

ANNUAL SECURITY AND FIRE SAFETY REPORT 2026

Prepared with input from

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Jordan Sharp, Executive Director of Human Resources

The following FPU employees will be involved in the ongoing implementation of this policy:

Senior Vice President, Chief Financial Officer	Primary oversight
Chief/Director Department of Campus Safety	Primary responsibility for overall implementation
Vice President of Student Life, Director of Residence Life	Notification & education of TUG students, Crime & Fire Reporting
Residence Directors, Resident Assistants	Crime & Fire Reporting
President & Cabinet	Authorization of timely warnings for emergencies
Director of Human Resources	Notification & education of employees and prospective employees
Directors of Admissions	Notification of prospective students
Director of Athletics, Coaches	Crime & Fire Reporting
Faculty Mentors/Advisors	Crime & Fire Reporting
Director of Facilities	Landscape Safety

The following need to be notified of this policy and FPU crime statistics:

- Students
- Faculty
- Staff
- Prospective Students
- Prospective Faculty
- Prospective Staff

Questions about this policy may be directed to the Chief/Director of Campus Safety.

Annual Security and Fire Safety Report 2026



Department of Campus Safety
4866 E. Butler Avenue
Fresno, CA 93702
(559) 453-2298

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ATP Adult Transition Program
AIH AIMS Hall of Math & Science
ALH Alumni Hall
ALP Alumni Plaza
BAH Barbach Hall
BTH Butler Houses
BUC Butler Church
CCC Charlotte's Coffee Corner
FMB Facilities Management Building
HH Hanton Houses
HTL Hiebert Library
KRH Kraase Hall
KBH Kruhoeffer Hall
JOH Joyce Hall
MC Mail Center
MAR Marpeck Center
MCD McDonald Hall
NAH Nachtigall Hall
NTH North Hall
PAC Pacific Bookshelf
SAH Sattler Hall
SCC Shimmel Campus Center
SCH Schlichting Hall
SEC Special Events Center
SEC A2 SEC Portable Classroom
SEC A3 SEC Portable Classroom
SEM Seminary House
STR Straubenzee Hall
TH Townsend Houses
WPC Warkentin Prayer Chapel
WCAC Warkentin Culture and Arts Center
WAH Warkentin Hall
WFC Weber Education Center
Disabled accessible restroom
Emergency poles
Safety phones
AED (Automated External Defibrillator)
Lactation Room
Paid Permit Parking Lot
Free Permit Parking Lot
All campus lots require parking permits between the hours of 7:00 a.m. - 4:00 p.m. Monday - Friday. Complimentary day permits are available for guests. Permits not required for street parking.
CHESTNUT AVENUE
BUTLER AVENUE
TOWNSEND AVENUE
S. GARDEN AVENUE
HEATON AVENUE
WINERY AVENUE
HAMILTON AVENUE
S. WILLOW AVENUE
1719 S. WINERY
Feather Management Building
STONEHAVEN SENIOR LIVING
STEINERT ATHLETIC COMPLEX
DAN MARTIN STADIUM
TRACK & FIELD
Hammer Throw Area
HAROLD AND BETTY HAAK TENNIS COMPLEX
RAMIREZ FIELD
TRACK & FIELD
WILLOW GARDENS APARTMENTS
CLUB HOUSE
4378 E HEATON
WILLOW HOUSE
1634
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Residence halls
FPU-owned properties
Public properties
Revised 11/2/2025 NOT TO SCALE

DEPARTMENT OF CAMPUS SAFETY

The Fresno Pacific University Department of Campus Safety Main Office is located at 4866 E. Butler Avenue. The department is staffed and operational 24 hours a day, seven days a week, year-round. Campus Safety Officers patrol the Fresno Campus 24 hours a day. The North Fresno, Merced, Visalia, and Bakersfield Campuses are patrolled by uniformed Campus Safety Security Guards when class is in session. The campuses in North Fresno, Visalia, Bakersfield and Merced are not operational on a 24-hour/day basis and thus are not patrolled on a 24-hour basis.

Contacting Campus Safety

- Address 4866 E. Butler Avenue Fresno, California 93727
- Phone Number (559) 453 – 2298
- Business Line (559) 453 – 4615
- Office Hours Monday – Friday 8AM – 4PM

Campus Safety Enforcement Authority

The Department of Campus Safety's goal is to ensure the safety and security of faculty, staff, students, and visitors. This goal is carried out via vehicle patrols, foot patrols, escorts, preparing written reports of crimes and incidents, observation and reporting concerns.

Campus Safety Officers are not sworn peace officers. All full-time officers are registered with the California Department of Justice, Division of Consumer Affairs as security officers and are licensed to BSIS standards. The Department of Campus Safety works closely with the Fresno Police Department and other local, state, and federal law enforcement agencies, reporting all serious crimes to the agency having jurisdiction. The Fresno Police Department responds to the main campus and the North Fresno Center when immediate response is requested, since the campuses are within the City of Fresno city limits. The Visalia Police Department responds to the Visalia campus, the Bakersfield Police Department responds for the Bakersfield campus and the Merced Police Department responds to the Merced campus. Campus Safety officers and Security Guards may affect a private person's arrest per PC 837.

Memorandum of Understanding

Fresno Pacific University Campus Safety currently has a MOU in place with the Fresno Police Department which clarifies our relationship and establishes our roles and responsibilities as campus safety officers.

CAMPUS SAFETY SERVICES

Security and Access to Buildings

Generally, buildings on the campus are open Monday through Friday, 7:00 A.M. to 10:00 P.M. and closed on the weekends and holidays unless classes or other authorized functions have been scheduled. Department of Campus Safety personnel are prepared to assist those needing access to a building or classroom. University identification must be provided upon request and authorization to enter a building/classroom must be documented and on file with the Department of Campus Safety prior to granting access afterhours.

Student residences are monitored by resident assistants along with resident directors. Access to student residences is limited to residents and their guests. Students are provided access to campus residences through FPU Student Life. After access is granted students will be assigned keys to their specific building and dorm room.

Safety and Crime Prevention Education

Members of the FPU Community must take responsibility for their own personal safety and safety of their own personal property.

Safety and security information is presented annually at traditional undergraduate new student orientation. This information is also presented annually with students who live in campus housing. For other students, this report, which contains safety and crime prevention information, is posted on the university website. Students are notified of its existence annually.

Campus Safety Officers actively participate in problem solving strategies to keep the FPU Community safe. To ensure a safe community, campus safety officers utilize a combination of foot and vehicle patrols to reach all campus property. Campus Safety remains prepared 24 hours a day seven days a week to respond to all calls from the FPU Community.

Campus Safety along with Student Life staff offer the following programs annually:

- Campus Safety invites the California Highway Patrol on campus to educate students regarding vehicle burglary and theft
- The Fresno Police Department works with Fresno Pacific University Administration along with Campus Safety to provide the FPU Campus with Shotspotter technology. Shotspotter is gunfire detection technology that lets the Fresno Police Department know if a gunshot has occurred in a certain area
- Residential New Student Orientation Meeting – Campus Safety and Residence Life – Crime Awareness, Personal Safety, and Securing/Protecting Property
    - Includes awareness of Red Poles, Cameras, Campus Safety Shuttle Services, Gated Community
- Campus wide notifications and instructions via email to students and employees regarding Crime Awareness, Safety, Securing/Protecting Property & Reporting during heightened times of criminal activities in the immediate area
- Sexual Assault/Harassment/Misconduct on-line training for students and employees including awareness, prevention, and bystander intervention
    - Student Training: Student Empower
    - Employee Training: Preventing harassment, discrimination, and sexual violence
- Residential Meetings specific to sexual harassment/assault, dating violence and bystander intervention
- Drug and Alcohol Awareness and Prevention poster campaign

Reporting Crimes and Requesting Assistance

Reporting crimes is vital to achieving our goal of providing a safe learning and working environment for the campus community. When the victim or witness of a crime elects to report a crime, they should do so with either the Department of Campus Safety or their local law enforcement agency. Reporting such occurrences by victims or witnesses may be accomplished on a voluntary basis. At times, sensitive situations may occur and the Department of Campus Safety Officers may cooperate with individuals on a confidential basis. However, privileges of confidentiality in criminal matters that are referred for prosecution in a court of law may be subject to exposure. The main campus and the North Fresno campus will work with the Fresno County District Attorney's Office on these matters. The Visalia Campus will work with the Tulare County District Attorney's Office and the Bakersfield Campus will work in conjunction with the Kern County District Attorney's Office. The welfare of the victim(s) is paramount for faculty, staff, students, or guests to Fresno Pacific University.

