### Know Your Rights and Options



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

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

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

For completely confidential assistance, contact the individuals listed below. Privacy laws prohibit some of these individuals from disclosing your identity without your written permission with a few exceptions (i.e. in the case of a minor). These individuals can let you know what your reporting options are and provide resource information:

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

\*\*To find out what your options are in regards to reporting you may contact any of the following **privileged and confidential** individuals.

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

## **Prohibited Behaviors**

Any sexual or romantic behavior, attempted or completed, that goes beyond the boundaries of consent and terms identified below.

- Relationship Abuse and Domestic/Interpersonal Violence
- Sexual Assault
- Sexual Battery
- Sexual Exploitation
- Sexual Harassment
- Stalking

*Students: please see the Student Conduct Code for definition of consent and terms identified above.*

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

## **Available Assistance**

At the request of the reporting person, interim or permanent changes can be made to help reduce the impact of any incident of sexual misconduct that may have occurred, including but not limited to institutional No Contact Orders. Similar orders may be available to reporting persons as determined by a civil or criminal court, upon application by the reporting person.

Adjustments can also be made to living, academic, dining, transportation, or working situations at the request of the reporting person, when reasonably available, regardless of whether he or she wishes to file a formal complaint or report with Public Safety or local police.

The rights of both the complainant and respondent are important and protected throughout the process.

## **Duty to Report**

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

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

## **Freedom From Retaliation**

Any member of the Chapman University community has the right to raise concerns about or complaints of, sexual misconduct without fear of reprisal. Retaliating against anyone for exercising the right to report or make a complaint for any of the behaviors prohibited in the Sexual Misconduct policy is a violation of University policy. This includes attempts or threats of retaliation, intimidation, violation of a No Contact Order, harassment, or efforts to impede an investigation. An individual may be found responsible for retaliation whether or not the underlying complaint is substantiated.

## **Amnesty**

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

To encourage and support the reporting of incidents of sexual misconduct, students who participate as witnesses or complainants in sexual misconduct investigations will not be held accountable for violations of the Code that may have occurred at the time of or as a result of the incident in question (for example, being under the influence of alcohol, marijuana or other controlled substances), unless the University determines that the violation was egregious. Egregious violations include, but are not limited to, actions that place the health or safety of another other person at risk or actions that involve academic dishonesty.

## **Campus Resources**

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

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