

2017

**Annual Security and
Fire Safety Report**



Christopher Newport University Police Department

12270 Warwick Boulevard Newport News, Virginia 23606

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CHRISTOPHER NEWPORT UNIVERSITY

2017 Annual Security and Fire Safety Report

The University

Christopher Newport University enrolls approximately 5,000 undergraduate and graduate students, employs approximately 1,100 faculty and staff and invites tens of thousands of guests each year to come on campus for activities and events. The University campus is located in midtown Newport News, Virginia. Currently, the University houses students in campus residential suites and apartments. The University is the home of a successful Division III athletic program and supports intercollegiate athletic sports. There is also a world class entertainment facility known as the Ferguson Center for the Arts on campus that is home to a 1700 seat theater.

With so many activities and special events occurring on campus, students, faculty and staff must be aware of the opportunities in which crime may occur and be familiar with techniques to prevent criminal incidents. Crime prevention is a shared responsibility. The University Police work in partnership with students, faculty, staff and the members of many clubs and organizations to reduce criminal incidents and violations of University policy.

Christopher Newport University Police Department

Christopher Newport University has authorized the operation of a full-time, professionally trained police department, responsible for the safety and welfare of all members of the University community and their guests. The University Police are committed to providing a safe and secure environment. The mission of the Christopher Newport University Police Department is to provide the University, including all faculty, staff, students and guests, with professional law enforcement services, in an efficient and effective manner, which fully supports the academic mission of the university. Our primary goal is to ensure that all members of the University community are able to live, study, work and enjoy the full spectrum of experiences offered by the University. In order to achieve this goal, the University Police will make every effort to reduce the risk of crime to the lowest possible level. This goal will be achieved by employing twenty-four hour police patrols and security patrols of the campus grounds, the utilization of modern security technologies, the enforcement of federal and state laws and University policies, proven crime prevention methodologies, ensuring compliance with safety regulations and identified best practices, and community programming that enhances our relationship with those who live and work on the periphery of the main campus.

The University Police enforce all state laws and University regulations and prevent, detect and investigate any criminal activity on the campus. The University Police are managed by a Chief of Police who is responsible for providing law enforcement and security services to the University community twenty-four hours a day. University Police officers have the same authority and obligation to exercise police power as other state and municipal police officers in the Commonwealth of Virginia and have powers of arrest within their assigned patrol jurisdiction. University Police jurisdiction includes all University owned, leased and controlled property and the adjacent streets, highways and sidewalks. Primarily, the University Police jurisdiction is on the campus owned and controlled properties known as the “core campus” that would include the streets, sidewalks and highways adjacent to those properties known as “public property”. (See campus map at <http://cnu.edu/parking/maps/>) There are also other properties located within the City of Newport News that are owned and controlled by the University but are not a part of the core campus that are known as “non-

campus property”. These jurisdictional terms are used when collecting crime statistics and are referred to in the statistics chart provided in this document.

The University Police department is comprised of police officers that are sworn and certified by the Virginia Department of Criminal Justice Services. All University Police officers have completed the mandatory hours of law enforcement basic training from a state criminal justice training academy and are required to complete forty hours of in-service training biennially. This rigorous academy training process includes establishing proficiency in the use of firearms to include handgun, shotgun and rifle. University Police officers utilize multiple forms of lethal and non-lethal weapons to include departmental issued firearm(s), OC pepper spray and ASP baton and maintain their proficiency and certification through the Department’s classroom training and range qualification program.

In addition, the University Police department has campus Security Officers (also known as a CSO), who are certified through the Virginia Department of Criminal Justice Services. The certification includes over forty hours of disaster and emergency response, mediation and conflict resolution, and security awareness in a campus environment. These uniformed security officers maintain a highly visible presence in several public buildings and provide additional patrol in areas on the core campus properties to deter inappropriate and illegal activities. A CSO is not a sworn officer and therefore does not have any powers of arrest, does not carry any weapons nor use any form of force to detain or arrest.

The University Police work cooperatively with the City of Newport News Police Department and other law enforcement agencies in Virginia, including the Federal Bureau of Investigation, the Virginia State Police, the Department of Alcohol Beverage Control and other surrounding campus and local police departments and sheriff’s offices. Formal meetings are held between the leaders of these agencies, through the Hampton Roads Chiefs of Police Association (HRCOPA) and the Virginia Association of Campus Law Enforcement Administrators (VACLEA). The police officers of the University Police and the Newport News Police communicate regularly on the scene of incidents that occur on and around the campus. The University Police investigator(s) work closely with the City of Newport News Police or the Virginia State Police (or applicable agency) when an incident takes place that would require joint investigative efforts and resources for the investigation of alleged criminal offenses. Crime related reports and information are exchanged between agencies, as necessary. A Mutual Aid agreement exists between the Virginia Department of State Police, the City of Newport News Police Department and the University Police to provide additional law enforcement resources to the campus in the event of an emergency.

Located at 12270 Warwick Boulevard (just across from the Ferguson Center), the University Police Headquarters is available and open for all criminal matters 24 hours a day, 365 days a year. For general public business, the University Police Headquarters is open Monday through Friday, from 8:00 a.m. to 4:00 p.m., excluding holidays. As well, recovered property can be collected by owners during these business hours. After business hours, contact with the University Police may be made through a variety of ways to include going to the University Police Headquarters, using the telephone number at (757) 594-7777.

General Procedures for Reporting Crimes or Emergencies

Community members, students, faculty, staff and guests are encouraged to report all crimes, traffic accidents, medical and fire incidents, suspect hazardous materials, spills or leaks, after-hours building power outages and suspicious activity in a timely manner to the University Police.

The University Police may be contacted on campus at extension 4-7777 or from outside the University telephone system at (757) 594-7777. You may also walk into the University Police Headquarters at 12270 Warwick Blvd (across from the Ferguson Center for the Arts) and speak to a police officer.

University Police Communication Officers are available at this number twenty-four hours a day to answer calls for service.

Upon receipt of a call for service in the University Police Communication Center, the Communication Officer will normally dispatch a University Police officer to the caller's location. All criminal matters, policy violations and suspicious incidents will result in the filing of an incident report. When appropriate, incidents involving students will be forwarded to the Office of the Dean of Students for review by the Center for Honor, Enrichment and Community Standards (CHECS) for potential disciplinary action. University Police officers will investigate an incident when defined investigative leads are present.

The immediate reporting of any crime, especially sexual assaults, assists in the preservation of evidence, which may be necessary to convict a person involved in criminal activity. Information on crimes that may impact or relate to the surrounding community is shared with appropriate law enforcement agencies.

Emergency and Timely Warning Notification Protocol

In compliance with the Higher Education Act of 1965 as amended and §23-9.2:11 of the Code of Virginia, the University has implemented a comprehensive emergency notification system, identified as "cnualert." This system consists of several notification technologies to include: text messaging, an outdoor siren and public address, voice over internet protocol telephones (VOIP), a webpage with servers on and off campus, Alertus emergency notification boxes, Alertus desktop client for computers, social media, email to registered users (campus wide), TV channel interrupt, email, fire alarms and the ability to activate a toll free number with experienced operators. This notification system allows the prompt disclosure of information about crimes on and/or near the campus that may pose an ongoing threat to the University community. The system is an opt-in notification system, which allows anyone with interest in receiving this information to register. Instructions for registration are located at www.cnualert.info. In addition to the electronic format, the University Chief of Police or a designee may determine to post paper flyers on the building doors of the University community in the event of a power interruption or other related technology failure.

Emergency Notification and Timely Warning Notification alerts are considered for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications, to include but not limited to, murder, non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest and statutory rape), robbery, burglary, aggravated assault, motor vehicle theft and arson. The University Chief of Police or designee will review all reported incidents to determine if there is an ongoing threat to the community or if there is a significant emergency or dangerous situation involving an immediate threat to the community.

Timely Warning Notification is defined as an alert notice provided to inform about a "serious or continuing threat to students, faculty, staff and guests." It is a warning that is provided to enable those individuals to protect themselves and will be issued as soon as the pertinent information is available. Timely warnings are provided to alert the community to threats related to or arising from crimes specified in the Clery Act. The warnings will always withhold the name(s) or identifying information of any victim but may have identifying information for a possible suspect(s). Timely warnings are typically written by the Chief of Police or designee and are generally distributed to the campus community via email to anyone who has a cnu.edu email address but may also go out in a text message when determined to be necessary. Timely warnings may also be posted on the emergency website, www.cnualert.info.

Emergency Notification is defined as an alert notice provided to inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty, staff and guests”. If an emergency notification is made, CNU does not need to issue a timely warning about the same incident or situation.

Emergency notifications are made by the Chief of Police in consultation with the Vice President for Student Affairs. If the Chief of Police or Vice President for Student Affairs are unavailable, the designated order of succession will be followed. In situations where immediate community notification is required, the Chief of Police or designee are authorized to send a notice to the campus community before notifying the Vice President for Student Affairs. Authorized university personnel may activate any of the emergency notification system components through the RAVE encoder, on or off campus, using mobile technologies. The Emergency Notification alert notice(s) will be posted on the University’s emergency web site, www.cnualert.info, email and may be sent via a text message to subscribers of the University’s text messaging component. In addition, activation of Alertus boxes and computer/TV interrupts may be initiated. In a designated Level 3 incident, the outdoor siren and VOIP telephones may also be activated. Once the situation has been resolved and it is determined to be safe to return to normal activity, an “all clear” message will be distributed via the same method of notification previously used for that incident (i.e. email, text alert, etc.).

In addition to these notices, a notification known as a “Crime Alert” may also be sent out to the community, typically via email, for any crime that is not specifically defined in the Clery Act but would be deemed as a potential threat to the safety of the community. This notice will be authorized by the Chief of Police or designee in consultation with the Vice President for Student Affairs.

All considerations for notifications will take into account the safety of the community, determine the content of the notification and initiate the applicable systems, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency Response and Evacuation Information

The University’s Emergency Operations Plan (EOP) was established in 1997 and is reviewed and adopted annually by the University’s Emergency Policy Group (EPG). The major objective of the Plan is to provide the University with a protocol that addresses preparedness, mitigation, response, and recovery from an emergency.

The members of the EPG include the Chief of Staff, Provost, Executive Vice President, Chief of Police, Senior Associate Vice President for Finance, Director of Emergency Management, University CIO, Director of Communications, Public Information Officer and the Vice President for Student Affairs.

The University’s Emergency Policy Group manages the implementation of the EOP. The Management Team includes all of the members of the EPG and representatives from Academics, University Police, Information Technology, Public Relations, Human Resources, Athletics, Student Affairs, Procurement, Plant Operations, Environmental Health and Safety and Auxiliary Services.

In the event of an emergency incident, the University’s Director of Emergency Management may activate the Emergency Operations Center (EOC) located at University Police Headquarters, and notify the Emergency

Policy Group via a RAVE system message. The EMT would engage in a conference call and the Director would provide a brief summary of the incident. The EMT would determine the level of staffing for the EOC and would begin to develop strategies to manage the incident.

The EOP also establishes the Emergency Notification System (ENS). The ENS is a comprehensive program that alerts the University community, who have elected to participate in the ENS system, of any natural or manmade disasters that occur on or may affect the University community. The ENS system components include siren/public address, text messaging, off campus web site, telephone broadcast, telephone voicemail, campus email as well as Alertus boxes, computer and TV interrupts, information desk and fire alarms. The University community would be kept informed through the ENS.

The Plan establishes three emergency response levels:

Level 1 (Planned Event)

These are events that typically allow a period of time to prepare or plan for a response. Examples of these events are hurricanes, inclement weather, power or utility outage and related campus disruptions.

Level 2 (Localized Event)

These are events that typically affect a specific building or a specific area on campus and do not affect the entire campus community. Although these events are more specific to an area or building, the required response is more immediate than the Level 1 event.

Level 3 (Immediate Catastrophic Event)

These events require an immediate acknowledgement and the broadcast of emergency conditions in the interest of public safety.

The university conducts regular drills and exercises throughout the academic year. Exercises include an annual tornado drill, a discussion based exercise, two emergency notifications drill, and an operation based exercise. Exercises include the university community as well as emergency management and first responders in the jurisdiction.

Off-Campus Crime

If another law enforcement or security agency, outside of the University Police, is contacted about criminal activity occurring off-campus in which a Christopher Newport University student is involved, that department may notify the University Police about the incident; however, there is no written policy by any department with Christopher Newport University that requires such notification. Students in these cases who have been dealt with in some manner by an agency may be subject to the University's disciplinary process through the Center for Honor, Enrichment and Community Standards (CHECS). The University Police will notify the University (CHECS) of any notification of such an incident that involves a student.

Academic and Public Use Building Security

All academic and public use buildings are patrolled by University Police Officers and Security Officers on a regular basis and are secured by University Police sworn and non-sworn personnel after normal hours. Access to secure academic and public use buildings is restricted to individuals authorized to have keys or key cards. Key card access to the building is recorded by security cameras that are located in the University Police Communication Center. Access to buildings after hours may also be granted to those who have been authorized in accordance with the University Building Access Policy.

Motor Vehicle Security

All faculty, staff and students are required to purchase and display a valid University parking decal on their vehicle and park in their designated lot(s). Guests must display a temporary decal or special event placard. Parking tickets for violations may be issued by Police Officers as well as personnel from the University Parking and Transportation Services Department. Parking regulations and other related information can be found at the Parking and Transportation website at <http://cnu.edu/parking/>. All persons parking their vehicle on campus are reminded to lock their doors and secure any valuables.

Residential Housing Security

Over 3,800 undergraduate students reside in six Main Campus residence halls and five East Campus apartment complexes.