Housing residents may also contact the Department of Campus Safety for response by on duty Campus Safety Officers. To report a crime or incident, call (559) 453-2298, or for emergencies, call 911 from any campus telephone.

Cell Phones

If you are making an emergency telephone call from a cell phone, it is advisable to dial (559) 453-2298 rather than emergency 911 as calls made from cell phones are answered by the California Highway Patrol. The California Highway Patrol dispatcher must be advised that your call is from Fresno Pacific University and your specific location must be provided, possibly delaying assistance. The Highway Patrol Dispatcher should connect the call to local law enforcement. When connected to the Campus Safety Dispatcher, be prepared to provide the above mentioned information.

Blue Light Emergency Poles/Yellow Emergency Box

To operate the yellow emergency box, push the button located on the front and to the right of the silver speaker box to summon help. Be prepared to provide the following information:

- Your name, telephone number, and location.
- A clear and accurate description of the incident.

Do not hang up. Let the call taker providing the help end the call. More information may be requested.

Safety Escort Services

Radio-equipped, uniformed, and trained Campus Safety Officers are available to accompany students, staff, faculty, and visitors to and from their destinations on the main campus 24 hours/7 days a week. Call **(559) 453-2298** or locate any emergency phone and request a safety escort.

Safety Survey

Upon request Campus Safety Officers will evaluate any university facility and make recommendations to increase personal safety and strengthen crime prevention. To arrange for a Safety Survey call the Department of Campus Safety at **(559) 453-2298**.

Lost and Found

The Department of the Campus Safety is the official clearing house for all property lost or found on University property. Found property is retained by the Campus Safety Office for 90 days. All found property, including bikes, is donated to a local charity at the end of the retention period.

If you discover an item of personal property belonging to another or wish to retrieve an item, please contact the Department of Campus Safety at **(559) 453-2298.**

Timely Warnings

Code of Federal Regulations 668.46(e). In the event that a situation arises, either on or off campus, that in the judgment of competent university authority constitutes an ongoing or continuing threat, a campus-wide timely warning will be issued. The timely warning bulletins must be related to a crime that is reportable under The Clery Act and represents a threat to the campus community, e.g., murder, robbery, sexual assault, arson, etc.

Persons with information warranting a timely warning should report the circumstances to the Department of Campus Safety Dispatch Center, 4866 E. Butler Avenue, or other university supervisory personnel. The Director/Chief Javier Campos will approve all timely warnings before posting.

Reasonable steps will be taken to notify staff, faculty, and students. Methods to disseminate timely warnings include but are not limited to emails, text messages, cell phones, voice messages, and/or public postings, and campus safety personnel directly contacting affected FPU community members as appropriate to the situation. Students, staff, and faculty are automatically enrolled in our Rave Emergency Alert System to receive emergency notification via email and text message. If you wish to opt out of the emergency alert system, please contact the Department of Campus Safety at safety@fresno.edu. This notification is an opt-out opportunity that is provided annually.

Persons with information warranting a timely warning should report the nature of the warning to the Department of Campus Safety or other university supervisory personnel.

Criminal Activity at Non-Campus Locations of Student Organizations

Fresno Pacific University does not formally recognize or support student organization non-campus activities. There are no campus policies governing this area. Crime statistics are collected from law enforcement agencies with concurrent law enforcement jurisdiction or jurisdiction surrounding Fresno Pacific University, and off-site properties or facilities “non-campus” locations owned or controlled by the university. These law enforcement agencies provide crime statistics they have collected for crimes occurring on non-campus properties, and public property surrounding the on-campus property as defined in the Clery Act.

Emergency Notification and Evacuation Procedures

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or employees occurring on the campus, the university will use this process:

- Campus Safety Personnel will confirm an emergency exists on campus
- After determining an emergency exists the Director of Campus Safety will determine the method an emergency notification is disseminated and what segment(s) of campus the emergency notification will reach
- Director of Campus Safety will determine the content of the notification
- With direction from the Director of Campus Safety, Campus Safety dispatch personnel and or Campus Safety Officers will assist in disseminating an emergency notification

Reasonable steps will be taken to notify FPU staff, faculty, and students including but not limited to personal visits by Campus Safety Officers, personal visits by President's Cabinet members, emails, text messages, and/or voice messages, as appropriate to the situation. Students, staff, and faculty are automatically enrolled in the University's emergency notification system to receive emergency alerts. Members of the campus community who are not automatically enrolled or who need assistance with emergency notification services should contact Campus Safety.

Even when targeted notifications are made, general community notifications will be considered as it is in the interest of the entire community to be aware of even localized emergencies. Emergency information will be communicated to the greater community using local and regional media, social media (Facebook, Twitter), and the University web page. Communication using these means is coordinated by the Associate Vice President for Communication and Marketing or her/his designee.

On an annual basis the Department of Campus Safety will conduct a test of the emergency response and evacuation procedures, including:

- Tests that may be announced or unannounced
- Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year
- Documenting, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced

Tests are defined as regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

Lighting and Landscape Safety

Campus Safety Officers work closely with facilities personnel regarding lighting and landscaping maintenance to enhance safety and crime prevention. Campus Safety Officers will notify facilities personnel in the event they observe any university lights that are not functioning or landscape safety issues that need addressing.

ANNUAL SECURITY AND FIRE SAFETY REPORT

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was enacted by the United States Congress and signed into law by President George H. W. Bush in 1990. In addition, new federal regulations were published October 29, 2009, by the U.S. Department of Education.

These federal regulations apply to all institutions of higher learning, both public and private, that participate in any federally funded student aid programs. They also require these institutions to publicly disclose three years of campus crime and fire statistics and basic security policies.

To comply with federal regulations, Fresno Pacific University has obligations falling into three main categories: 1) policy disclosure, 2) records collection and retention, and 3) information dissemination. The next several pages present the crime and fire statistics from the past three years. Policies and guidelines for security and fire safety follow.

The Campus Security Act

This Annual Security and Fire Safety Report is prepared annually by the Department of Campus Safety. It includes crime and fire safety data, along with policies pertaining to campus safety, crime, and fire safety. This Annual Report is published prior to October 1st of each year and distributed to all students and employees of Fresno Pacific University via the Campus Safety website: http://www.fresno.edu/campus_safety.

Current students and employees will be notified via Fresno Pacific University email of the Annual Security and Fire Safety Report's publication. This Annual Report is also available to prospective students and prospective employees via the Campus Safety website. To obtain a printed copy of the report, please contact the Campus Safety office at **(559) 453-4615**.

Campus Security Authorities

The U.S. Department of Education defines Campus Security Authorities as:

- A campus police department or a campus security department of an institution
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Crimes reported to Campus Security Authorities are included in the University's crime statistics. Fresno Pacific University recognizes the following personnel as Campus Security Authorities:

- Campus Safety personnel
- Student Development and Residence Life personnel
- Faculty Advisors
- Athletic or Academic Team Coaches
- Directors, Deans, and Department Heads

These Campus Security Authorities are required to report crimes to the Department of Campus Safety. The designation of Campus Security Authority as defined by the Department of Education is for the purposes of reporting crimes only. It does not indicate any authority or responsibility to investigate crimes. It shall be the responsibility of the Department of Campus Safety to investigate reports of criminal activity on campus.

Report to the Department of Education

Campus Safety collects all crime and fire safety statistics for each of Fresno Pacific University's campuses. This data is reported to the United States Department of Education via an annual web-based data collection.

Records Collection and Retention

FPU is required to keep some campus records and to request records from law enforcement agencies. Records of crimes and fires reported to campus security authorities are kept. A reasonable good-faith effort is made to obtain certain crime statistics from appropriate law enforcement agencies and to include it in an annual security report and the web-based report to the Education Department. A daily Crime Log and a daily Fire Log are open to public inspection and available at the Department of Campus Safety.

Information Dissemination

To provide campus community members with information necessary to make informed decisions about their safety, information is disseminated in several ways. Unless otherwise noted, the Vice President for Finance and Business Affairs in conjunction with the Department of Campus Safety is responsible to see that the policies and procedures are carried out.

- A timely warning of any Clery Act crime that might represent an ongoing threat to the safety of students and/or staff is provided. The Chief/Director of Campus Safety is responsible for the dissemination of information.
- Emergency notification procedures will be followed if there is an immediate threat to the health or safety of students or employees.
- Access to the crime log and the fire log is provided during normal business hours at the main campus and at the centers.
- An annual security and fire safety report is posted on the university website and all current students and employees are notified via email annually by October 1. A printed copy is available from the Department of Campus Safety.
- Prospective students and employees are also notified about the content and availability of the report. The directors of admissions are responsible to inform prospective students and the director of human resources is responsible for informing prospective employees.

- The campus community is informed where to obtain the information about registered sex offenders later in this report.
- FPU crime statistics and fire statistics are submitted to the Education Department through the web-based data collection system.

CRIME REPORTING

Hate Crimes

Crimes or incidents involving the degradation of any race, religion, creed, life/sexual orientation will not be tolerated. Incidents of a criminal nature shall be submitted to the proper authorities for prosecution.

Geographic Area Associated with Fresno Pacific University

The Clery Act requires that institutions disclose statistics for offenses committed in certain geographic locations associated with that institution. Fresno Pacific University includes the following locations. All crimes, including hate crimes, are disclosed by geographic location.

Main Campus
1717 S. Chestnut Avenue
Fresno, CA 93702

Separate Campuses (Regional Campuses)

North Fresno Campus
5 River Park Place West,
Suite 201 & 301
Fresno, CA 93720

Bakersfield Campus (Bakersfield Christian HS)
12775 Stockdale Hwy
Bakersfield, CA 93314

Visalia Campus
245 N. Plaza Drive
Visalia, CA 93291

Merced Campus
3379 "G" Street Building P
Merced, CA 95340

Public Locations

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus is included in crime reports. For reporting purposes public property generally ends at the sidewalk across any street that adjoins the campus.

Crime Data

A crime is reported when it is brought to the attention of a campus security authority or the local police by a victim, witness, a third party or even the offender. Fresno Pacific University discloses reported crimes and crime statistics based on four factors:

1) Where the crime occurred;
2) The type of crime;
3) To whom the crime was reported; and
4) When the crime was reported.

FPU discloses crime reports regardless of whether any of the individuals involved in either the crime itself, or in the reporting of the crime, are associated with the institution. If the institution is in doubt as to whether a crime has been reported, the institution relies on the judgment of law enforcement professionals.

FPU discloses four general categories of crime statistics:

Types of Offenses: Criminal homicide; including murder, and non-negligent manslaughter and negligent manslaughter; sex offenses including rape, fondling, statutory rape, and incest; robbery; larceny-theft; simple or aggravated assault; intimidation; burglary; destruction, damage, or vandalism of property; and motor vehicle theft and arson.

VAWA Offenses: Domestic violence – Abuse committed against someone who is a current or former spouse. Dating violence – Abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. Stalking – engaging in repeated course of conduct directed at a specific person that would cause a reasonable person to fear for their own or others safety.

Hate Crimes: Disclose whether any of the above-mentioned offenses, or any other crimes involving bodily injury, were hate crimes. A hate crime occurs when the perpetrator is motivated by one of seven categories of bias: race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability. Larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are included in Clery statistics only if they are hate crimes.

Arrests and referrals for disciplinary action for illegal weapons possession and violation of drug and liquor laws: In addition to disclosing statistics for the aforementioned offenses, FPU discloses both the number of arrests and the number of persons referred for disciplinary action. Violations of FPU policies that resulted in referring persons for disciplinary action and there is no violation of the law are not reported.

Arrest for Clery Act purposes is defined as persons processed by arrest, citation, or summons.

Crime Log

Access to the crime log is provided at each campus during normal business hours. Information for the past 60 days is available immediately upon request. Older information is available with two days' notice. Updates to the log are made within two business days from when a crime is reported to Campus Safety. The crime log includes the crime classification, date/time reported; date/time occurred, general location, and disposition.

The Clery Act Crime Code Definitions

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Criminal Homicide: Murder and non-negligent manslaughter: The willful killing (non-negligent) of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Robbery: The taking or attempting to take anything of value from the care, custody or control of another by fear and/or force or threat of force and/or violence.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Aggravated Assault: An unlawful attack by one person upon the person of another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce severe injury or great bodily harm. It is not necessary that an injury occur in an aggravated assault when a firearm, knife or

other weapon is used which could and/or probably would result in serious personnel injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or theft. For Clery reporting purposes this definition includes the unlawful entry with the intent to commit a larceny or felony; house breaking, safecracking, and all attempts to commit any of the aforementioned offenses.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. Classify as motor vehicle theft all cases where the motor vehicles were taken by person(s) not having lawful access even though the vehicles were later abandoned. This includes joyriding.

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

Weapons Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as the manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or open; furnishing deadly weapons to minors; aliens possessing deadly weapons and all attempts to commit any of the aforementioned offenses.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, and manufacturing of narcotic drugs. The relevant substances include opium, cocaine or their derivatives (morphine, heroin or codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, transportation, furnishing, possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for the illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned offenses. Public Intoxication and driving under the influence are not included in the above definition.

Sex Offenses

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ or another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age, or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

Domestic Violence: a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

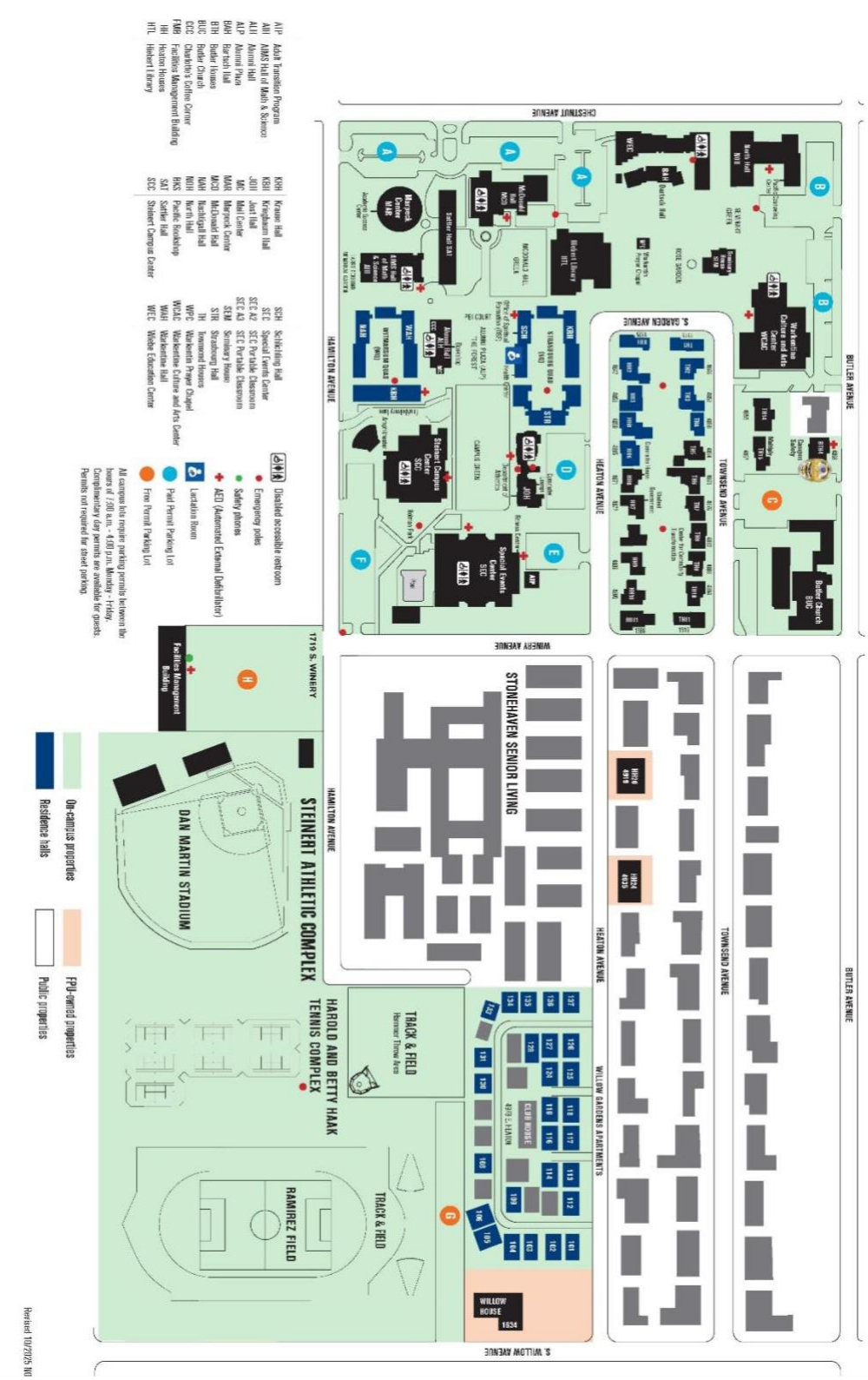
Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This may include someone the victim just met (e.g., at a party, introduced through a friend, or on a social networking website).