Main Campus

Each residential facility on the Main Campus is managed by a hall director, a professional staff member from the Residence Life department who resides in the building. The hall director maintains a staff of student resident assistants and front desk assistants. It is their responsibility to confront, review and report certain conduct issues, mediate disputes, encourage conflict resolution and promote community development.

Main Campus residential facilities include James River Hall, Potomac River Hall (North and South), Warwick River Hall, York River Hall (East and West), Greek Village and Santoro Hall. Each of these residential facilities has a reception desk in the main lobbies that are staffed by front desk assistants and resident assistants twenty-four hours every day (except during University closing/breaks when the buildings are not inhabited). A security camera records the activity in each of the facility lobbies.

Access to Main Campus residential buildings is restricted to residents, their approved guests and other approved members of the University community. In the building lobbies, residents must show their University identification card to the front desk personnel and are required to sign guests into the building during certain hours. Residents are cautioned against permitting strangers to enter the buildings. University Police officers, as well as Security Officers, patrol the exterior of the residence halls on a regular basis.

Residence Life staff, to include hall directors and resident assistants, also enforce security measures in the halls and work with residents to achieve a community respectful of individual and group rights and responsibilities. University Police work closely with resident assistants to provide educational sessions on alcohol and drug abuse awareness as well as the prevention of various crimes, including sexual assault.

East Campus

The East Campus residence hall experience is founded upon independent living which is accomplished through five apartment styled complexes. These complexes include the CNU Village Apartments (Wilson, Tyler and Taylor Halls), CNU Apartments (Jefferson, Monroe, Madison, Harrison, and Washington Halls),

CNU Landing, CNU Crossing and Rappahannock River Hall Apartments. These facilities are managed by an area coordinator, a hall director and a staff of student resident assistants. The exterior doors on the East Campus residence halls (with the exception of CNU Landing) are secured at all times and student entry is achieved through a University card access system. The East Campus community maintains a Residence Life Office in Tyler Hall. During the semester, the East Campus Area Office is open and staffed by desk assistants and resident assistants from 10:00 am – 11:00 pm, Monday through Friday and 12:00 pm – 11:00 pm on Saturday and Sunday. When the office is closed, resident assistants are available on an on-call basis. The University Police conduct routine patrols and building security checks in a variety of ways to include vehicle patrols, foot patrols and marked golf carts every day of the week to ensure that all exterior doors are secure.

All members of the Residence Life staff have been carefully chosen through a selection process established by the Office of Residence Life. The Residence Life staff has the skills, knowledge, and information to help residents learn about and adjust to the University and the community living environment. Training for resident assistants and front desk assistants is conducted by the Office of Residence Life in conjunction with various agencies on and off campus and the University Police.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that reduces hazardous conditions. The University Police regularly patrol the campus and report malfunctioning lights, emergency call boxes and other unsafe physical conditions to the Offices of Plant Operations, Grounds, Auxiliary Building Management and Residential Housing Support for corrective action. The University Police use a concept known as CPTED (Crime Prevention Through Environmental Design) to complete this task. Members of the University community are encouraged to report deficiencies to the University Police as soon as they are observed.

Security Awareness and Crime Prevention Education Programming

The University Police documents security and safety violations found during their routine patrols of buildings and grounds. This information is distributed to the appropriate University department for corrective action. Crime prevention and emergency preparedness lectures and programs are scheduled each semester for all students, faculty, and staff. Crime prevention materials are available at the University Police Headquarters and are made available at new student, faculty and staff orientation programs.

The University Police encourages all students and employees to be responsible for their own security and the security of others and to be good stewards of the campus community. Safety is a community responsibility and all students and employees should work with the University Police in a collaborative effort to deter and report criminal and suspicious activity.

The University Police provides a series of "Campus Watch" programs for students, faculty and staff throughout the calendar year. "Campus Watch" programs include the following:

Silent Witness Program - provides members of the community with the opportunity to report criminal activity to the University Police Department anonymously

Bicycle Registration Program - provides an easy and convenient way for community members to register their bicycles

Alcohol Awareness Program – provides students with information about the effects of alcohol, making good choices and consequences of their actions

Drug Awareness Program – provides students with information about the effects of illegal narcotics/drugs, making good choices and consequences of their actions

RAD (“Rape, Aggression, Defense”) Program – a national standard self-defense course that provides both basic crime prevention skills and physical moves that help prevent becoming a victim of a violent crime

Safety Escort – a walking escort for all on-campus property by either a police officer or security officer and is provided to all faculty, staff, students and guests

Possession, Use, and Sale of Illegal Drugs and Alcoholic Beverages

Christopher Newport University is committed to working against the illicit use of illegal drugs and alcohol among students and employees. The University complies with all federal and state regulations regarding the abuse of controlled substances including the Drug-Free Schools and Communities Act of 1989 and laws of the Commonwealth of Virginia. The University Police enforce all Virginia laws and University policies concerning the purchase, possession, consumption, sale and storage of alcoholic beverages and drugs. Anyone found in violation of any state drug law may be arrested, summoned to appear before the appropriate court of law, reported to the Office of Human Resources, as applicable for employees, and/or given a “notice of incident” to appear before the Dean of Students or designee (CHECS Office), as applicable for students.

The U.S. Department of Education's Drug Free Schools and Communities Act requires that as a condition of receiving any form of financial assistance under any Federal program, an institution of higher education must adopt and implement program(s), known as DAAPP (Drug and Alcohol Abuse Prevention Program), to prevent the unlawful possession, use, manufacture or distribution of illicit drugs and alcohol by students and employees. The University Police provides several programs found on their website in the “Campus Watch Program” section located under the Crime Prevention Education Programming heading. These programs include but are not limited to Alcohol Awareness Program, Drug Awareness Program, RAD (Rape Aggression Defense) and the Class Action Program. As well, there are a number of other programs that are provided by various other departments on campus throughout the academic year. These programs include but are not limited to Orientation sessions for both students, faculty and staff, Residence Life staff training, Athletics, programming with the Student Honor Council, “Buzzkill”, Integrity Day and CHECS Alcohol Education online training. The University conducts an assessment each year by a designated committee to determine the usefulness and relevancy of the various programs being offered and prepares a biennial report on these findings.

Definitions

Controlled Substance – A drug or substance found in Section 54.1-3401 and Schedules I through VI of Sections 54.1-3446 through 3456 of the Code of Virginia, as amended, and Section 202 of the Federal Controlled Substances Act (21 US C. 812).

Alcohol – Any product as defined in “The Alcoholic Beverage Control Act,” Section 4-2 of the Code of Virginia, as amended.

Criminal Drug Statute – A criminal statute prohibiting the unlawful manufacture, distribution, dispensation, use, or possession of any controlled substance.

Drug – Any controlled substance or prescribed or non-prescribed medication, taken into the body, other than alcohol, which may impair one’s mental faculties and/or physical performance.

The University prohibits the unlawful possession, use, manufacture or distribution of illicit drugs and alcohol by employees, students, contracted agents, volunteers and guests on University property (owned or leased) or at any University sponsored activity. Additionally, alcohol related or disorderly behavior on University property is prohibited. Convictions for violations of these laws could result in fines, loss of driver's license and imprisonment as determined by the applicable state or federal law. All residence halls on the campus are considered to be alcohol free. Alcohol is prohibited in every residential room, study area, computer lab, lounge or any other room in the halls regardless of whether the student or guest is of the age of majority (21 years of age).

University sanctions for students who are found responsible for these violations or policies may include disciplinary penalties described in the Student Handbook which include, but are not limited to, verbal warning, letter of censure, removal from CNU housing, future housing privilege revocation, delayed housing registrations and selection, loss of privilege/privilege restrictions, completion of educational experiences, fee/fines, deferred sanction, disciplinary probation, disciplinary suspension, or disciplinary dismissal.

Any employee who is found to be in violation of these laws and policies may be subject to criminal prosecution, disciplinary action, including discharge, and/or referral to an assistance or rehabilitation program at the discretion of management as found in the CNU Substance Abuse Policy for Employees.

Many physical and psychological health risks are associated with the abuse of alcohol and other substances, including difficulty with attention and learning, physical and psychological dependence, damage to brain, liver and heart, unwanted sexual activity and accidents due to impaired judgment and coordination. The Office of Counseling Services can provide substance abuse education programming for any student. Anyone who may need assistance with a drug or alcohol problem is encouraged to contact a CNU counselor at (757) 594-7047 (Monday – Friday, 8AM-5PM) or contact the University Police at (757) 594-7777 and an on-call counselor can be contacted on your behalf. Assistance for employees (Value Options EAP program) is available for counseling and referral for drugs and alcohol as outlined in the CNU Substance Abuse Policy.

More information regarding health risks associated with the use of illicit drugs and the abuse of alcohol can be found at the following sites:

Department of Justice “Drugs of Abuse”
www.dea.gov/docs/drugs_of_abuse_2011.pdf

National Institute on Alcohol Abuse and Alcoholism
<https://niaaa.nih.gov/alcohol-health/alcohols-effects-body>

Center for Disease Control and Prevention
<https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

U.S. Department of Health and Human Services
<https://www.collegedrinkingprevention.gov/media/finalpanel1.pdf>

Statistical Disclosure of Reported Incidents

Incidents reported the University Police or a Campus Security Authority that fall into one of the required reporting classifications will be disclosed as a statistic in this annual report published by the University Police.

Crimes or incidents that are reported for this report include, but are not limited to, all Uniform Crime Report (UCR) Part 1 Criminal Offenses (in hierarchical order) and incidents defined by the Department of Education:

Criminal Homicide

Murder and Non-Negligent Manslaughter – the willful killing of one human being by another

Manslaughter by Negligence – the killing of another person through gross negligence

Sexual Assault

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 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 putting the victim in fear

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury

Burglary

The unlawful entry of a structure to commit a felony or a theft

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft or personal property of another

Domestic Violence

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner, a person with whom the victim shares a child in common, a person who is or has cohabitated with as a spouse and/or a person, adult or youth, who is protected under the domestic or family violence laws of the Commonwealth of Virginia

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 and the existence of the relationship is determined based on the consideration of the length of the relationship, type of relationship and the frequency of interaction between the persons involved

There is no state criminal law for this incident classification

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or has suffered substantial emotional distress. "Course of conduct" means two or more acts of communication that includes but is not limited to direct, indirect or through a third party by any action, method, device, physically following, monitoring, observing or threatening.

Arrests

Statistics related to criminal arrests for violations of drug law, liquor law and weapon law violations

Judicial Referral

Statistics related to referrals to the University CHECS Office for both criminal and policy violations of drug law, liquor law and weapon law violations

Confidential Reporting Procedures

Crime victims that do not want to pursue any action within the University judicial system or the criminal justice system, may still consider making a confidential report. With the victim's permission, a University Police officer can file a report as to the details of the incident without revealing the victim's identity. The purpose of the confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and guests to determine where there is a pattern of crime with regard to a particular location, method or assailant and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the

University, and when they involve allegations of sexual violence (to include sexual assault, domestic violence, dating violence, stalking and sexual harassment), the information is made available to the University Title IX Coordinator. A confidential report may also be made to a pastoral counselor or a professional counselor where the information will not be provided to the University or University Police/local law enforcement without the consent of the reporting party.

A crime victim should also be aware that, although the report is confidential, a Timely Warning notification may be required to be posted according to federal law. If such a warning is required, the victim may be made aware, where applicable, prior to the dissemination and will not include the victim's name or any other specific information that would otherwise cause the victim to be identified.

Silent Witness Website

The Silent Witness Program is a web based reporting tool that allows community members to anonymously report crimes to the University Police. Information about a suspicious incident/person, a University policy violation, or a potential crime or information regarding a crime that has already been committed, or that has the potential to be committed in future times, can be reported to a University Police for action. The Silent Witness reports are monitored by the University Police on a daily basis and all reports are reviewed and

assigned for action by the University Police as appropriate. The Silent Witness program should not be used in emergency, or "in progress" situations.

Crime Statistics

The information below provides context for the crime statistics reported as part of compliance with the Clery Act.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the Christopher Newport University Police Department, the Newport News Police Department, and non-police officials (as defined below). For statistical purposes, crime data reported to any of these sources are recorded in the calendar year the crime was reported. A written request for criminal incidents is made on an annual basis to all Campus Security Authorities (CSA), as defined by federal law. A CSA has a primary responsibility to "report allegations to the reporting structure established by the institution". The reporting structure established by Christopher Newport University is the University Police. For purposes of collecting statistical information for the annual security report, the Campus Security Authorities at Christopher Newport University include, but are not limited to, the following positions and the designated departmental staff:

Director of Residence Life
Director of Athletics
Director of Human Resources
Director of CHECS
Sr. Associate Vice President for Auxiliary Services
Vice President for Student Affairs
Dean of Students

Provost
EEO and Title IX
Dean of Admission
Associate Dean of Students
University Police
Director of Office of Student Activities
Director of Emergency Management
Director of Environmental Health and Safety
Director of Health and Counseling Services
Coordinator for Study Abroad and International Programs
Contract Event Security (not employed with the University)

All Campus Security Authorities are trained annually in their role and responsibilities as a CSA. Statistics are gathered, compiled and reported to the University community through this report, which is entitled “Annual Security and Fire Safety Report”. The University Police submit the annual crime statistics published in this report to the United States Department of Education (USDOE). The statistical information gathered by the USDOE is available to the public through the USDOE website, <http://ope.ed.gov/security>.

The University will distribute a post card to every enrolled student and current employee on an annual basis. In addition, information about the report is also provided to prospective students and employees by the Office of Admission, Office of Orientation and the Office of Human Resources. The post card includes the address for the University Police website where the “Annual Security and Fire Safety Report” publication can be viewed and information on how to obtain a hard copy of the report. The web address for the report is <http://www.cnu.edu/police/pdfs/annualreport.pdf>

Hard copy reports are available at the University Police Headquarters facility, located at 12270 Warwick Boulevard, Newport News, VA 23606. Upon request, a copy of the report can also be mailed to the requestors address. Prospective employees and students are provided information regarding the Annual Report when going through the application process with the University.

Specific Information about Classifying Crime Statistics

The statistics in this report are published in accordance with the standards and guidelines used by the Federal Bureau of Investigations Uniform Crime Reporting Handbook, relevant federal law and the guidelines as set forth by the Department of Education.

The statistics for all Part 1 Offenses (as listed in the section titled “Statistical Disclosure of Reported Incidents”) are counted as follows:

Murder, Non-negligent Manslaughter and Manslaughter by Negligence are counted as one offense per victim.

Sexual Assault (all four categories) is counted as one offense per victim.

Robbery is counted as one offense for each distinct operation (i.e., incident), including attempts. The number of victims robbed, the number of those present at the robbery, or the number of offenders are not individually counted.

Aggravated Assault is counted as one offense per victim. However, if a number of persons are involved in the incident, and the aggressors cannot be distinguished from the victims, the number of persons assaulted will be counted as the number of offenses.

Burglary is counted as one offense per each distinct operation.

Motor Vehicle Theft is counted as one offense for each stolen vehicle.

Arson is counted as one offense for each distinct incident.

Domestic Violence, Dating Violence and Stalking are all counted as one offense for each incident.

The statistic captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law and Illegal Weapon violations indicates the number of people referred to the Center for Honor, Enrichment and Community Standards (CHECS) for disciplinary action for violations of those specific laws. Being “found responsible” for a violation includes a referral that resulted in a student being charged by CHECS and a record of the action being kept on file.

Alcohol and Drug violations that are considered “policy” violations and not actual criminal violations are not counted in the statistics. As well, criminal incidents involving Driving under the influence and Public Intoxication are also not counted in the statistics in accordance with the guidance provided by the Department of Education.

The statistics in the Hate Crime charts are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this are the addition of Simple Assault, Intimidation and any other crime that involves bodily injury that is not already included in the required reporting categories. If a Hate Crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender’s bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his or her bias against the victim’s race, sexual orientation, religion, gender, ethnicity, disability, gender identity or national origin, the assault is then also classified as a hate/bias crime.

The column titled “Unfounded” in the crime statistics refers to those incidents where University Police personnel make a formal determination that the report is false or baseless. A report can be determined to be false if the investigation reveals that the crime that was reported was in fact never attempted or completed. Such determinations may include but are not limited to the report not meeting the elements of the crime or the crime being improperly classified.

The column “Reported to UPD” includes crime statistics from incidents that were reported to the University Police.

The column “Reported to Local PD” includes crime statistics from incidents that were reported to the Newport News Police Department but not reported to the University Police Department. These incidents could have occurred on campus property, non-campus property or public property.

The column “Reported to Non-Police” includes crime statistics from officials at the University who are defined by federal law as Campus Safety Authorities (CSA) because they have significant responsibility for student and campus activities or have been otherwise defined by the University as having that status.

Statistics for “Residential Facilities” are also counted in the “On-Campus” crime category. The law requires institutions to break out the number of “On-Campus” crimes that occur in residential facilities. Crime statistics for the categories of Larceny (theft) and Vandalism are not required by law and are not included in this report (except for the hate crime category).

Crime and Fire Log

The University Police make available a crime and fire log of incidents for the most recent 60-day period open to public inspection. The log may be viewed from the University Police website, located at www.cnu.edu/police, or at the University Police Headquarters. Any portion of the log older than 60 days, if not immediately available, is made accessible usually within two business days of a request for public inspection. The information in the crime and fire log generally includes the incident classification, date and time reported, date and time of offense, general location of the offense, general description of the offense and the disposition.

Disciplinary Actions

In cases where probable cause exists to believe that a student may be involved in a violation of the law of the Commonwealth of Virginia, the University Police may initiate charges through the City of Newport News criminal court system and/or through the University's judicial system, Center for Honor, Enrichment and Community Standards (CHECS). It is possible that charges may be filed through the City of Newport News criminal court system and through CHECS at the same relative time. Violations of University policy may result in a charge filed through the University judicial system. The Dean of Students, or designee, may initiate disciplinary action for violations committed by University students.

Crimes alleged to have been committed by University students at off-campus locations may be reported to University Police by local police authorities. University Police has established an informal reporting procedure with the Newport News Police Department through which local crime statistics and other criminal and incident information that may impact or relate to the University community is immediately reported. Off campus crimes and/or policy violations may be adjudicated by CHECS.

The Student Handbook provides related information for the University Honor Code, Code of Student Conduct and the University Judicial System and Sanctions. To find out more information about the disciplinary process, please review the Student Handbook by visiting the following website:
<http://cnu.edu/studentlife/checs/>

Missing Persons (Code of Virginia Code of Virginia, §15.2-1718 and §52-32)

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the University Police Department at (757) 594-7777. The University Police will initiate an investigation and generate a missing person (SP-67) or a missing child (SP-183) report as necessary.

If the University Police investigation determines that the student is missing, has a physical or mental disability and may be subjected to immediate danger (Disability), is missing under circumstances that indicate that their physical safety is in danger (Endangered), is missing under circumstances that indicate that the disappearance was not voluntary (Involuntary), is a person missing after a catastrophic incident (Catastrophic), is a person 21 years or older and for whom there is a reasonable concern for their safety, then the University Police will access the student's Clery Confidential Contact Information for Missing Student database. This information can be filed by all residential students on-line (optional) and the information will remain confidential, except for those who are authorized to maintain and utilize the database. The database is maintained by the University's Information Technology Service and the University Police Department. The database is updated every semester and as needed.

University Police will contact the confidential contact identified in the form. If a contact is identified, the contact will be notified and a Missing Person Report will be filed immediately into the Virginia Criminal Information Network and the National Crime Information Center systems. If the police investigation determines that none of the requirements exist (disability, endangered, involuntary, catastrophic, or concern for safety) for immediate entry, the University Police will file a Missing Person Report within twenty-four hours into the Virginia Criminal Information Network and the National Crime Information Center systems.

If the University Police investigation determines that the student is between the age of 18 and less than 21 years of age, whose temporary or permanent residence is in Virginia or is believed to be in Virginia, whose whereabouts are unknown to any parent, guardian, legal custodian or other person standing in loco parentis of the child, the University Police will file a Missing Child Report in to the Virginia Criminal Information Network and the National Crime Information Center systems within two hours.

If the student is under the age of 18 years and is not an emancipated individual, University Police will notify the student's parent or legal guardian immediately after University Police has determined that the student has been missing. This notification will be done in addition to the information provided in the database. The University Police will file a Missing Child Report in to the Virginia Criminal Information Network and the National Crime Information Center systems immediately.

Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. Information about the Sex Offender registry in Virginia can be found at <http://sex-offender.vsp.virginia.gov/sor/>.

In the Commonwealth of Virginia, convicted sex offenders must register with the Sex Offender and Crimes Against Minors Registry. The Registry was established pursuant to § 19.2-390.1 of the Code of Virginia. Every person convicted on or after July 1, 1997, including juveniles tried and convicted in the circuit courts pursuant to § 16.1-269.1, whether sentenced as adults or juveniles, of an offense for which registration is required, shall be required as a part of the sentence imposed upon conviction to register and reregister with the

Commonwealth's Department of State Police as provided in this section. In addition, all persons convicted of violations under the laws of the United States or any other state substantially similar to an offense for which registration is required shall provide to the local agency all necessary information for inclusion in the State Police Registry within ten days of establishing a residence within the Commonwealth. Any person required to register shall also be required to reregister within ten days following any change of residence, whether within or without the Commonwealth.

Nonresident offenders entering the Commonwealth for employment, to carry on a vocation, volunteer services or as a student attending school who are required to register in their state of residence or who would be required to register under this section if a resident of the Commonwealth shall, within ten days of accepting employment or enrolling in school in the Commonwealth, be required to register and reregister pursuant to this section. For purposes of this section "student" means a person who is enrolled on a full-time or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education.

Information concerning offenders registered with the Sex Offender and Crimes Against Minors Registry may be disclosed to any person requesting information on a specific individual in accordance with the law. Information regarding a specific person requested pursuant to the law shall be disseminated upon receipt of an official request form that may be submitted directly to the Commonwealth's Department of State Police or to the State Police through a local law-enforcement agency. The Department of State Police shall make Registry information available, upon request, to criminal justice agencies including local law-enforcement agencies through the Virginia Criminal Information Network (VCIN). Registry information provided under this section shall be used for the purposes of the administration of criminal justice, for the screening of current or prospective employees or volunteers or otherwise for the protection of the public in general and children in particular. Uses of the information for purposes not authorized by this section are prohibited and a willful violation of this section with the intent to harass or intimidate another shall be punished as a Class 1 misdemeanor.

The Virginia State Police maintains a system for making certain Registry information on violent sex offenders publicly available by means of the Internet. The information made available includes the offender's name; all aliases which he has used or under which he may have been known; the date and locality of the conviction and a brief description of the offense; his date of birth, current address and photograph; and such other information as the State Police may from time to time determine is necessary to preserve public safety. The system is secure and is not capable of being altered except by or through the State Police. The system is updated each business day with newly received registrations and re-registrations.

Violence Against Women Act (VAWA) and Title IX (Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy)

Statement of Policy

Christopher Newport University (CNU) is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or any other status protected by law.

Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among everyone on campus. In pursuit of this goal, any question of impermissible discrimination and/or harassment on these bases will be addressed with efficiency and energy in accordance with this policy. This policy also addresses any complaints or reports of retaliation against individuals who under this policy have filed complaints or reports, have testified or otherwise participated in investigations or proceedings, or have intervened to prevent a violation of this policy.

CNU does not discriminate in admission, employment, or any other activity on the basis of race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or any other status protected by law. CNU, an Equal Opportunity Employer, is fully committed to Access and Opportunity for all persons.

Statement of Purpose

The purpose of this policy is to establish clearly and unequivocally that CNU prohibits discrimination, harassment, sexual misconduct, and retaliation by individuals subject to its control or supervision and to set forth procedures by which such allegations shall be filed, investigated, and adjudicated.

The purpose of the procedures is to provide a prompt and equitable resolution of complaints or reports of discrimination and/or harassment based on race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or any other status protected by law. The procedures also address any complaints or reports of retaliation against individuals who under this policy have filed complaints or reports, have testified or otherwise participated in investigations or proceedings, or have intervened to prevent a violation of this policy.

This policy also provides for full and fair notice to anyone accused of conduct in violation of it, including all allegations, and evidence and a full and fair opportunity to respond to such allegations and evidence, in the context of an investigation.

Scope and Applicability

This policy and related procedures apply to on-campus conduct involving all students, employees, volunteers, visitors to campus (including, but not limited to, students participating in camp programs, non-degree-seeking students, exchange students, and other individuals taking courses or participating in programs at CNU), and contractors working on campus who are not CNU employees.

This policy and related procedures apply to off-campus CNU-sponsored activities involving all students, employees, and visitors to campus. This policy and related procedures are also applicable to any conduct occurring off campus if it may have continuing effects that create a hostile environment on campus.

Allegations of either on-campus or off-campus violations of this policy should be reported to the Director's Office.

When used in this policy and related procedures, Reporting Party refers to any individual who may have been the subject of a violation covered under this policy regardless of whether the Reporting Party makes a report or seeks action under the policy. Responding Party refers to any individual who has been accused of violating

the policy. Third Party refers to any other participant in the process, including a witness to the misconduct or an individual who makes a report on behalf of someone else.

Report refers to the process of giving a spoken or written account of a possible violation under this policy, either witnessed or experienced. Complaint refers to a formal allegation made against a party.

This policy applies to all reports and complaints of Prohibited Conduct received on or after the effective date of this policy. Where the date of the alleged incident precedes the effective date of this policy, the definitions used in the policy in existence at the time of the alleged incident(s) will be used. However, the procedures established under this policy will be used to address, investigate, and/or resolve all reports of Prohibited Conduct made on or after the effective date of this policy, regardless of when the incident(s) occurred.

Prohibited Conduct includes the following behavior as defined in Section D: Discrimination, Harassment, Sexual Misconduct (Sexual Assault, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking), Complicity, and Retaliation.

Definition(s)

Discrimination is inequitable treatment based on an individual's protected characteristics or statuses (race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or any other status protected by law) that excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment, or participation in an educational program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.

Harassment is a form of discrimination in which unwelcome verbal, written, or physical conduct is directed toward an individual on the basis of his or her protected characteristics or statuses (race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or any other status protected by law), by any member of the campus community. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment violates this policy when it creates a hostile environment, as defined below.

Sexual Harassment is a form of discrimination based on sex. It is defined as unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature including: verbal (e.g., specific demands for sexual favors, sexual innuendoes, sexually suggestive comments, jokes of a sexual nature, sexual propositions, or sexual threats); non-verbal (e.g., sexually suggestive emails, other writings, articles or documents, objects or pictures, graphic commentaries, suggestive or insulting sounds or gestures, leering, whistling, or obscene gestures); or physical (e.g., touching, pinching, brushing the body, any unwelcome or coerced sexual activity, including sexual assault). Sexual harassment, including sexual assault, can involve persons of the same or different sexes.

This policy prohibits the following types of sexual harassment:

Term or condition of employment or education: This type of sexual harassment (often referred to as "quid pro quo" harassment) occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a CNU activity are conditioned upon, either explicitly

or implicitly, submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a CNU program or activity.