Stalking: Engaging in a repeated course of conduct directed to a specific person (when based on gender or sex) that would cause a reasonable person to fear for her, his or others' safety or to suffer substantial emotional distress.

CRIME STATISTICS

In accordance with the Clery Act, Fresno Pacific University provides mandatory crime statistics as part of this Annual Report. The web site to access this report is provided annually to all enrolled students, staff, and faculty via Fresno Pacific University email. The following tables show reported crimes in the specified categories for the preceding three years. Campus Safety requests crime statistics from law enforcement agencies with jurisdiction for all of Fresno Pacific University reportable locations each year prior to the completion of this Annual Report. These statistics are included in the following tables, along with crime statistics collected by Campus Safety.

Clery Geography Map Main Campus



Main Campus Crime Statistics

On Campus

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	0	0
Fondling	1	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	1	3	1
Motor Vehicle Theft	4	8	1
Arson	0	0	0

Student Housing

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	1	0	1
Motor Vehicle Theft	0	1	0

Arson	0	0	0

Non–Campus Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	1
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	1	3
Arson	0	0	0

On Campus Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On Campus Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Student Housing Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Student Housing Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Non-campus Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Non-campus Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Hate Crimes (description of crime, perpetrator's bias, and location): No hate crimes were reported.

***Notes: Crimes reported in the student housing column are included in the on-campus category. The four regional campuses do not have student housing or non-campus property associated with them.**

Stolen Motorized Scooter – 1
Stolen Golf Cart – 0
Stolen Vehicle – 3

There were no reported Hate Crimes at the Main Campus for the years 2023, 2024, and 2025.

On Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	2	0	0
Stalking	0	0	0

On Campus Student Housing

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	2	0	0
Stalking	0	0	0

Non - Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

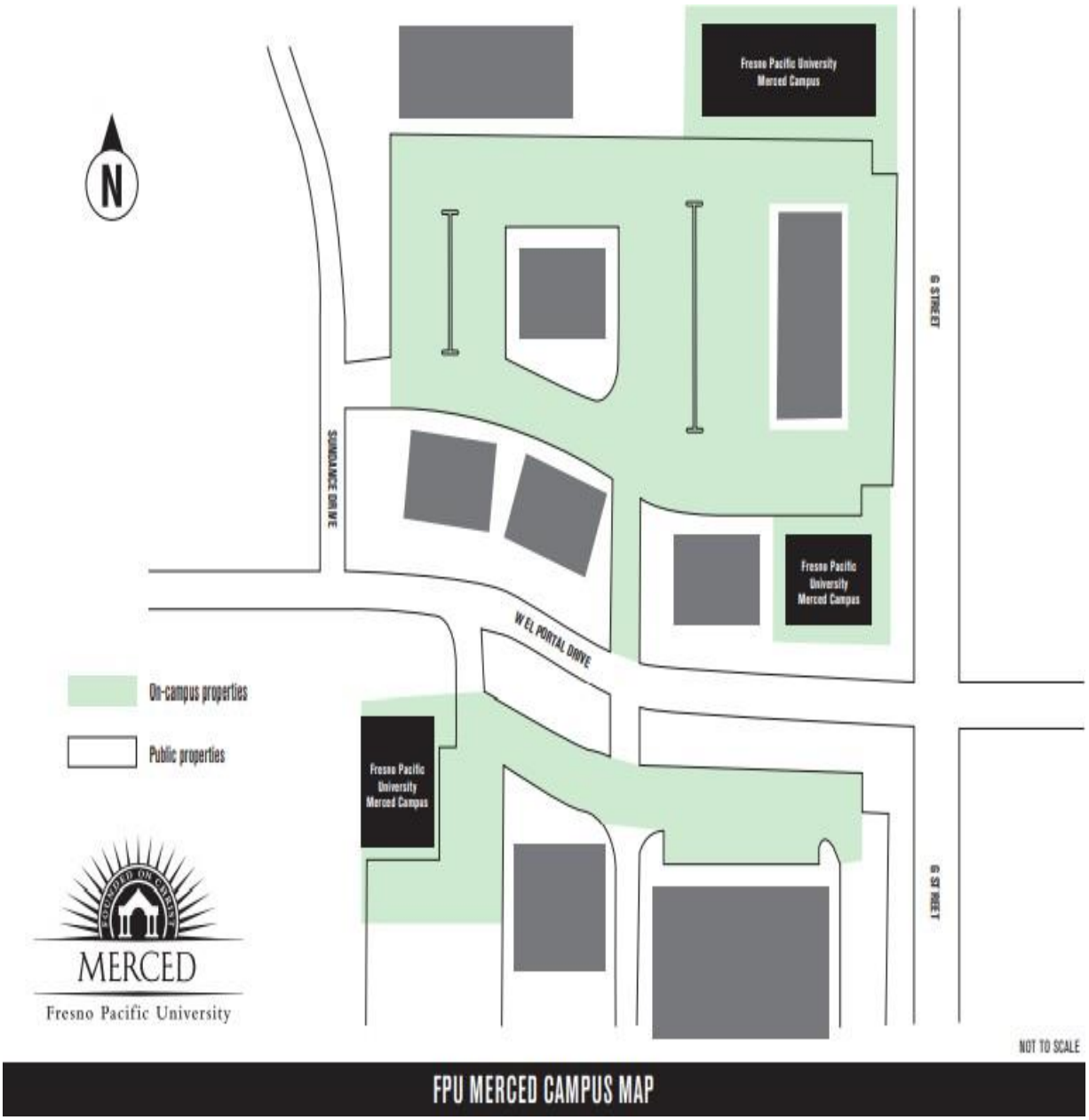
Public Property

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

NOTE: There were no unfounded crimes on main campus for the years 2023, 2024, and 2025.

REGIONAL CAMPUS STATISTICS

Merced Campus



On Campus

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

On Campus

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On Campus Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

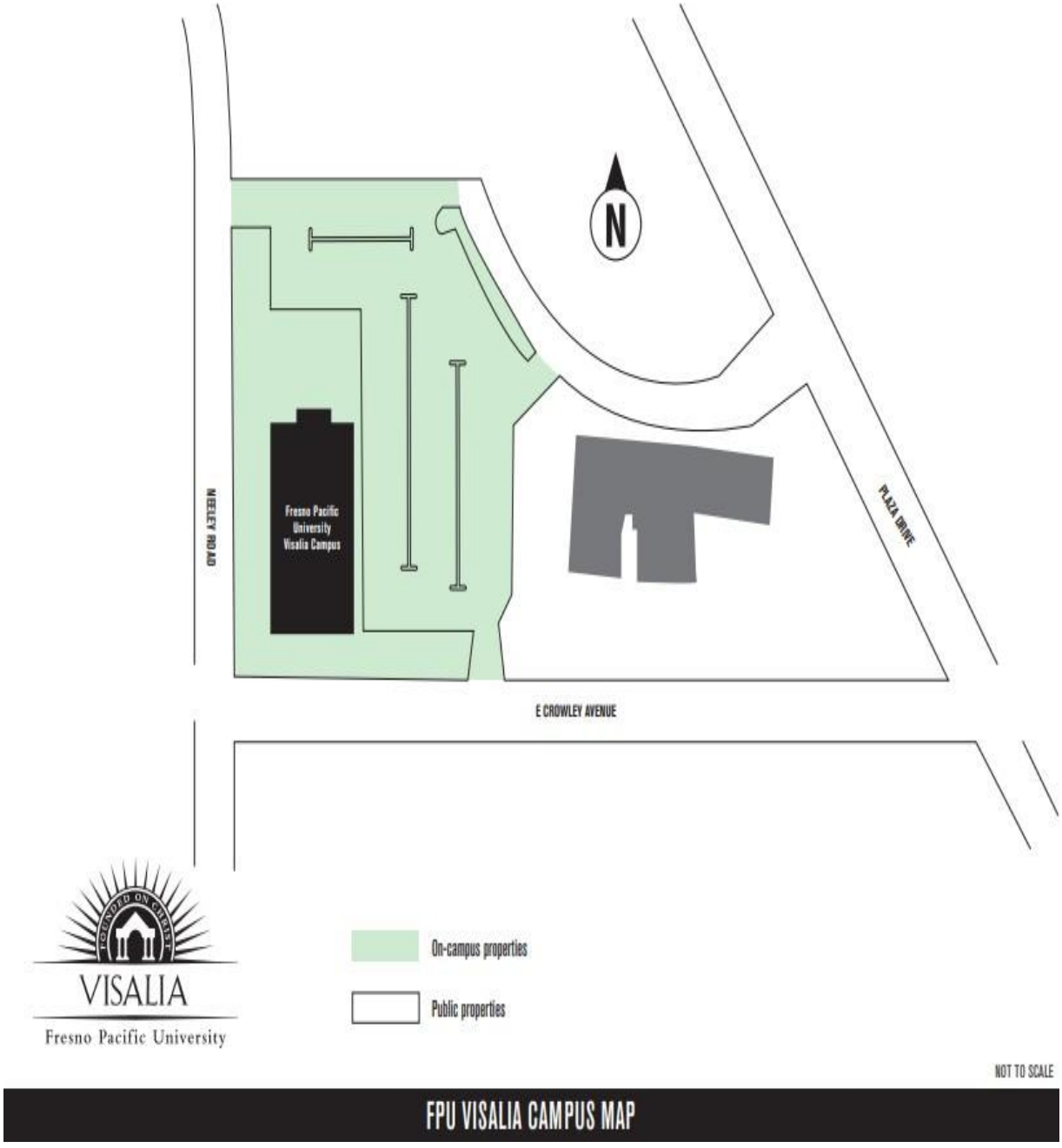
On Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Public Property