Hostile environment: Acts that create a hostile environment, as defined below.

Hostile Environment may be conduct in any medium (e.g., oral, written, graphic, or physical) that is sufficiently severe, persistent or pervasive and objectively offensive that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs, services, opportunities, or activities or the individual's employment access, benefits or opportunities. Mere subjective offensiveness is not enough to create a hostile environment. In determining whether conduct is severe, persistent or pervasive, and thus creates a hostile environment, the following factors will be considered:

The degree to which the conduct affected one or more individuals' education or employment;

The nature, scope, frequency, duration, and location of the incident(s);

The identity, number, and relationships of persons involved;

The perspective of a "reasonable person" in the same situation as the person subjected to the conduct; and

The nature of higher education.

Sexual Misconduct includes Sexual Assault, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking.

Sexual Assault is intentionally engaging or attempting to engage in non-consensual bodily contact of a sexual nature. It includes sexual contact or sexual intercourse or penetration achieved by the use of physical force, threats, intimidating behavior, or coercion or when an individual is incapacitated. Sexual Assault is:

Non-Consensual Sexual Contact is any intentional or attempted touching of a sexual nature. Non-consensual sexual contact includes, but is not limited to: any intentional or attempted touching of a person's genitalia, groin, breast, or buttocks, or the clothing covering any of these areas without consent; any intentional or attempted touching of another with any of these body parts without consent; making another person touch you or themselves with or on any of these body parts without consent; or any intentional or attempted bodily contact of a sexual nature, though not involving contact with/of/by a person's genitalia, groin, breast, or buttocks without consent.

Non-Consensual Sexual Intercourse or Penetration is any penetration (anal, oral, or vaginal) or attempted penetration (anal, oral, or vaginal), however slight, with any object (finger, tongue, penis, inanimate object, etc.) without consent or forcing someone to penetrate himself or herself with any object, however slight, without consent.

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes, but is not limited to: prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution of photos or other

images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism, knowingly transmitting HIV or an STD to another, causing the incapacitation of another person for a sexual purpose, or exposing one's genitals to another in non-consensual circumstances.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. A social relationship of a romantic or intimate nature means a relationship that is characterized by the expectation of affection or sexual involvement between the parties. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical assault or abuse or the threat of such assault or abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is a felony or misdemeanor crime of violence committed: (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the law of the Commonwealth of Virginia; or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the Commonwealth of Virginia. Domestic violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for his or her safety or the safety of others; or (ii) suffer substantial emotional distress, meaning significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent including the criminal acts of rape, sexual assault, sexual battery, sexual abuse, and sexual coercion as found under Virginia Law (Article 4 of Chapter 4 of Title 18.2).

Consent is given by voluntary words or actions that communicate a willingness to engage in a specific sexual activity. The existence of consent will be inferred from all of the facts and circumstances. Consent may be withdrawn at any time. Silence, in and of itself, is not consent. Lack of protest or resistance is not consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. A previous or current relationship does not imply consent to sexual activity. Past consent does not imply future consent. Consent cannot be obtained by the use of force to include physical violence, threats, intimidating behavior, and/or coercion.

Physical Violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, strangulation, and brandishing or using any object as a weapon.

Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person can use their size or physical power in a manner that constitutes intimidation (i.e., by blocking access to an exit.)

Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear that they do not want to participate in a particular form of sexual contact or sexual intercourse, that they want to stop or that they do not want to go beyond a certain sexual activity, continued pressure can be coercive. In evaluating whether coercion was used, the frequency of the application of pressure, the intensity of the pressure, the degree of isolation of the person being pressured, and the duration of the pressure are all relevant factors.

Consent cannot be given by the following individuals:

Individuals who are asleep or unconscious;

Individuals who are incapacitated due to the influence of drugs, alcohol, medication, or other substances;

Individuals who are unable to consent due to a mental or physical condition; and

Individuals who are minors.

If an individual knows or reasonably should know someone is incapable of giving consent, it is a violation of this policy to engage in sexual activity with that person.

Incapacitation: An incapacitated person is incapable of giving consent. Incapacitation means that a person lacks the ability to make informed, reasonable judgments about whether or not to engage in sexual activity. An incapacitated person lacks the ability to understand the who, what, when, where, why, and/or how of the sexual interaction. A person is not necessarily incapacitated merely as a result of consuming alcohol, drugs, medications, and/or other substances. The impact of alcohol, drugs, medications, and/or other substances varies from person to person.

Alcohol, Medications, and Other Drugs: The use of alcohol, medications, and other drugs by the Responding Party is not an excuse for being unable to assess if the Reporting Party gave consent.

Complicity is any act taken with the purpose of aiding, facilitating, promoting, or encouraging the commission of a violation of this policy by another person. Complicity is prohibited by this policy.

Retaliation is intimidation, threats, harassment, and other adverse action taken or threatened against (1) any Reporting Party or person reporting or filing a complaint alleging Prohibited Conduct or (2) any person cooperating in the investigation of an allegation of Prohibited Conduct to include testifying, assisting or participating in any manner in an investigation pursuant to this policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this

policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of Prohibited Conduct.

Role of the Title IX Coordinator

The Director of Title IX and Equal Opportunity (Director) is the Title IX Coordinator. The Director oversees the investigation and resolution of all reports and complaints made by all students, employees, and visitors to campus of alleged Prohibited Conduct in accordance with this policy. The Director may delegate certain investigative responsibilities while maintaining oversight of the investigation.

The Director is charged with coordinating CNU's compliance with federal civil rights laws. The Director does not serve as an advocate for either the Reporting Party or the Responding Party. The Director will explain to all identified parties the procedures outlined below, including confidentiality. As appropriate, the Director will provide all identified parties with information about obtaining medical and counseling services, making a criminal report, information about receiving advocacy services off-campus, and guidance on other CNU and community resources. The Director will offer to coordinate with other CNU leadership, when appropriate, to implement interim measures as described below. The Director will explain to all involved parties the process of a prompt, adequate, reliable, and impartial investigation, including the opportunity for both Reporting Party and Responding Party to identify witnesses and provide other evidence. The Director will explain to all identified parties the right to have a personal advisor present and to review and respond to the allegations and evidence. The Director will also explain to the parties and witnesses that retaliation for reporting alleged Prohibited Conduct, or participating in an investigation of an alleged violation, is strictly prohibited and that any retaliation should be reported immediately and will be promptly addressed.

Allegations of Prohibited Conduct against the Director should be made to the University President.

Expectations

Under this policy, all parties can expect:

Written notice of an investigation, including the potential policy violation and nature of the allegation;

An academic record hold and academic transcript notation for alleged violations of this policy during the investigation when the Responding Party is a student. An academic transcript notation will remain if the sanction at the conclusion of the investigation is suspension or dismissal;

The opportunity to offer information, present evidence, and/or identify witnesses relevant to the allegation;

Reasonable notice of any meeting where the party's presence is requested;

The opportunity to have an advisor of choice for matters involving Sexual Misconduct, including the right to have that advisor attend any meetings where the party's presence is requested;

Timely and equal access to any information that will be used during the investigation and related meetings;

A reasonable length of time to prepare any response;

Prompt and equitable resolution;

Written notice of any extension of time frames for good cause;

Privacy to every extent possible in accordance with this policy and legal requirements;

The opportunity to challenge a member of the Director's Office for actual bias or conflict of interest;

Written notice of the outcome, imposition of any sanction(s), the rationale for each, appeal procedures, change to the finding and/or sanction, if any, after an appeal, and when the outcome and sanctions become final;

Reasonably available interim measures;

Limited amnesty;

No tolerance for false information; and

Protection against retaliation, harassment, or intimidation.

Privacy and Confidentiality

CNU is committed to protecting the privacy of any individual involved in the investigation and resolution of a report or complaint under this policy. With respect to any report or complaint under this policy, CNU will make reasonable efforts to protect the privacy of participants while balancing the need to gather information to assess the matter, take steps to eliminate the reported conduct, prevent its recurrence, and address its effects.

Privacy and confidentiality have distinct meanings under this policy.

Privacy: Privacy means that information related to a report or complaint will be shared with a limited circle of CNU employees identified as needing to know in order to assist the assessment, investigation, and resolution of the matter. While not subject to a legal obligation of confidentiality, these individuals will respect the privacy of all individuals involved in the process and will not share information except as necessary to effectuate this policy.

The privacy of student education records will be protected in accordance with CNU's policy for compliance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records generally is protected by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA and by Virginia's Health Records Privacy statute, Va. Code § 32.1-127.1:03. Access to an employee's personnel records in Virginia may be restricted in accordance with the Virginia Freedom of Information Act, and, where applicable, Department of Human Resources Management (DHRM) Policy 6.05.

Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including licensed health-care professionals and employees providing administrative support for such licensed health-care professionals, mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Virginia law. These individuals cannot violate their obligation of confidentiality unless (i) given written consent to do so by the person who disclosed the information; (ii) there

is a concern of serious physical harm to self or others; (iii) the conduct involves suspected abuse or neglect of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.

Confidential Resources: The CNU Office of Counseling Services and the community resources listed in Section H are Confidential Resources. Confidential Resources will not disclose information about a report of a possible violation of this policy to CNU (including the Director's Office or University Police) without the Reporting Party's permission (subject to the exceptions listed above under Confidentiality).

Clery Act Reporting: Pursuant to the Clery Act, CNU includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about the individuals involved in the incident. The Clery Act also requires CNU to issue timely warnings to the CNU community about certain crimes that have been reported and may continue to pose a serious or continuing threat to the campus. Consistent with the Clery Act, CNU will ensure, to every extent possible, that personally identifying information of Reporting Parties is not included in timely warnings.

Confidential Resources and Procedures for Anyone Who Has Experienced Sexual Misconduct

In a supportive manner, CNU will assist anyone who has experienced Sexual Misconduct by implementing the procedures set out herein. Due to the potential seriousness and sensitivity of the investigations involved, it is important to undertake these investigations properly. Preserving the evidence is often a key step of successful investigation of alleged Sexual Misconduct.

Recommended Steps: For anyone who has experienced Sexual Misconduct, the following steps are recommended.

Go to a safe place.

Confidential Resources (Medical Assistance): For your safety and confidential care, report promptly to one or more of the following Confidential Resources:

On-Campus Confidential Resource

CNU Health and Wellness Services (757) 594-7661

Freeman Center 1st Floor

<http://cnu.edu/studentclinic/>

Off-Campus Confidential Resource

Riverside Regional Medical Center 500 J. Clyde Morris Boulevard, Newport News, VA 23601

(757) 594-2000 or Emergency-Trauma Center (757) 594-2050

You may request a Sexual Assault Advocate if one is not provided.

You may receive a forensic sexual assault examination by a Sexual Assault Nurse Examiner (SANE Nurse).

Physical evidence may be usable if proper procedures are followed for evidence collection within 72 hours of the assault.

<http://riversideonline.com/rrmc/>

Confidential Resources (Support and Counseling): For professional and confidential counseling support, the following on-campus and off-campus Confidential Resources can be contacted.

On-Campus Confidential Resource

CNU Office of Counseling Services (757) 594-7047

Freeman Center 2nd Floor

<http://cnu.edu/counseling/>

Off-Campus Confidential Resources

The Center for Sexual Assault Survivors (The Center) (757) 599-9844

Crisis Hotline (757) 236-5260

Provides individual and group counseling, outreach, and information for survivors, family, and friends

<http://visitthecenter.org/>

Transitions 24-Hour HOTLINE (757) 723-7774

Sole provider of comprehensive family violence services for the cities of Hampton, Newport News, and Poquoson, and a co-provider of services for York County

<http://www.transitionsfvs.org/>

Newport News Victim Services Unit (757) 926-7443

2501 Washington Avenue, 6th Floor, Newport News, VA 23607

Victim advocate

<http://www.nngov.com/477/Victim-Witness-Assistance-Program>

Virginia Family Violence and Sexual Assault Hotline 1-800-838-8238 (available 24 hours)

Planned Parenthood (757) 826-2079

Hampton Health Center, 403 Yale Drive, Hampton, VA 23666

Provider of reproductive health care and education

<http://www.plannedparenthood.org/>

AVALON (757) 258-5022

24-hour Helpline (757) 258-5051

Center for women and children that is located in Williamsburg, VA

Promotes non-violence and supports survivors of domestic violence and sexual assault

Employee Assistant Program (EAP) Counseling provided by all health plans offered to Commonwealth of Virginia employees and their dependents

COVA CARE and HDHP (855) 223-9277

COVA HealthAware (855) 414-1901

<http://www.dhrm.virginia.gov/employeeprograms/employeeassistance>

Contact a trusted friend or family member.

Preservation of Evidence: It is your right to have evidence collected and retained anonymously by law enforcement while you consider whether to pursue criminal charges. Pending a decision to report, it is strongly encouraged that you take immediate steps to preserve all evidence that might support a future report.

Evidence preservation is enhanced in the following ways:

Do not wash your hands, bathe, or douche. Do not urinate, if possible.

Do not eat, blow your nose, drink liquids, smoke, or brush your teeth if oral contact took place.

Keep the clothing worn when the assault took place. If you change clothing, place the worn clothing in a paper bag (evidence deteriorates in plastic).

Obtain a forensic sexual assault examination by a Sexual Assault Nurse Examiner (SANE Nurse) within 72 hours of the assault.

Do not destroy any physical evidence that may be found in the vicinity of the assault. The victim should not clean or straighten the location of the crime until law enforcement officials have had an opportunity to collect evidence.

Tell someone all the details you remember and/or write them down as soon as possible.