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Visalia Campus



On Campus

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

On Campus Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Referrals for Disciplinary Action – On Campus

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Arrests – Public Property

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Referrals for Disciplinary Action – Public Property

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Public Property

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Bakersfield Campus



On Campus

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

On-Campus Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On-Campus Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Public Property

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

North Fresno Campus



On Campus

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Public Property

CRIMINAL OFFENSE	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

On-Campus Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On-Campus Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Arrests

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

Public Property Referrals for Disciplinary Action

Law Violation	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

On Campus

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Public Property

VAWA OFFENSES	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Hate Crimes (description of crime, perpetrator's bias, and location): No hate crimes were reported.

***Notes: Crimes reported in the student housing column are included in the on-campus category. The four regional campuses do not have student housing or non-campus property associated with them.**

***There were no reported hate crimes or unfounded crimes at the four regional campuses for the years 2023, 2024, and 2025.**

FIRE SAFETY

Main Campus

Fire Safety Statistics

In accordance with the Higher Education Act, Fresno Pacific University provides mandatory fire safety information as part of this Annual Report. The act defines a fire as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. The following tables show all reported fires occurring in on-campus residence halls, the cause of the fire, the number of injuries and deaths related to the fire, and the value of property damage caused by the fire.

Campus Housing Three-Year Fire Report

Definitions

Cause of fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire-related death: Any instance in which a person; (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

Value of property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

FIRE STATISTICS

For the purposes of including a fire in the statistics in the annual fire safety report, students and employees must report all incidents of fire occurring on campus to the Department of Campus Safety.

2023 Statistics Regarding Fires in Residential Facilities

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Jost Hall	0	0	N/A	N/A	N/A	N/A
Strasbourg East	0	0	N/A	N/A	N/A	N/A
Krause Hall	0	0	N/A	N/A	N/A	N/A
Schlicting Hall	0	0	N/A	N/A	N/A	N/A
Kriegbaum Hall	0	0	N/A	N/A	N/A	N/A
Nachtigall Hall	0	0	N/A	N/A	N/A	N/A
Warkentine Hall	0	0	N/A	N/A	N/A	N/A
Mission Memorial Court Apartments	0	0	N/A	N/A	N/A	N/A
Townsend Ave./Heaton Ave. Homes	0	0	N/A	N/A	N/A	N/A
Willow Gardens Condominiums	0	0	N/A	N/A	N/A	N/A

2024 Statistics Regarding Fires in Residential Facilities

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Jost Hall	0	0	N/A	N/A	N/A	N/A
Strasbourg East	0	0	N/A	N/A	N/A	N/A
Krause Hall	0	0	N/A	N/A	N/A	N/A
Schlicting Hall	0	0	N/A	N/A	N/A	N/A
Kriegbaum Hall	0	0	N/A	N/A	N/A	N/A
Nachtigall Hall	0	0	N/A	N/A	N/A	N/A
Warkentine Hall	0	0	N/A	N/A	N/A	N/A
Mission Memorial Court Apartments	0	0	N/A	N/A	N/A	N/A
Townsend Ave./Heaton Ave. Homes	0	0	N/A	N/A	N/A	N/A
Willow Gardens Condominiums	0	0	N/A	N/A	N/A	N/A

2025 Statistics Regarding Fires in Residential Facilities

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Jost Hall	0	0	N/A	N/A	N/A	N/A
Strasbourg East	0	0	N/A	N/A	N/A	N/A
Krause Hall	0	0	N/A	N/A	N/A	N/A
Schlicting Hall	0	0	N/A	N/A	N/A	N/A
Kriegbaum Hall	0	0	N/A	N/A	N/A	N/A
Nachtigall Hall	0	0	N/A	N/A	N/A	N/A
Warkentine Hall	0	0	N/A	N/A	N/A	N/A
Townsend Ave./Heaton Ave. Homes	0	0	N/A	N/A	N/A	N/A
Willow Gardens Condominiums	0	0	N/A	N/A	N/A	N/A

Daily Fire Safety Log

Campus Safety keeps a daily fire safety log of all reported fires at on-campus student housing facilities. This log includes the date the fire was reported, the nature of the reported fire, the date and time the reported fire occurred, and the general location of the reported fire. Updates to the log are made within two business days from when a fire is reported to Campus Safety. All employees and students of the University must report any fire occurring in an on-campus student housing facility to Campus Safety, regardless of whether or not the fire has been extinguished. Fires should be reported to the Campus Safety emergency line by calling (559) 453-2298 (or extension 2298 from any campus phone or call box).

A written log of all fires reported within the past 60 days at on-campus student housing facilities is available to the public at the Campus Safety Administration office and on the Campus Safety website (www.fresno.edu/campus_safety). A log of fires reported to Campus Safety prior to the past 60 days will be made available within two business days of the request.

Description of Student Housing Fire Systems and Fire Drills

Campus Safety responds to all fires and alarms on campus to determine the cause and whether the Fresno Fire Department should be notified to respond. The Fresno Fire department shall play the primary role in any fires they respond to on campus; Campus Safety will assist as needed. In conjunction with the Department of Residence Life, Campus Safety conducts two fire drills during the Fall and Spring semesters for every residence hall (two drills annually). The following tables give a description of the fire detection and suppression systems in each residence hall, and the number of fire drills conducted in each residence hall during the previous calendar year.

Fresno Pacific University Housing Fire Safety System

2025 Fire Systems and Fire Drills

Residence Hall	System Description	Fire Drills Conducted
Jost Hall	• System Type: Local fire alarm with central station monitoring • Control type: Honeywell/Ademco Vista 128FB • Protection devices: Fire sprinkler and fire pump supervision, smoke detectors, manual pull stations and horn/strobes	1
Strasbourg Quad, (includes Strasbourg East, Krause Hall and Schlicting Hall)	• System type: Local fire alarm with central station monitoring • Control type: Honeywell/Ademco Vista 128FB • Protection devices: Fire sprinkler supervision, smoke detectors, manual pull stations and horn/strobes	1
Witmarsum Quad (includes Kriegbaum Hall, Nachtigall Hall and Warkentin Hall)	• System type: Local fire alarm with central station monitoring • Control type: Honeywell/Ademco Vista 128FB • Protection devices: Fire sprinkler supervision, smoke detectors, manual pull stations and horn/strobes	0
Townsend and Heaton Avenue Homes	• Protection devices: Stand-alone smoke detector/alarms	0
Willow Gardens Condominiums	• Protection devices: Stand-alone smoke detector/alarms	0

STUDENT HOUSING AND FIRE SAFETY POLICY

Candles, Fires, and Oil Lamps

Burning any open flame item or incense in any university building at any time is prohibited. This includes, but is not limited to, oil lamps and all types of candles. Violations of this policy may be referred to the Restorative Discipline Process. Candles are only allowed in campus residences if the wicks are cut off or dislodged from the candle entirely. Candle warmers are permitted.