Maintain text messages, voice mails, pictures, online postings, video and other documentary or electronic evidence that may corroborate a report.

There is no time limit for filing a complaint or report of Sexual Misconduct. However, Reporting Parties should report as soon as possible to maximize CNU's ability to respond. Failure to report promptly may result in the loss of evidence and limit the investigation.

The Reporting Party shall have the right to file a report with law enforcement and the option to be assisted by the Director's Office and other University authorities in notifying the proper law enforcement authorities of the alleged Sexual Misconduct.

CNU officials (excluding University Police) receiving complaints or reports of a possible Sexual Misconduct will follow the procedures listed in this policy. University Police will follow departmental procedures in accordance with standard law enforcement policies.

Resources for Anyone who has experienced Sexual Misconduct

Anyone who reports Sexual Misconduct to the Director's Office, the Office of Counseling Services, or University Police shall receive information outlining resources on and off campus and options.

Students and employees will be assisted with available options such as changing academic, transportation, parking, work, and living arrangements, after alleged Sexual Misconduct. Safety arrangements like no-contact orders may be made available as deemed necessary and reasonable.

Reporting to the Police

In an emergency, contact 911 or contact the University Police on campus at extension 4-7777 or from outside the CNU telephone system at (757) 594-7777. Someone may also walk into the University Police Headquarters at 12270 Warwick Boulevard (across from the Ferguson Center for the Arts) and speak directly to a CNU police officer.

The Director will make all Reporting Parties aware of the right also to file a report with the University Police or local law enforcement. CNU will comply with all requests by the University Police or local law enforcement for cooperation in investigations. Such cooperation may require the Director to temporarily suspend the fact-finding aspect of an investigation detailed in the procedures below while the University Police or other law enforcement agency gathers evidence. If the investigation is suspended, any interim measures remain in place and available. The Director's Office will promptly resume its investigation as soon as notified by the University Police or other law enforcement agency that it has completed the evidence gathering process. Otherwise, the investigation will not be altered or precluded on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

Some conduct in violation of this policy may also be a crime under Virginia law. Individuals are encouraged to report incidents of Sexual Misconduct to law enforcement, even if the reporting individual is not certain if the conduct constitutes a crime. Crimes dealing with minors must be reported to law enforcement.

A Protective Order may be available and enforced through the appropriate law enforcement agency. Protective Orders are legal documents issued by a judge or magistrate to protect the health and safety of a person who is alleged to be a victim of any act involving violence, force, or threat that results in bodily injury or places that person in fear of death, sexual assault, or bodily injury.

Reporting to CNU

The Director and Deputy Title IX Coordinators are trained to help individuals find the resources they might need, explain all reporting options, and respond appropriately to conduct of concern, including retaliation.

There is no time limit for filing a complaint or report under this policy. However, Reporting Parties should report as soon as possible to maximize CNU's ability to respond. Failure to report promptly may result in the loss of evidence and/or jurisdiction over the Responding Party if he/she is no longer affiliated with CNU and therefore limit the investigation. Any complaints or reports of Prohibited Conduct can be made to the Director or a Deputy Title IX Coordinator. The Director of Title IX and Equal Opportunity (Michelle L. Moody) is the Title IX Coordinator.

Michelle L. Moody, Esq.

Director of Title IX and Equal Opportunity / Title IX Coordinator

401 Newport Hall

(757) 594-8819 (Office)

(757) 594-8647 (Mobile)

mlmoody@cnu.edu

Katie Wellbrock

Deputy Title IX Coordinator / Associate Dean of Students

3rd Floor David Student Union Student Affairs Suite

(757) 594-7160 (Office)

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Matt Kelly

Title IX Investigator

3rd Floor David Student Union Room #3125

(757) 594-7527 (Office)

matt.kelly@cnu.edu

Lori Westphal

Deputy Title IX Coordinator / Director of Human Resources

1st Floor BTC/Suntrust Building

(757) 594-7145 (Office)

lwestpha@cnu.edu

Carrie Gardner

Deputy Title IX Coordinator / Associate Director of Athletics

Freeman Center Room G143

(757) 594-7462 (Office)

carrie.gardner@cnu.edu

Responsible Employee (Mandatory Employee Reporting of Sexual Misconduct): All CNU employees, including full-time, part-time, and students, are Responsible Employees for purposes of reporting Sexual Misconduct as defined in Section D. Student employees are Responsible Employees when they receive information while acting in their capacity as a CNU employee.

Once in receipt of information regarding Sexual Misconduct, the Responsible Employee must directly report any information regarding the alleged incident to the Director's Office without delay and should otherwise respect the privacy of the individuals involved. No CNU employee shall undertake any independent efforts to determine whether or not the report or complaint has merit or can be substantiated before reporting it to the Director.

The report from the Responsible Employee should include all relevant details about the name of the alleged perpetrator (if known), the name of the person who experienced the alleged conduct, the name of others involved in the incident, and the date, time and location of the incident. The Responsible Employee may directly contact the Director's Office or submit a report online by completing the Sexual Misconduct Responsible Employee Reporting Form.

Before someone reveals this type of information to the Responsible Employee, the Responsible Employee should make every effort to ensure that the person understands the Responsible Employee's obligation and that the person has the option to request confidentiality and share the information with a Confidential Resource either on campus or off campus.

When a Responsible Employee fails to make a required report to the Director's Office, CNU is unable to acquire the information necessary to stop, remedy, and prevent Sexual Misconduct. As a result, the employee may face disciplinary consequences up to and including termination of employment.

Online Reporting: Any complaints or reports of Prohibited Conduct can be submitted through CNU's website for online reporting by completing the Title IX and EO Community Reporting Form. This form also allows for anonymous reporting.

Reports of Other Discrimination/Harassment Not Sexual Misconduct: CNU administrators, supervisors, faculty, coaches, and assistant coaches should report other conduct in violation of this policy without undue delay after the incident. Any such report may be made orally or in writing, including electronic mail to the Director or completing the Title IX and EO Community Reporting Form online.

The Office of Counseling Services staff are considered confidential sources and therefore are not considered a responsible employee.

Reporting to External Agencies

Inquiries or complaints concerning discrimination/harassment on the basis of race, color, national origin, sex including Sexual Misconduct, age, disability, or retaliation may be directed to the United States Department of Education's Office for Civil Rights (OCR).

OCR National Headquarters U. S. Department of Education

Office of Civil Rights

Lyndon Baines Johnson Building

400 Maryland Avenue, SW

Washington, D.C. 20202-1100

(800) 421-3481

Email: OCR@ed.gov

<http://www2.ed.gov/about/offices/list/ocr/>

OCR Regional Headquarters U.S. Department of Education

Office of Civil Rights

Lyndon Baines Johnson Building

400 Maryland Avenue, SW

Washington, D.C. 20202-1475

(202) 453-6020

Email: OCR.DC@ed.gov

EEOC National Headquarters U.S. Equal Employment Opportunity Commission

131 Main Street NE

Washington, D.C. 20507

(202) 663-4900

Email: info@eoc.gov

<http://www.eoc.gov/>

EEOC Local Office U.S. Equal Employment Opportunity Commission

200 Granby Street

Suite 739

Norfolk, VA 23510

(800) 669-4000

<http://www.eoc.gov/field/norfolk/>

Commonwealth of Virginia EEO Services Department of Human Resource Management

Office of Equal Employment Services

101 North 14th Street, 12th Floor

Richmond, VA 23219

(800) 533-1414

<http://www.dhrm.virginia.gov/equal-employment-opportunity>

Timely Warning

CNU is required by federal law, the Clery Act, to issue timely warnings for reported incidents that pose a substantial threat or danger to members of the campus community. CNU will ensure, to every extent possible, that identifying information is not disclosed, while still providing enough information for members of the campus community to make decisions to address their own safety in light of the potential danger.

Initial Assessment

Upon the receipt of a complaint or report, the Director will make an initial assessment of the reported information and respond to any immediate health or safety concerns. In this initial assessment, the Director will:

Inform the Reporting Party that he/she may seek medical treatment, and explain the process and importance of obtaining and preserving evidence and provide assistance if he/she chooses to do so;

Inform the Reporting Party that he/she may contact law enforcement and provide assistance if he/she chooses to do so;

Inform the Reporting Party about CNU resources (including interim measures) and community resources;

Inform the Reporting Party that he/she may seek resolution under this policy and procedures and provide assistance if he/she chooses to do so;

Consider whether interim measures and involvement of other CNU leadership is appropriate;

Explain CNU's prohibition against retaliation; and

Communicate with appropriate CNU officials regarding possible Clery Act obligations.

The Director shall determine whether the matter involves an alleged violation of this policy, thereby conferring jurisdiction on the Director's Office. If the Director determines that the Director's Office does not have jurisdiction, the Director shall forward the report to the appropriate office and notify the parties about other appropriate resources.

Academic Record Hold and Transcript Notation

For alleged violations of this policy when the Responding Party is a CNU student, the Director upon the initiation of a Formal Investigation shall immediately notify the University Registrar who shall immediately place a "hold" on the student's academic record to prevent registration or release of an academic transcript.

If the student requests an academic transcript while under a Formal Investigation for an alleged violation of this policy, the University Registrar shall place a prominent notation on the student's academic transcript reading "Under Investigation - Sexual Misconduct" and/or "Under Investigation - Discrimination/Harassment" depending on the charge(s) being investigated. It shall also be noted on the academic transcript that the inclusion of this language is not intended to indicate a finding of responsibility for the pending charge, but is included to comply with Va. Code §23-9.2:15.

If the student leaves while a Formal Investigation is pending, the investigation may be suspended or may proceed at the direction of the Director, and a finding of responsibility and imposition of sanctions may occur without the participation of the student. If the Formal Investigation is suspended, the "hold" on the student's academic record to prevent registration and the prominent notation on the student's academic transcript reading "Under Investigation - Sexual Misconduct" and/or "Under Investigation - Discrimination/Harassment" will remain.

If the Formal Investigation continues to its conclusion including any appeal and the student is found not responsible or if the sanction is other than a suspension or a dismissal, the Director shall notify the University Registrar to remove the "hold" and transcript notation. If the sanction is suspension or dismissal, the academic transcript will contain the notation as stated in Section S.

Request for Confidentiality and Anonymous Reporting

Any requests of confidentiality concerning matters of possible Sexual Violence will be handled as stated in Section P. All other requests of confidentiality will be handled as described below.

Request for Confidentiality or No Formal Action Be Taken: If the Reporting Party requests confidentiality or that the report not be pursued, CNU may be limited in the actions it is able to take and its ability to respond while respecting the request. The Reporting Party will be asked to sign a statement indicating a desire for confidentiality or that an investigation not be pursued, and the Director will take all reasonable steps to respond to the report consistent with the request. The Director will consider the reasons for the request, including concerns about continued safety of the Reporting Party and the members of the CNU community, but the ability to maintain or respect the request is expressly limited by the threat assessment required in Section P for reports of Sexual Violence. The Director may initiate consultation with appropriate CNU

leadership concerning the request for confidentiality or no formal action be taken. The Director shall make the ultimate decision on whether to conduct an informal or a formal investigation or to respond in another manner, including use of interim measures as stated in Section Q. If it is determined that an investigation must proceed, the Director will inform the Reporting Party prior to notifying the Responding Party about the investigation, but in no event will the Reporting Party be required to participate in the investigation

Confidential Resources: The CNU Office of Counseling Services and the community resources listed in Section H are Confidential Resources. Confidential Resources are not permitted to disclose information about a report of a possible violation of this policy to CNU (including the Director's Office or University Police) without the Reporting Party's permission.

Reports or Complaints Involving Minors: If the Reporting Party is (or was at the time of the incident) a minor (under 18), the University Police shall be notified.

Anonymous Report: A report may be made anonymously through CNU's website for online reporting by using the Title IX and EO Community Reporting Form. The Director's Office may be limited in its ability to investigate an anonymous report unless sufficient information is furnished to enable the Director's Office to conduct a meaningful and fair investigation.

Threat Assessment for Sexual Violence: In addition to the steps taken during the initial assessment as stated in Section M, CNU shall submit every allegation of Sexual Violence that is alleged to have occurred (i) against any CNU student; or (ii) on campus, in or on a CNU building or property, or on public property that is within the campus or immediately adjacent to and accessible from campus to the Review Committee pursuant to Va. Code §23-9.2:15.

Review Committee: The Review Committee may include any and all members of CNU's Threat Assessment Team established under Va. Code §23-9.2.10 and shall include, at a minimum: (1) the Director or designee, (2) a representative of the University Police, and (3) a representative from the Office of Student Affairs. The Review Committee may also include a representative from the Office of Human Resources or the Office of the Provost or others as needed, depending on the status of the Responding Party and the circumstances of the complaint or report.

The Review Committee operates pursuant to Va. Code §23-9.2:10 and has access, under Virginia law, to certain otherwise confidential information, including law enforcement records and criminal history information, as provided in Va. Code §19.2-389 and §19.2-389.1; health records, as provided in Va. Code §32.1-127.1:03; University disciplinary, academic and/or personnel records; and prior reports of misconduct maintained by the Title IX Coordinator. The Review Committee shall have access to all available facts and circumstances, including personally identifiable information, and may seek additional information about the reported incident through any other legally permissible means.

Risk Factors: The Review Committee shall consider the following factors to determine whether there is an increased risk of the Responding Party committing additional acts of Sexual Misconduct or other violence, including, but not limited to:

Whether the Responding Party has prior arrests, reports and/or complaints related to any form of conduct in violation of this policy or any history of violent behavior;

Whether the Responding Party has a history of failing to comply with any CNU No-Contact Order, other CNU protective measures, and/or any legal Protective Order;

Whether the Responding Party has threatened to commit violence or any form of Sexual Misconduct;

Whether the alleged conduct involved multiple Responding Parties;

Whether the alleged conduct involved physical violence;

Whether the allegation reveals a pattern of conduct in violation of this policy (i.e., by the Responding Party, by a particular group or organization, around a particular recurring event or activity, or at a particular location);

Whether the alleged conduct was facilitated through the possible use of “date-rape” or similar drugs or intoxicants;

Whether the alleged conduct occurred while the Reporting Party was unconscious, physically helpless or unaware that the conduct in question was occurring;

Whether the Reporting Party is (or was at the time of the alleged incident) under the age of 18; and/or

Whether any other aggravating circumstances or signs or predatory behavior are present.

Review Committee Procedures and Determinations: Upon the Director’s receipt of information of an alleged act of Sexual Violence, the Review Committee shall meet, either in person or via telephone, within seventy-two (72) hours to review the information and shall meet again as necessary as new information becomes available.

If the Review Committee determines that there is a significant and articulable threat to the health or safety of the Reporting Party or to any other member of the campus community and that disclosure of personally identifiable information is necessary in order to protect the health or safety of the Reporting Party or other members of the campus, the representative of University Police on the Review Committee shall immediately disclose such information to the law enforcement agency that would be responsible for investigating the alleged act of Sexual Violence. This determination will be based on the Risk Factors listed above in Section P.2. If the Review Committee cannot reach a consensus, the representative of the University Police on the Review Committee shall make the determination. This disclosure shall be for the purposes of investigation and other actions by law enforcement. The Director shall immediately notify the Reporting Party if such a disclosure is made. The provisions of this paragraph shall not apply if the law enforcement agency responsible for investigating the alleged incident is located outside of the United States.

In cases in which the alleged act of Sexual Violence would constitute a felony violation under Virginia law (Article 7 of Chapter 4 of Title 18.2), the representative of the University Police on the Review Committee shall inform the other members and shall within twenty-four (24) hours consult with the appropriate Commonwealth Attorney and provide to him or her the information received by the Review Committee without disclosing personally identifiable information, unless such information was disclosed to a law enforcement agency pursuant to the paragraph above. If such consultation does not occur and any other Review Committee member individually concludes that the alleged act of Sexual Violence would constitute a felony violation under Virginia law, that member shall within twenty-four (24) hours consult the appropriate

Commonwealth Attorney and provide to him or her the information received by the Review Committee without disclosing personally identifiable information, unless such information was already disclosed to the University Police as allowed above.

The Review Committee shall also consider and recommend other appropriate or necessary actions beyond any already in place.

Actions Following Threat Assessment: At the conclusion of the Threat Assessment, the Director and representative of the University Police shall each retain (i) the authority to proceed with any further investigation or adjudication allowed under state or federal law and (ii) independent records of the review committee's determination considerations, which shall be maintained under applicable state and federal law.

Interim Measures

CNU will offer and take reasonable and appropriate interim measures to assist and protect the Reporting Party or a member of the campus community and facilitate the Reporting Party's continued access to campus employment or education programs and activities during the initiation, investigation, and resolution of complaints or reports under this policy. If, in the judgment of the Director and other CNU leadership, the safety or well-being of any member of the campus community may be jeopardized by the presence on campus of the Responding Party, interim remedies may be provided to address the short-term effects of harassment, discrimination and/or retaliation and to prevent further violations. These measures may be remedial (designed to address a Reporting Party's safety and well-being and continued access to educational opportunities), protective (involving action against a Responding Party), or both. Remedial measures are available regardless of whether a Reporting Party pursues an investigation under this policy.

CNU will consult with the Reporting Party and Responding Party before taking interim measures to the greatest degree possible. Both parties will be notified in writing concerning the imposition of interim measures that impact them.

Interim measures are not intended to be permanent resolutions. They may be amended or withdrawn as additional information is obtained and upon final resolution of the report or complaint.

Interim measures may include, but are not limited to:

Academic arrangements;

Housing and dining arrangements;

Work-related arrangements;

Limitation on extracurricular or athletic activities;

No-contact order, that serves as notice to both parties that they must not have verbal, electronic, written, or third party communication with one another;

Limitations on access to campus, CNU facilities, and CNU events;

Referral and coordination of counseling and health services;

Training for students, faculty, and/or staff;

Interim suspension/immediate restriction;

Administrative leave with or without pay; and

Any other measures that may be arranged by CNU (to the extent reasonably available) to ensure the safety and well-being of the parties.

Investigation and Resolution

There are two possible methods for investigation and resolution of a complaint or report alleging violations of this policy: 1) Informal and 2) Formal. Informal Investigation and resolution is not available for allegations of Sexual Assault. For alleged violations of this policy other than Sexual Assault, the Reporting Party and Responding Party have the option to proceed under the Informal Investigation procedure, when deemed permissible by the Director. The Director shall explain the Informal and Formal Investigation procedures to both the Reporting Party and Responding Party, if known.

In all cases, CNU will make every effort to avoid any actual conflict of interest in the investigation and resolution of complaints or reports.

Informal Investigation and Resolution

If the Reporting Party, Responding Party, and the Director all agree that an Informal Investigation and resolution should be pursued, the Director shall attempt to facilitate a resolution that is agreeable to the parties. Under this procedure, the Director will conduct a preliminary investigation only to the extent fact-finding is needed to resolve the conflict and to protect the interests of the parties, CNU, and the campus community. Both parties will be permitted to request witnesses to be interviewed by the Director and other evidence to be considered in the preliminary investigation. Typically, a preliminary investigation will be completed within thirty (30) calendar days of receipt of notice. If extension of the preliminary investigation beyond thirty (30) calendar days is necessary, all parties will be notified of the expected resolution time frame. If at any point during the Informal Investigation and resolution procedure, the Reporting Party, Responding Party, or the Director wish to proceed through the Formal Investigation procedure instead such request shall be granted and every effort will be made to investigate and issue a finding and sanctions, if any, within 60 calendar days of that decision.

The Director shall commence a Formal Investigation if at any point during the Informal Investigation and resolution it appears likely or possible that the outcome could result in suspension, termination, or dismissal.

Any resolution of a complaint or report through the Informal Investigation procedure must adequately address the concerns of the Reporting Party, as well as, the interests of the Responding Party and the responsibility of CNU to prevent, address, and remedy alleged violations of this policy.

Informal Investigation resolution remedies might include the following:

Training;

Adjustments to work, academic, or housing arrangements;

Informal counseling with a Responding Party whose conduct, if not ceased, could rise to the level of discrimination or harassment;

Advisory discussion with the Responding Party's supervisor, professor, coach, etc.;

No-contact order;

Written notice or written warning; and

Other actions as deemed appropriate.

All parties, supervisors, and other necessary parties will be provided written notification of the resolution of the complaint or report through the Informal Investigation procedures, including whether the preliminary investigation substantiated discrimination or harassment by a preponderance of the evidence and a description of CNU's response.

There shall be no right of appeal afforded to the Reporting Party or the Responding Party following an Informal Investigation and resolution.

Formal Investigation and Resolution

The Director's Office in this section refers to the Director and the Deputy Title IX Coordinators.

Initiation of Formal Investigation: A formal complaint may be submitted either in writing or through a verbal interview of the Reporting Party by the Director's Office regarding the events and circumstances underlying the complaint. A written complaint to the Director's Office is not required to commence a Formal Investigation. In the case of a third party notification, the Director's Office will contact the alleged victim promptly, and in no case later than three (3) calendar days from the date of the report. The complaint or report may be supplemented by additional supporting documents, evidence, or recommendations of witnesses to be interviewed during the course of the investigation. The Reporting Party must also disclose if a formal complaint has been filed with another local, state, or federal entity for the same offense.

Transcript Hold and Notation: For alleged violations of this policy when the Responding Party is a CNU student, the Director upon the initiation of a Formal Investigation shall immediately notify the University Registrar who shall immediately place a "hold" on the student's academic record to prevent registration or release of an academic transcript.

If the student requests an academic transcript while under a Formal Investigation, the University Registrar shall place a prominent notation on the student's academic transcript reading "Under Investigation - Sexual Misconduct" and/or "Under Investigation – Discrimination/Harassment" depending on the charges being investigated. It shall also be noted on the academic transcript that the inclusion of this language is not intended to indicate a finding of responsibility for the pending charge but is included to comply with Va. Code §23-9.2:15.

Investigation Timeframe: Every effort will be made to issue a finding and sanctions, if any, within sixty (60) calendar days of receipt of a complaint or report. If an extension beyond sixty (60) calendar days is necessary, all parties will be notified in writing of the expected revised time frame.

Overview of Investigation: The Director's Office shall conduct a prompt, thorough, reliable, and impartial investigation of the complaint. The Director's Office shall discuss the complaint or report with the Reporting Party and Responding Party as appropriate and provide information about the Formal Investigation procedures and available resources. The Director's Office shall explain to the parties that each has the opportunity to provide evidence and to suggest witnesses to be interviewed during the course of the investigation. The Director's Office will notify and seek to meet separately with the Reporting Party, Responding Party, and witnesses, and will gather other relevant evidence and information.

Both the Reporting Party and Responding Party shall have the same opportunity to review and respond to evidence obtained during a Formal Investigation. The Reporting Party and Responding Party shall be presented with all of the evidence gathered during the Formal Investigation in separate meetings. During these meetings, the parties will be allowed to respond at that time and shall have five (5) calendar days after the meeting to provide any further comments and/or information for consideration during the Formal Investigation.

Only the Director, a trained member of the Director's Office, or a trained investigator assigned to the Director's Office shall conduct the Formal Investigation. All investigations of complaints or reports alleging violations of this policy shall be overseen by the Director. If a member of the Director's Office is found to have an actual bias or conflict of interest in the matter, that person will not be allowed to participate in the Formal Investigation.

Participation by the Parties: Neither the Reporting Party or Responding Party is required to participate in the Formal Investigation. However, the investigation may proceed and a finding of responsibility and imposition of sanctions may occur without the participation of the Reporting Party and/or the Responding Party.

Advisor: For complaints and reports involving Sexual Misconduct, the Reporting Party and Responding Party may be accompanied by an advisor or support person of their choice at meetings and interviews at which he or she is present. The advisor or support person may not speak on behalf of the individual during, or participate directly in, meetings or interviews. The advisor may be excluded if he or she fails to respect this limitation.

Prior or Subsequent Conduct: Prior or subsequent conduct of the Responding Party may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar conduct.

Prior Sexual History: The sexual history or sexual character of a Reporting Party or Responding Party will not be used to prove character or reputation. Where there is a current or ongoing relationship between the Reporting Party and Responding Party, and the Responding Party alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of the communications between the parties. However, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent.

Standard of Review: At the conclusion of the Formal Investigation, the Director shall determine whether a preponderance of the evidence substantiates that a violation of this policy took place. A Responding Party will not be found in violation of this policy absent a finding by a preponderance of the evidence that the violation occurred.

The "preponderance of the evidence" standard requires that the evidence, in totality, supports a finding that it is more likely than not that the alleged misconduct occurred.

In determining whether alleged conduct has created a hostile environment that interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs, services, opportunities, or activities or the individual's employment access, benefits, or opportunities, the Director shall consider not only whether the conduct was unwelcome to the Reporting Party, but also whether the conduct was severe or pervasive and whether a reasonable person similarly situated to the Reporting Party would have perceived the conduct to be offensive.

Notification of Outcome and Sanctions: The Director shall issue a written investigation report, which shall be provided to both the Reporting Party and the Responding Party separately but concurrently with the sanctions, if any, and notification of the right to appeal as stated in Section T. In most cases the written investigation report shall be provided to both parties within sixty (60) calendar days of notice of the allegation. If extension of the time frame for the Director to finalize the investigation report beyond sixty (60) calendar days is necessary, all parties shall be notified in writing of the expected time frame for completion of the investigation report.

Finding of No Policy Violation: If the Director does not find by a preponderance of the evidence that a violation of this policy occurred, the matter will be documented as closed for purposes of this policy, unless the Reporting Party or the Responding Party submits an appeal as stated in Section T.

Finding of Policy Violation: If the Director finds by a preponderance of the evidence that a violation of this policy did occur, the Director's investigation report shall contain recommendations for steps that should be taken to prevent recurrence of any such violation and, as appropriate, remedies for the Reporting Party and the campus community. The investigation report shall include a recommendation on sanctions. If interim measures as stated in Section Q are in place, the Director shall include a recommendation regarding continuation, suspension, or modification of any such interim measures. The Director shall provide the investigation report to both the Reporting Party and Responding Party including the steps the Director has recommended to eliminate a hostile environment, if one was found to exist, and to prevent its recurrence.

Notwithstanding any other provision of this policy, the Responding Party shall not be provided information about the individual remedies offered or provided to the Reporting Party, but such information shall be provided to the Reporting Party.

The investigation report shall also be provided to the appropriate CNU authority for the determination and imposition of appropriate sanctions as stated in Section S.

Sanctions

Consequences for violating this policy will depend on the facts and circumstances of each particular situation, the frequency and severity of the offense, and any history of past misconduct. Sanctions may include penalties up to and including dismissal for students and termination for employees. In addition to sanctions that may be imposed on an individual found in violation of this policy, CNU will take any necessary steps to prevent the recurrence of any Prohibited Conduct, including Sexual Misconduct, and to remedy discriminatory effects on the Reporting Party and others, if appropriate. If it is determined that conduct in violation of this policy has occurred, sanctions will be determined as follows:

Students: Sanctions for students shall be determined by the Dean of Students or designee in consultation with the Director. Sanctions may include, but are not limited to, disciplinary penalties described in the Student Handbook which include, but are not limited to, verbal warning, letter of censure, removal from CNU housing, future housing privilege revocation, delayed housing registrations and selection, loss of privilege/privilege restrictions, completion of educational experiences, fee/fines, deferred sanction, disciplinary probation, disciplinary suspension, or disciplinary dismissal.