Appliances and Cooking

Students may have one microwave and one refrigerator (max. 3.0 cubic feet) in each room. Residents may have a coffee maker, but it must contain an automatic shutoff function. Fire regulations prohibit the use of appliances with exposed heating coils. The use of toaster ovens and hot plates are restricted to house, apartment kitchen and Kriegbaum Suites. Hot plates are not allowed in any other student's rooms. Hot air corn poppers (but not those that use oil) and hot pots that do not have exposed heating coils are permitted in all living areas.

Christmas Trees

Any Christmas trees put up in campus facilities must be flameproof. Please contact Facilities to learn more about this service. Please keep in mind that all Christmas lights must be plugged into a surge protector or an outlet. Students are responsible to appropriately dispose of Christmas trees before leaving for Christmas break.

Electrical Cords

For safety reasons, extension cords are not allowed. However, UL-rated power strips with built-in circuit breakers are an acceptable alternative. The Fresno Fire Department does not allow microwaves, refrigerators or any other heavy appliance to be plugged into a power strip. Microwaves, refrigerators, and other heavy appliance must be plugged directly into the wall outlet.

Fire Safety Equipment

Campus fire safety equipment is an important, life-saving necessity. Individuals who tamper with fire safety equipment place themselves and the campus community at risk. Tampering with any smoke detector, fire alarm, fire extinguisher, fire safety map/signs, fire access key or fire exit is strictly prohibited. Any person found responsible for tampering with fire safety equipment will be fined $50 in addition to any repair or replacement costs. If the person responsible is not identified, the fine and repair/replacement cost will be distributed between all members of the living area.

All fire alarms should be treated as a real emergency and students shall exit the building to the amphitheater, keeping the fire lanes clear. A $300 fine will be levied for misuse of a fire alarm; this will be applied to your student account. It is a misdemeanor to tamper with fire equipment

(under Calif. Penal Code Section 148.4). Damaged equipment or emptied fire extinguishers will incur additional charges. Tampering with smoke detectors will result in a $25 fine. If a low battery causes the smoke detector or exit alarm to "beep," tell your resident assistant immediately who will then email a work order request to Maintenance Direct. No furniture or personal items may be within 18 inches of the smoke detector or a fire sprinkler. Candles, flammable devices or open flames shall not be permitted or used in any dorm or condo.

Firearms and Fireworks

Students may not possess or use fireworks on campus or any FPU facility (Casa Pacifica). Violators will be fined $300 per incident and /or maybe subject to dismissal. No firearms, BB guns, Air-soft, Paintball guns and ammunitions, knives, switchblades (other than pocketknives) or dangerous weapons as defined in CPC 12020 and 653k and 626.10 P.C. or devices as proscribed by law are permitted on campus or campus housing.

No Smoking

No member of the community may use or possess tobacco, alcohol or illegal drug products on campus. This includes the areas in and around university houses, on the streets of Heaton, Garden, and Townsend, within the university block, in the Willow Garden Condominiums and at Casa Pacifica.

FIRE EDUCATION AND TRAINING

FPU provides students and employees with the following education and training programs:

Fire Drills

Fire drills will be conducted among campus housing residents twice each school year. Training on fire drill procedures occurs at residence hall meetings bi-annually.

Reporting a Fire/Evacuation Procedures

A fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Students are to follow these procedures when a fire occurs.

Notify Campus Safety first, then the residence assistant or residence director and observe the following procedures:

1. Leave room immediately at the sound of the alarm. Be sure doors and windows are closed.
2. Move away from the building. (Emergency evacuation maps are in each module and office.)

3. When the fire alarm is heard, all residents are required to exit to the amphitheater. The residence life staff will ensure that all are accounted for.
4. Residents may return to their rooms only after the building has been cleared by the Fresno Fire Department and or Campus Safety.

Fire Safety

- All fire protection equipment has been installed to protect life and property.
- Tampering with fire equipment in any way is considered a misdemeanor. This includes: any fire equipment on a door, e.g. automatic door closers; any other fire protection equipment, e.g. fire extinguishers, smoke detectors, fire alarms; or removing fire equipment, e.g. batteries from smoke detectors, fire extinguishers from walls.
- If you are found guilty of a misdemeanor (breaking any section of the ordinance) you are liable for a fine and/or a one-year jail sentence.
- Initial breaking of the fire code at Fresno Pacific University may not necessarily lead to your being formally charged, but it will involve a fine. This includes: removing/tampering with automatic door closers; pulling a fire alarm on false pretenses; removing or tampering with fire extinguishers; propping open fire exit doors.
- The pulling of a fire alarm under false pretenses carries an automatic fine from Campus Safety.
- In addition to fines and jail terms applicable to misdemeanors (see above), tampering with smoke and/or heat detectors will involve a two hundred dollar ($200.00) fine per incident plus the cost of any replacement parts that may be necessary. Persons found guilty of such tampering may be apprehended and prosecuted.
- Replacements for the smoke/heat detection system will be a minimum of $150 each for each damaged or missing room smoke detector, hallway/common area smoke detector or heat detector (in restrooms, laundry rooms, boiler rooms).
- Failure to evacuate the building in the event of an alarm will involve a twenty-five dollar ($25) fine as well as other possible disciplinary action.
- No decorations may be hung within one foot of the ceiling. No decorations may be placed on any fire doors. No decorations may be placed within three feet of all four sides of a fire extinguisher or fire alarm pull station.
- Due to fire hazards and safety regulations, burning of candles and/or incense is not permitted.
- Due to fire regulations all stairwells, walkways, and hallways must remain clear of furnishings, trash and personal belongings once residents have completely moved in.

Fire Response

If you discover a fire or see smoke: Call Campus Safety at **(559) 453-2298** or **(2298)** from any campus extension**, (559) 453-2298** from a cell phone, or use a Blue Light emergency phone/call box) or **911**. Identify yourself and report the following information:

- Building name and address
- Room/location of fire
- Type of fire
- Smoke or flame
- Smoke odor

For minor fires like those found in a waste basket, locate a fire extinguisher and contact Campus Safety immediately.

Fire Extinguisher Instruction

PULL safety pin from handle

AIM nozzle at base of fire

SQUEEZE the trigger handle

SWEEP from side to side (watch for re-flash)

- For large fires, evacuate the building and pull a fire alarm. If you are the last person out of a room, close the door behind you - **DO NOT LOCK THE DOOR**. If you become trapped inside a building during a fire:
- Call Campus Safety (**2298)** from any campus extension, **(559) 453-2298)** from a cell phone, or use a Blue Light emergency phone/call box) or 911. Tell them your location and that you need assistance to get out.
- Stay near a window and close to the floor.
- If possible, signal for help.

Fire Safety Education and Training Programs

Fire safety education materials and materials for other potential emergencies are available at the Campus Safety Administration office, or online at: fresno.edu/campus_safety/preparedness.

In conjunction with the Department of Residence Life, Campus Safety conducts one evacuation drill during the Fall and Spring semesters for every residence hall (two drills annually) to

educate students in how to respond to a fire. These drills may be announced or unannounced. Fire safety information is provided to new student residents during new student orientation. Campus Safety and the Department of Residence Life conduct bi-annual emergency response training that includes response to major emergencies for Officers and Residence Directors.

Mounted in each dorm room is a diagram that illustrates evacuation routes for that specific residence hall.

Residence Hall Evacuation

The following procedures for evacuating Residence Halls can be found in the Campus Safety website: fresno.edu/campus_safety/preparedness. Evacuation procedures are also emailed annually to all students.

Fire Evacuation: In the event of a fire, alert others and GET OUT. Move everyone away from area of fire; close (but do not lock) all doors behind you as you leave, in order to slow down spread of fire.

- Remain calm.
- Walk, do not run. Keep noise to a minimum. Walk carefully to avoid tripping.
- Do not use elevator.
- On stairways, use handrails and keep to right.
- Check all doors for heat (top and bottom) with back of hand. If hot, do not open.
- Assist people with disabilities (refer to section on persons with disabilities).
- If you are caught in smoke, drop to hands and knees and crawl; breathe shallowly through nose and use blouse, shirt or jacket as filter.
- Assist those leaving the building to move to safe areas away from falling debris.
- If you have relocated away from the building, do not return until you are notified that it is safe to do so.
- If your clothing catches fire, **DO NOT RUN. STOP. . . DROP. . . ROLL.**

If Trapped by Fire in Room

- Place (moist, if possible) cloth material around/under door to prevent smoke from entering.
- RETREAT – close as many doors as possible between you and fire. Be prepared to signal from windows, but do not break glass unless absolutely necessary. (Outside smoke may be drawn in.)