Transcript Notation: If the sanction is suspension or dismissal from CNU for a violation(s) of this policy, the Director shall notify the University Registrar who shall place a prominent notation on the Responding Party's academic transcript reading "Suspended – Sexual Misconduct," "Dismissed – Sexual Misconduct," "Suspended – Discrimination/Harassment," and/or "Dismissed – Discrimination/Harassment" depending on the violation.

Such notation will be removed for a suspension if the Responding Party (1) completes the term of the suspension and any conditions thereof and (2) is determined by CNU to be in good standing.

Such notation for a suspension or a dismissal shall be removed if the Responding Party is subsequently found not to have committed the offense.

Administrative/Professional Faculty and Hourly Employees: Sanctions for Administrative/Professional Faculty shall be determined by the appropriate Vice President or designee, in consultation with the Director. Possible sanctions include, but are not limited to, counseling, training, reassignment, admonition, written warning, suspension, or dismissal/termination of employment.

Classified Employees: Sanctions for classified employees shall be determined by the appropriate Director in consultation with the Director of Human Resources and Director in accordance with the Commonwealth's Standards of Conduct Policy and applicable Commonwealth personnel procedures. Sanctions that may be imposed by CNU include, but are not limited to, counseling, training, issuance of a written notice, suspension, or termination of employment.

Hourly Employees: Sanctions for hourly employees shall be determined by the appropriate Director or designee, in consultation with the Director. Possible sanctions include, but are not limited to, counseling, training, reassignment, suspension, or termination of employment.

Instructional Faculty: Sanctions for Instructional Faculty or referral to a Faculty Dismissal Hearing Panel shall be determined by the Provost in consultation with the Director. Possible sanctions include, but are not limited to, counseling, training, admonition, written warning, suspension, or initiation of termination proceedings according to procedures in the University Handbook.

Contractors: Contractors shall assign for duty only employees acceptable to CNU. CNU reserves the right to require the Contractor to remove from campus any employee who violates this policy.

Visitors: Visitors who violate this policy will be directed to immediately leave campus and may be subject to a permanent bar from campus.

Multiple Capacities: If the Responding Party serves in multiple capacities at CNU (i.e., student and employee), the Responding Party may be sanctioned by more than one CNU authority.

The Responding Party shall be informed in writing of any sanctions imposed for a violation of this policy at the same time the Responding Party receives the investigation report and notice of the right to appeal. The Director shall be provided a copy of such written notification by the person imposing the sanctions. The Director shall disclose to the Reporting Party separately but concurrently to the notification provided to the Responding Party, any sanctions that directly affect the Reporting Party as permitted by state and federal law including the Federal Educational Rights and Privacy Act (FERPA) and the Virginia Freedom of Information Act along with the investigation report and notice of the right to appeal. The Director also will disclose in writing to the Reporting Party separately but concurrently to the notification provided to the Responding Party, the findings of any investigation involving Sexual Misconduct, as permitted by state and federal law including FERPA and the Virginia Freedom of Information Act.

Appeal

Once written notification of the outcome of the investigation and sanctions has been provided, the Reporting Party and the Responding Party have seven (7) business days from the date notice is hand-delivered to the party or received into the party's email account to file an appeal. All appeals will be reviewed and decided by at least one CNU senior administrator.

An appeal is available only based on one or both of the following:

A procedural or substantive error in the process resulted in fundamental unfairness; and/or

New evidence unavailable during the original investigation that could substantially impact the original finding.

The sufficiency of the evidence and the severity of the sanction are not available as grounds for an appeal.

A request for an appeal must be submitted in writing to the Director and must set forth the grounds upon which the appeal is based. The Director shall confirm that the appeal is timely and shall forward it within three (3) business days of receipt to the Chief of Staff or designee who shall assign the appeal to an appropriate CNU senior administrator within three (3) business days of receipt. The Director will notify both parties in writing of the date the appeal was assigned for review.

If adequate grounds for appeal have been stated, the senior administrator will consider the merits of the appeal. In considering the merits of the appeal, he/she may review any pertinent materials in the record and meet with the parties and witnesses as needed. Any information included in the appeal that does not support one of the above two reasons for filing an appeal shall not be considered in the appeal process.

Disciplinary actions, sanctions, and/or remedial and preventative measures, if any, taken as a result of the original complaint may be implemented and enforced even while an appeal is pending. Upon the request of the appealing party, the CNU senior administrator may temporarily suspend the imposition of the sanction(s) while the appeal is pending.

The decision of the CNU senior administrator shall be final. It shall be provided in writing to the party who filed the appeal and to the Director within ten (10) business days from the CNU senior administrator receiving the appeal. If an extension beyond ten (10) business days is necessary, all parties will be notified in writing of the expected time frame. The non-appealing party shall be notified separately but concurrently of the decision.

If an appeal is not filed within the appeal period, the findings of the investigation become final and are not subject to further review.

Exceptions to Appeal Process: This appeal process is not available in addition to, or in lieu of, the processes already provided for Instructional Faculty and Classified Employees who are found responsible for a violation of this policy.

Amnesty

CNU encourages the reporting of violations of this policy. Alcohol or drug violations should not deter reporting an incident. When conducting an investigation, CNU's primary focus shall be on addressing the alleged Prohibited Conduct and not on alcohol and drug violations that may be discovered or disclosed. CNU does not condone underage drinking or illicit drug use; however, except in compelling circumstances, CNU will extend limited amnesty from consequences related to drug or alcohol use to Reporting Parties, witnesses, and others who in good faith report alleged incidents of Prohibited Conduct and/or participate in an investigation. CNU may provide referrals to counseling and may require educational initiatives, rather than disciplinary sanctions, in such cases.

False Information

CNU is a community grounded in honor; our Honor Code serves as a guide to our university experience. It provides clarity on behavior expected of all members of the community. Engaging in Prohibited Conduct is a

serious offense against an individual and the community. It requires every person's efforts in order to address this unacceptable behavior. Those efforts are undermined by the presentation of false information.

Any individual who knowingly provides false information, who intentionally withholds information or who intentionally misleads individuals who are involved in the investigation or resolution of a complaint or report of Prohibited Conduct shall be subject to disciplinary action which can include dismissal or termination from CNU. However, that an allegation of Prohibited Conduct cannot be proven by a preponderance of the evidence is not evidence of a false complaint or report.

Violations of Law

Behavior that violates this policy also may constitute a crime under the laws of the jurisdiction in which the incident occurred. For example, the Commonwealth of Virginia criminalizes and punishes sexual assault, dating/domestic violence, sexual exploitation, stalking, and physical assault. The criminal statutes that may apply in cases of Physical Assault and Dating/Domestic Violence are found in various sections of Chapter 4, Articles 1 (Homicide) and 4 (Assaults and Bodily Woundings), of Title 18.2 of the Code of Virginia. The criminal statutes relating to Sexual Assault are found in Sections 18.2-61 to 18.2-67.10 of the Code of Virginia. Section 18.2-60.3 of the Code of Virginia defines and identifies the penalty for criminal stalking. Finally, Sections 18.2-386.1 and 18.2-386.2 of the Code of Virginia provide for criminal penalties in some cases of Sexual Exploitation.

This compilation of criminal statutes is not exhaustive but is offered to notify the CNU community that, in some cases, the alleged conduct may also constitute a crime under Virginia law, which may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy.

Education and Awareness

For information about Prohibited Conduct including Sexual Misconduct and resources available on and off-campus, please visit the CNU Title IX and Equal Opportunity website at <http://cnu.edu/titleix-eo/> and the CNU Sexual Assault and Violence Education (S.A.V.E.) website at <http://cnu.edu/save/>.

The Director together with other institutional leaders oversees education, training, and awareness programs on Prohibited Conduct for students and employees, including training on primary prevention, bystander intervention, risk reduction, consent, and other pertinent topics.

Incoming students and new employees shall participate in primary prevention and awareness programming as part of their orientation. Returning students and employees shall have ongoing opportunities for additional training and education.

This policy shall be disseminated widely to the CNU community through electronic mail, publications, websites, new employee orientation, student orientation, and other appropriate channels of communication.

Academic Freedom and Free Speech

This policy does not allow curtailment or censorship of constitutionally protected expression. In addressing all complaints and reports of alleged violations of this policy, CNU will take all permissible actions to ensure the safety of students and employees while respecting the free speech rights of students and employees. This policy does not in any way apply to curriculum and curriculum decisions or abridge the use of particular textbooks or curricular materials.

Documentation and Record Keeping

The Director shall maintain, in a confidential manner, for at least ten (10) years, paper or electronic files of all complaints and reports, witness statements, documentary evidence, written investigation reports, resolutions, and appeals and associated documents.

This policy is maintained by the Office of Title IX and Equal Opportunity. The Director shall review it on an annual basis to capture evolving legal requirements, evaluate resources available to the parties, and assess the effectiveness of the investigation and resolution process. Any suggestions and comments shall be sent to the Director through the year for consideration. Any proposed amendments shall be submitted to the appropriate administrative body for further review and approval. This policy shall be amended in any manner deemed necessary without the need for further approval from the CNU Board of Visitors.

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2014 CRIME STATISTICS	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	GRAND TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	SECTION TOTAL	
	All On-Campus Property					Non-Campus Property					Public Property						On-Campus Residences				
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Aggravated Assault	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0	0
Arson	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Burglary	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	2	0	0	2	2
Forcible Sex Offense	4	0	4	1	8	0	0	0	0	0	0	0	0	0	0	8	2	0	4	6	6
Non-forcible Sex Offense (Incest, Statutory Rape)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	6	0	1	0	7	0	0	0	0	0	0	0	0	0	0	7	4	0	1	5	5
Dating Violence	6	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	2	0	0	2	2
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrest	15	0	0	0	15	0	0	0	0	0	3	0	0	0	3	18	1	0	0	1	1
Drug Law Arrest	6	0	0	0	6	0	0	0	0	0	6	0	0	0	6	12	0	0	0	0	0
Weapon Law Arrest	1	0	0	0	1	0	0	0	0	0	1	0	0	0	1	2	0	0	0	0	0
JUDICIAL REFERRAL																					
Liquor Law	78	0	287	0	365	0	0	0	0	0	10	15	0	0	25	390	25	0	286	311	311
Drug Law	18	0	4	0	22	0	0	0	0	0	0	4	1	0	5	27	13	0	4	17	17
Weapon Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2014 HATE CRIME	Race				Gender				Religion				National Origin			
	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity				Disability				Sexual Orientation				Gender Identity			
	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2015 CRIME STATISTICS	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	GRAND TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	SECTION TOTAL
	All On-Campus Property					Non-Campus Property					Public Property						On-Campus Residences			
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault (Rape, Forcible Fondling, Incest, Statutory Rape)	1	0	12	0	13	0	0	2	0	2	0	0	1	0	1	16	1	0	11	12
Robbery	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0
Aggravated Assault	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	2	0	0	2
Motor Vehicle Theft	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	7	0	0	0	7	0	0	0	0	0	0	0	0	0	0	7	5	0	0	5
Stalking	8	0	5	0	13	0	0	1	0	1	0	0	0	0	0	14	8	0	2	10
Dating Violence	6	0	2	0	8	0	0	0	0	0	0	0	0	0	0	8	6	0	2	8
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrest	17	0	0	0	17	0	0	0	0	0	0	0	0	0	0	17	7	0	0	7
Drug Law Arrest	12	0	0	0	12	0	0	0	0	0	0	2	0	0	2	14	1	0	0	1
Weapon Law Arrest	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0
JUDICIAL REFERRAL																				
Liquor Law	116	0	381	0	497	0	0	0	0	0	8	0	0	0	8	505	99	0	381	480
Drug Law	32	0	0	0	32	0	0	0	0	0	0	2	0	0	2	34	29	0	0	29
Weapon Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
*Alcohol, Drug and Weapon arrests and judicial referrals do not include laws related to Public Intoxication, DUI or University policy violations																				

2015 HATE CRIMES

There was 1 incident of a hate/bias crime (vandalism) that occurred on-campus that referred to both race and religion.

2016 CRIME STATISTICS	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	Unfounded	SUB-TOTAL	GRAND TOTAL	Reported to UPD	Reported to Local PD	Reported to Non-Police	SECTION TOTAL	
	All On-Campus Property					Non-Campus Property					Public Property					On-Campus Residences					
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault (Rape, Forcible Fondling, Incest, Statutory Rape)	5	0	37	0	42	0	0	0	0	0	0	0	0	0	0	42	4	0	35	39	
Robbery	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	1	1	0	0	2	2	0	0	0	0	
Motor Vehicle Theft	6	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	6	0	0	0	6	0	0	0	0	0	0	0	0	0	0	6	4	0	0	4	
Stalking	8	0	3	0	11	0	0	0	0	0	0	0	0	0	0	11	3	0	0	3	
Dating Violence	3	0	8	0	11	0	0	0	0	0	0	0	0	0	0	11	2	0	5	7	
Domestic Violence	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	
Liquor Law Arrest	28	0	0	0	28	0	0	0	0	0	0	2	0	0	2	30	9	0	0	9	
Drug Law Arrest	4	1	0	0	5	0	0	0	0	0	1	3	0	0	4	9	3	1	0	4	
Weapon Law Arrest	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0	
Liquor Law Judicial Referral	91	0	249	0	340	0	0	0	0	0	6	0	7	0	13	353	76	0	249	325	
Drug Law Judicial Referral	32	0	0	0	32	0	0	0	0	0	1	0	0	0	1	33	29	0	0	29	
Weapon Law Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

*Alcohol, Drug and Weapon arrests and judicial referrals do not include laws related to Public Intoxication, DUI or University policy violations

2016 HATE CRIMES

There were no incidents reported that had any actions defined under the hate crime statute or policy.