Prepare in Advance

- Thoroughly familiarize yourself now with all possible routes you could take to exit your building during a fire. Practice walking through alternate exit routes. Remember, during a fire, smoke may obscure normally visible exit signs.
- Avoid creating fire hazards. Do not store things in corridors, overload electrical circuits, put up flammable decorations or prop open doors. Report any problems with smoke detectors, fire alarms, or fire hazards to Campus Safety.

Fire Log

The Department of Campus Safety maintains a fire log that includes the date that the fire was reported, any fire that occurred in an on-campus student housing facility, and the nature, date, time and general location of the fire. Entries must be made within two business days of the receipt of the information. The log for the most recent 60-day period is open to public inspection during normal business hours. Portions of the log older than 60 days are available within two business days of a request for public inspection.

ALCOHOL AND DRUG EDUCATION

The University provides services related to alcohol use and abuse including the dissemination of informational materials, counseling services, referrals and college disciplinary actions to students and employees.

The purpose of this policy is to ensure a safe environment that is consistent with the mission of the University and its goal to foster an alcohol-and drug-free environment. The use, possession or distribution of alcoholic beverages by students of Fresno Pacific University is prohibited and violates this policy as well as the University's handbooks and the Fresno Pacific Idea. Fresno Pacific University is operating in conformity with the Drug-Free Schools and Communities Act of 1989 (Public Law 101-336) and Drug-Free Workplace Act of 1988.

The California Business and Professions Code states that the purchase, possession, distribution, or use of alcoholic beverages is illegal for those under the age of 21 in the State of California and constitutes a misdemeanor under B & P Code 25658 (sections a & b), 25658.5 and 25662.

Students violating this policy are subject to disciplinary actions up to and including suspension or dismissal from the University in accordance with university policies and procedures. In addition to the University process, the University will involve local law enforcement officials when appropriate.

Fresno Pacific University is dedicated to creating a safe and healthy learning environment for all in the campus community. All students and employees are prohibited from unlawful possession, sales, manufacture, use and/or distribution of illegal drugs and alcohol on property used or owned by Fresno Pacific University.

Members of the Fresno Pacific University community are prohibited from using or serving drugs or alcohol as part of any university sponsored functions, whether on or off campus. This policy also extends to the North Fresno, Visalia and Bakersfield Campuses, and Casa Pacifica.

Alcohol & Drug Abuse Education

The University provides services related to alcohol use and abuse including the dissemination of informational materials, counseling services, referrals and college disciplinary actions to students and employees. Programs to further alcohol and drug abuse education and awareness can be seen in these areas as well:

- Freshmen Orientation: various aspects of FPU being a dry campus and why are addressed.
- Transfer Orientation: various aspects of FPU being a dry campus and why are addressed.

- Freshmen Seminar: in the section covering student success, items such as diet, rest, and substance abuse are addressed
- "All Residents" meetings for students residing on campus.
- Regular module meetings within student housing.
- Unique Drug and Alcohol Programming.
- "Drug and Alcohol Awareness Week"
- Various Chapel and college hour speakers.
- Faculty, Staff and student handbooks.

If you need help or know someone with an alcohol, drug, or substance-related problem, please know that the Onsite Counseling Center, the Health Center, our resident directors, deans, faculty, and all other university personnel will provide assistance to those who come forward seeking help. The Onsite Counseling Center provides confidential consultations with trained therapists at extremely low cost, and also makes referrals to outside counseling and treatment services. FPU recognizes alcohol, drug and chemical dependency as illnesses and as a major health concerns.

Contact Information

Onsite Counseling Center	**(559) 453-8050**
Student Life	**(559) 453-2073**
Human Resources	**(559) 453-2245**

Negative consequences may be exhibited through alcohol/drug abuse. Some examples are:

Alcohol

Decreased performance and absenteeism
Drowsiness and mood swings
Poor judgment and coordination/tremors
Lower morale/self esteem
Increase in conflict with others

Marijuana

Disruption of space and distance judgment
Slower motor skills and coordination
Dilated pupils
Drowsiness/mood swings
Forgetfulness
Diminished mental powers

Cocaine/Crack

Short attention span

Mood swings; euphoria
Irritability, depression
Impaired judgment and decision-making ability
Stealing to cover cost of drugs
Lack of dependability
Runny nose; excessive sweating

Hallucinogens: PCP, LSD, Ecstasy

Loss of memory/concentration
Pupils dilated or constricted
Visual/auditory hallucinations
Sudden bizarre behavioral changes
Moodiness
Interpersonal conflicts

Amphetamines: Benzedrine, Dexedrine, Cross-tops, Whites, Uppers

Dilated pupils
Increased accidents
Diminished reflexes

Methamphetamines: Crank, Crystal

Impaired judgment/decision making
Hyperactivity, irritability, anxiety, depression
Decreased appetite, weight loss, tremors

Sedatives/Barbiturates/Tranquilizers: Valium, Xanax, Seconal, Tuinal, Reds, Downers

Diminished reflexes/lower productivity
Memory loss
Slurred speech/depression
Slowed mental process

FPU recognizes alcohol, drug and chemical dependency as illnesses and as a major health concern. Counseling and referrals are available for students through Student Life (559) 453-2073 or the Fresno Pacific Biblical Seminary, On-Site Counseling Center (559) 453-8050.

Possession or Under the Influence of Narcotics

The purpose of this policy is to ensure a safe environment that is consistent with the mission of the University and its goal to foster a drug-free environment.

Fresno Pacific University is operating in conformity with the Drug-Free Schools and Communities Act of 1989 (Public Law 101-336) and Drug-Free Workplace Act of 1988.

The California Health & Safety Code states that "Every person who possesses any controlled substance shall be punished by imprisonment in the state prison for a minimum of one year" (H & S 11350), and, "Every person who possesses for sale, or purchases for sale, any controlled substance shall be punished by imprisonment in the state prison for two to four years" (H & S 11351).

Purchase or possession of marijuana for the purpose of sale, shall be punished by imprisonment in the state penitentiary for a minimum of one year (H&S 11359). In addition, possession any drug paraphernalia for the purpose of unlawfully smoking or injecting a controlled substance is punishable with up to 6 months in county jail (H & S 11364).

The California Business and Professions Code states that the purchase, possession, distribution, or use of alcoholic beverages is illegal for those under the age of 21 in the State of California and constitutes a misdemeanor under B & P Code 25658 (sections a & b), 25658.5 and 25662. In addition, the unlawful distribution or possession of a prescribed medication is also prohibited and punishable by imprisonment in the state penitentiary (B & P 4059 & 4060).

Students violating this policy are subject to disciplinary actions up to and including suspension or dismissal from the University in accordance with university policies and procedures.

In addition to the University process, the University will involve local law enforcement officials when appropriate. Illegal possession, use, or distribution or illicit drugs, is punishable under applicable local, state, and federal law.

The University provides services related to alcohol use and abuse including the dissemination of informational materials, counseling services, referrals and college disciplinary actions.

SEXUAL ASSAULT, DOMESTIC & DATING VIOLENCE & STALKING

NON-DISCRIMINATION POLICY STATEMENT & PURPOSE

NON-DISCRIMINATION POLICY STATEMENT & PURPOSE

In keeping with its long-standing tradition and policies, and with applicable state and federal law, Fresno Pacific University ("FPU" or "University") does not discriminate in the operation of or access to the University's programs on the basis of the following protected classes: race; color, national origin (including possessing a driver's license issued under Vehicle Code § 12801.9), or ancestry; age; physical or mental disability, perceived disability or perceived potential disability; sex, gender, pregnancy or perceived pregnancy, childbirth, breastfeeding or medical conditions related to pregnancy, childbirth or breastfeeding; medical condition; citizenship; military and veteran status; genetic characteristics; political affiliation; or any other classifications protected by applicable federal, state, or local laws and ordinances ("Protected Class" or "Protected Classes").

Fresno Pacific University is governed by the Pacific District Conference of Mennonite Brethren Churches. The University is deeply and intentionally rooted in the Anabaptist Christian tradition. The University has developed a Statement of Faith consistent with the denomination (also referred to as a Confession of Faith) and the Fresno Pacific Idea documents which reflect the University's interpretation of what it means to be a community of learners committed to a distinctive vision of Christian higher education. The theological position of the University is represented in its Statement of Faith, as expressed in the Confession of Faith of the U.S. Conference of Mennonite Brethren Churches. As a Christian university, FPU administers this policy in alignment with the University's Statement of Faith, the FPU Idea and applicable exemptions for religious institutions afforded by state and federal law. Nothing in this policy is intended to limit or otherwise conflict with the University's exercise of rights as a religious institution and/or under applicable religious exemptions.