Campus Fire Safety Annual Compliance Report

The Higher Education Opportunity Act (Public Law 110-315) became law in August, 2008, requiring all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics related to student housing. The following public disclosure report details all information required by this law as it relates to Christopher Newport University.

On Campus Housing Fire Safety Equipment

All Main Campus residence halls (Santoro Hall, James River Hall, York River Hall, Potomac River Hall and Warwick River Hall) and East Campus apartment complexes (Rappahannock River Hall, CNU Apartments, CNU Village) are fully equipped with a fire alarm system and fire sprinkler systems, which are centrally monitored 24 hours a day, seven days a week. The fire alarm systems consist of audible horn and visual strobe light signals that can be activated from any manual pull box or the fire alarm control panel in the event of fire, fire drills, or bomb threats. CNU Crossing and CNU Landing (also on East Campus), are equipped with individual smoke detectors and portable fire extinguishers. Most buildings are equipped with emergency lighting; upon loss of power, these systems automatically activate to assure adequate egress lighting in hallways and emergency exit stairwells. Everyone will evacuate the building upon activation of the fire alarm and University Police shall be notified of the situation. All fire safety systems and equipment are strictly maintained and tested in accordance with applicable regulations and national standards.

Tampering with smoke/heat detectors, fire alarms, fire extinguishers, emergency lights sprinklers, valves or any other fire safety equipment is expressly prohibited. Hanging things from sprinkler heads could cause flooding and significant damage to personal and University property.

University provided fire extinguishers in units or apartments with kitchens or kitchenettes are placed in cooking areas and not in bedrooms. They are mounted in the kitchen (when applicable), near the refrigerator or under the kitchen sink. Extinguishers are not placed on or over the stove where a likely fire might prevent reaching the extinguisher.

Fire Safety Education, Training, Fire Drills and Inspections

The written Fire and Life Safety Program Plan establishes the policies, procedures, and guidelines for fire prevention and fire safety for the University community. The plan covers emergency response and evacuation procedures, the legal requirements for compliance with building fire codes in operations and activities on campus, guidelines for fire prevention and safety, inspections, and training.

The Residence Life Handbook includes information on fire safety and the appropriate actions to take during a fire alarm or fire emergency. Residents are required to comply with the safety requirements outlined in the handbook.

Fire and Life Safety Education

Fire and life safety training is available to all employees. Training on fire and life safety is provided to on-campus resident staff including resident assistants, front desk assistants, Main Campus hall directors, and the East Campus area coordinator at the beginning of the fall and spring semesters. All on-campus residents

(including those with special needs) are briefed on fire safety issues at the beginning of each year through floor meetings.

Fire Drills

Fire drills are conducted in residence halls quarterly in coordination with University Police and the Residence Life staff. The drills are conducted to ensure proper functioning of the building fire alarm system and to familiarize residents with the process of evacuation. Occupants must evacuate for a drill just as they would for a real fire.

When the fire alarm sounds, all occupants including residents, visitors and employees are required to evacuate the building immediately. All occupants are expected to react to the fire alarm like an active fire situation. Failure to evacuate the building in a timely manner may result in judicial action. In addition, anyone involved in initiating a false alarm or inappropriately discharging a fire extinguisher will face severe disciplinary action.

Inspections

The Residence Life staff performs Health and Safety Inspections every semester. The staff enters each room in the residence halls and inspects the room to ensure that fire prevention policies are being followed by the residents. The residents are notified of the inspections in October and February. Additional Health and Safety Inspections may occur as a result of a complaint.

The Main Campus residence halls are also inspected for fire hazards during the Closing Inspections. These inspections are conducted prior to the University's sanctioned closings, to include, Thanksgiving, Winter break, Spring break and the end of year.

Per the Virginia Statewide Fire Prevention Code, residential buildings are mandated for fire safety inspection by the local State fire marshal who may conduct announced or unannounced inspections of residential rooms during the course of the year. Violations discovered by the fire marshal are subject to a fine and/or judicial action.

Residential Building Fire Prevention Policy – Prohibited Items

Candles and Open Flames

Due to fire safety concerns, all candles (burned or not) are prohibited in campus residential buildings. Open flames, burning incense, incense and candle warmers and cigarette smoking are also prohibited. Residents may grill outside in designated grilling areas.

Smoking is not permitted in any University facility. Additionally, individuals smoking outside of these facilities are encouraged to be aware of the smoke-free lifestyle of others and not place tobacco smoke in the path of the residence halls. Individuals should refrain from smoking within 25 feet of building entrances. Shisha pipes, Hookahs and electronic cigarettes of any type are prohibited in University housing. Fog machines may not be used in the residence halls.

Plug-in air fresheners with a pass-through plug as part of their design have been determined to be unsafe for use by the Virginia fire marshal and are prohibited. Other plug-in air fresheners are acceptable.

Pressurized items, to include scuba equipment, CO₂, helium and propane canisters, may not be kept in campus buildings.

Heaters and Portable Electrical Devices are prohibited unless approved or furnished by the University.

Sparklers, fireworks and other explosives are prohibited in campus buildings.

Flammable liquids such as lighter fluid, gasoline, turpentine, paint thinners/solvents may not be stored in the residence halls. Storage of generators, mopeds, motorcycles and other fuel powered equipment is prohibited. Bottled gas is also prohibited in the residence halls.

Torchiere style halogen lamps and lamps with a pass through plug are prohibited. Downward-facing halogen desk lamps are permitted. Exceeding recommended light bulb size/wattage in any lamp is a fire hazard and is prohibited in the residence hall.

Procedures for On-Campus Fire Emergencies

The University fire alarm system consists of an audible signal that can be activated in most buildings from any pull box or from the alarm control panel. All faculty, students, residents, guests and employees will evacuate the residential, academic or public use building upon activation of the fire alarm and the University Police shall be notified of the situation. The University fire alarm system should be activated only in case of fire, fire drills, or bomb threats. A fire alarm should not be activated in the event of a gas leak, as any electrical spark could ignite an explosion.

In the event of fire, the following actions should be taken:

Activate the University fire alarm system in the building in which the fire is suspected by pulling the nearest fire alarm box.

Notify the University Police. Tell the communication officer the type of emergency and exact location where fire department should respond. The University Police will contact the fire department and advise them of the exact location of the incident.

Unless threatened by fire, smoke, or heat, a trained individual may use available fire extinguishing equipment and remain on the scene until assistance arrives. When in doubt, evacuate the building.

Do not use the elevator. Elevator shafts may fill with smoke or the power may fail, causing an entrapment.

All building occupants, other than those assigned specific duties, will comply with the following:

Evacuate the building, closing residential room doors, and office or classroom doors, as appropriate. Follow orders issued by delegated authority. All persons who have evacuated buildings will move to an open grassy area away from the building and to stay clear of roads and fire hydrants.

Throughout the duration of a fire alarm all building patrons should remain calm, move promptly to a point well outside the building and follow directions provided by members of the administration and emergency personnel. Patrons having evacuated the building should not depart the campus until an announcement has been made to that effect, nor should they return to the building until appropriate notice has been announced by the University Police or other appropriate administrator.

Fire Emergency Evacuation Procedures

In the event of a fire emergency requiring evacuation, all occupants, other than those assigned specific duties, will evacuate based on the following procedure:

If a fire is discovered, activate the University building fire alarm system by pulling the nearest fire alarm box. Alternatively, if the fire alarm system is not operational, notify occupants of the need to evacuate by saying "FIRE!" loudly while knocking on doors. Activate the University fire alarm system in the building in which the fire is suspected by pulling the nearest fire alarm box.

Remain calm and evacuate the building using the nearest emergency exit.

Touch a door before opening. If the door is hot, do not exit; instead proceed to an alternate exit route. Know an alternate exit(s) in case your primary route is obstructed.

As you leave, close residential room doors, office or classroom doors, as appropriate to contain the spread of smoke and fire. Do not use elevators. Elevator shafts may fill with smoke or the power may fail, causing an entrapment.

If it is safe to do so, assist anyone who may be in danger. Otherwise notify emergency response personnel once you have evacuated the building.

On your way out, notify other occupants; knock loudly on doors and say, "FIRE!!" to alert other occupants to evacuate.

Report to the evacuation assembly point outside of your building, and remain at a safe distance (at least 50 feet), off of roadways and clear of fire hydrants to allow a clear path for emergency responders.

Notify University Police by calling 4-7777 from a University phone or 594-7777 from a non-university phone; tell the communication officer the type of emergency and exact location where fire department should respond. The University Police will contact the fire department and advise them of the exact location of the incident.

Follow orders issued by delegated authority. Do not re-enter the building until a crowd control staff member /supervisor or other official tells you it is safe to do so. The fire department and/or police department will notify you with an "All Clear" signal.

Students, faculty and staff having evacuated the building should not depart the campus until an announcement has been made to that effect, nor should they return to the building until appropriate notice has been announced by the University Police or other appropriate administrator.

The University Police will initiate the Incident Command Structure (ICS) upon arrival.

A Unified Command Structure (UCS) will occur upon arrival of the Newport News Fire Department.

If trapped in a room, stuff the door cracks and vents with damp towels, and hang a sheet from the window to alert rescue personnel. Stay low to the floor and breathe through a damp cloth.

If trapped in an elevator or stairwell, use an available telephone to call for help.

An individual may use an available portable fire extinguisher to extinguish a fire under the following conditions:

You have been trained in the proper use of a fire extinguisher and are confident in your abilities to cope with the hazards of the fire

The fire is a small, incipient fire (no larger than a waste basket)

As a means of escape if the individual's evacuation route is obstructed by fire

Terminate fire-fighting efforts when there is danger from smoke, heat, or flames by fire

If in doubt, evacuate the building, and remain on the scene until assistance arrives.

Occupants Requiring Assistance

Residential building staff provides assistance during evacuation to occupants who are mobility, audibly, or visually impaired. In multi-level buildings, occupants requiring assistance during building evacuation should go to a designated "Area of Refuge" located within the building. Areas of Refuge are generally located in stairwells on each floor and are equipped with a two-way communication system for calling the University Police Communications Center. Instructions are posted for calling to notify CNU Police of the need for assistance.

Reporting a Fire Emergency

All fire emergencies are to be reported to the University Police Department. Contact with the University Police may be made to the University Police Communication Center. The emergency telephone number is (757) 594-7777 and the non-emergency number is (757) 594-7053.

Callers should be prepared to provide the communication officer with specific information, including name, location of the incident and nature of the emergency.

Statistical Report for Fire Response to Residence Halls

A “Fire Log” of all residence hall fires reported including: nature, date, time and general location is maintained by the University Police and is available as a part of the Crime Log for public view at the University Police Headquarters (for the previous 60 days). An electronic version is also available on the University Police website, located at: <http://police.cnu.edu/>.

	2014		
Facility	Fires	Injuries	Deaths
Santoro Hall	0	0	0
James River Hall	0	0	0
York River Hall	0	0	0
Potomac River Hall	0	0	0
Warwick River Hall	0	0	0
CNU Apartments	1	0	0
CNU Village	1	0	0
Greek Village Apartments	0	0	0
CNU Landing	0	0	0
Rappahannock River Hall	1	0	0
TOTAL	3	0	0

All campus buildings on Main Campus and East Campus (Core Campus) have the address of 1 Avenue of the Arts Newport News, VA 23606. No buildings on the core campus actually have an individual building address.

Fire Summary 2015

Residential Facility	Total Fires	Reason/Cause	Total Injuries	Total Deaths	Value of Property Damage
Santoro Hall	0	N/A	0	0	0
James River Hall	0	N/A	0	0	0
York River Hall	0	N/A	0	0	0
Potomac River Hall	0	N/A	0	0	0
Warwick River Hall	1	Determined Fire (electrical)	0	0	\$500
CNU Apartments	0	N/A	0	0	0
CNU Village Apartments	0	N/A	0	0	0
Greek Village Apartments	0	N/A	0	0	0
CNU Landing	0	N/A	0	0	0
Rappahannock River Hall	0	N/A	0	0	0
TOTAL	1		0	0	0

All campus buildings on Main Campus and East Campus (Core Campus) have the address of 1 Avenue of the Arts Newport News, VA 23606. No buildings on the core campus actually have an individual building address. There are no residence hall facilities located off campus or on non-campus properties.

Fire Summary 2016

Residential Facility	Total Fires	Reason/Cause	Total Injuries	Total Deaths	Value of Property Damage
Santoro Hall	1	Unintentional/Cooking Incident	0	0	\$0-\$99
James River Hall	1	Unintentional/Cooking Incident	0	0	\$0-\$99
York River Hall	0	N/A	0	0	0
Potomac River Hall	0	N/A	0	0	0
Warwick River Hall	0	N/A	0	0	0
CNU Apartments	0	N/A	0	0	0
CNU Village Apartments	0	N/A	0	0	0
Greek Village	1	Determined/Electrical	0	0	\$0-\$99
CNU Landing	0	N/A	0	0	0
Rappahannock River Hall	1	Unintentional/Cooking Incident	0	0	\$0-\$99
CNU Crossing	0	N/A	0	0	0
TOTAL	4		0	0	\$400

All campus buildings on Main Campus and East Campus (Core Campus) have the address of 1 Avenue of the Arts Newport News, VA 23606. No buildings on the core campus actually have an individual building address. There are no residence hall facilities located off campus or on non-campus properties.