This Non-Discrimination Policy ("Policy") prohibits the following conduct ("Prohibited Conduct"):

1. Harassment or discrimination, including, but not limited to, Sex-Based Misconduct against students, employees, and applicants for admission or employment based on membership in a Protected Class;
2. Harassment or discrimination based on the perception that a person is a member of a Protected Class or is associated with a person who has, or is perceived to have, membership in a Protected Class;
3. Any and all Retaliation against any person for submitting a report of violation of this Policy or for cooperating in the administration of this Policy, including participation in an investigation or adjudication process;
4. Knowingly submitting a complaint under this Policy based on false allegations or to knowingly provide false information in connection with an investigation or adjudication of a complaint processed under this Policy;

5. Any Responsible Employee who fails to report allegations of Prohibited Conduct, including, but not limited to, Sex-Based Misconduct or Title IX Sexual Harassment;
6. Any person in a position of power or influence that intentionally deters or hinders another person from reporting allegations of conduct which, if true, would violate this Policy;
7. Any other violation of this Policy.

The intent of this Policy is to provide for the University to act consistently with its legal obligations under Title IX of the Education Amendments of 1972 ("Title IX"), Title VI and Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA"), the Equal Pay Act of 1963, the Age Discrimination Act of 1975, Title I and Title IV of the Americans with Disabilities Act ("ADA") of 1990 and as amended by ADA Amendments Act of 2008, the Immigration Reform and Control Act of 1986 ("IRCA"), the Rehabilitation Act of 1973, and other applicable federal and state anti-discrimination laws. FPU recognizes that the law in these areas may change. To the extent this policy conflicts with applicable federal or state law, FPU will act in compliance with law.

The purpose of this policy is to:

1. Define Prohibited Conduct;
2. Ensure members of the University community respond appropriately when incidents of Prohibited Conduct occur;
3. Provide for methods of reporting Prohibited Conduct to appropriate University administrators;
4. Establish fair and equitable procedures for filing and handling complaints of Prohibited Conduct; and
5. Ensure that when Prohibited Conduct does occur the University takes appropriate measures to stop, prevent and remedy the Prohibited Conduct;
6. Set forth grievance procedures for the handling of Formal Title IX Sexual Harassment complaints, as required by federal regulations set forth at 34 Code of Federal Regulations Section 106.45.

This policy shall be reviewed periodically to determine if modifications are appropriate.

APPLICATION AND SCOPE

This policy applies to all members of the University community, including FPU employees, students, applicants for admission or employment, third-party contractors and vendors, independent contractors, volunteers and any third party who enters FPU facilities. Every member of the community is responsible for complying with this Policy.

This policy applies to prohibited conduct alleged to have occurred:

1. On FPU property;

2. In connection with FPU activities, programs, or events;
3. Online or off-campus where the conduct affects the FPU learning or working environment, would violate other University Policies had it occurred on campus, or where the University determines it has a substantial interest.

FPU recognizes and promotes its commitment to academic freedom and freedom of speech, as described in applicable FPU policies. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws, such as the conduct prohibited by this Policy.

FPU also recognizes that many students are also employed by the University ("Student-Employee"). Under this Policy, Student-Employees may be treated either as students or employees based on the circumstances of each situation, in compliance with the provisions set forth below.

FPU further recognizes that some students are also unemancipated minors under the age of 18. Parents or guardians of unemancipated minors may exercise, on behalf of the minor student, all rights afforded to the minor student under this Policy, including filing reports of Prohibited Conduct, requesting supportive measures, and attending meetings and proceedings with the minor student, and may request to receive copies of notices, documents and information provided to the minor student pursuant to this Policy. Students who are age 18 or older and not otherwise subject to a conservatorship have privacy rights protected as a matter of law (including, but not limited to the Family Education Rights and Privacy Act) and University policy and, as such, are responsible for informing their parents of any such matters directly if the student wishes to do so.

Additionally, while this Policy comprehensively prohibits illegal harassment and discrimination, there will be some procedures which are only applicable to Title IX Sexual Harassment (defined below) because different legal requirements are applicable in such matters. Applicable distinctions in the processing of such complaints are addressed below.

This Policy has been approved by the Office of the President. It supersedes all other University policies regarding harassment, discrimination, Sex-Based Misconduct, or Title IX.

RESPONSIBILITY FOR ADMINISTRATION OF POLICY

The University's Title IX Coordinator shall be responsible for administration of this policy for all allegations of Sex-Based Misconduct (as defined below), including, but not necessarily limited to, complaints of Title IX Sexual Harassment. This includes complaints involving allegations of other forms of conduct prohibited by this Policy which also involve, relate to or impact allegations of Sex-Based Misconduct. All reports involving Sex-Based Misconduct shall be made or referred to the Title IX Coordinator.

The Office of Human Resources shall be responsible for the administration of this Policy for all allegations of illegal harassment or discrimination involving employees in the course and scope of their employment or applicants for employment except for complaints of Sex-Based Misconduct, which are the purview of the Title IX Coordinator, including complaints which involve, either in whole or in part, complaints of Title IX Sexual Harassment. This includes employees or applicants for employment who are also students of the University. All reports of violations of this Policy, other than Sex-Based Misconduct or Title IX Sexual Harassment, involving employees shall be made or referred to the highest-level administrator in the Office of Human Resources.

The Department of Student Development shall be responsible for administration of this policy for all allegations of illegal harassment or discrimination involving students who are not also employees or applicants for employment, with the following exceptions: complaints which involve, either in whole or in part, Sex-Based Misconduct or Title IX Sexual Harassment, as such complaints are the purview of the Title IX Coordinator. All reports of violations of this Policy, other than Sex-Based Misconduct or Title IX Sexual Harassment, involving only students who are not employees shall be made or referred to the highest-level administrator in the Department of Student Development.

ESTABLISHMENT OF THE OFFICE OF THE TITLE IX COORDINATOR

The President of the University shall designate and authorize an administrator to serve as FPU's Title IX Coordinator ("Coordinator") who has the training, experience, and resources necessary to perform the following duties:

1. Coordinate the University's compliance with Title IX of the Education Amendments of 1972 and other California state and federal laws applicable to Sex-Based Misconduct, including with respect to issuance of notification of this Policy to members of the campus community, the conduct of investigations, preparation of required reports, effective implementation of supportive measures and Preventative and Corrective Measures, and significant experience with restorative justice frameworks for student and employee dispute resolution (including within a Christian organization).

2. Developing and maintaining the University's Title IX webpages which provide information regarding Title IX compliance, including methods for reporting Sex-Based Misconduct, applicable grievance processes and options regarding supportive measures whether or not a Formal Complaint of Title IX Sexual Harassment is filed.

3. Ensure, in coordination with other University stakeholders such as the Office of Human Resources and Department of Student Development, that the University is providing mandatory Sex-Based Misconduct prevention education and training programs to all members of the University campus, including as follows:

a. In accordance with applicable state and federal law, provide training to all students, faculty, other academic appointees, administrators, and non-academic staff regarding how Sex-Based Misconduct can be reported.
b. Provide training for University employees who are responsible for reporting Sex-Based Misconduct, including Title IX Sexual Harassment.
c. Provide training for University employees who are Confidential Resources, facilitators of informal resolution processes (including restorative justice and mediation), investigators, Hearing Advisors, hearing officers and other decisions makers, appeal adjudicators, University officials with authority to institute corrective measures and others involved with a grievance process for complaints of Sex-Based Misconduct regarding their roles and responsibilities with respect to Title IX compliance. This includes, but is not necessarily limited to, training regarding the following matters, as appropriate to the employee's role: technology to be used at a live hearing, issues of relevance of questions and evidence, and the rules applicable to questions and evidence regarding sexual predisposition or prior sexual behavior. Any materials used to train Title IX Coordinators, investigators, decision-makers, appeal adjudicator, and any person who facilitates an informal resolution process for a Formal Title IX Complaint of Sexual Harassment, must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Title IX Sexual Harassment Complaints of sexual harassment. Additionally, training with a trauma-informed perspective is required for any FPU employee responsible for any part of an investigation, informal resolution, or grievance process for complaints of Sex-Based Misconduct.
d. Offer primary prevention programs and awareness campaigns to the University community to promote ongoing awareness of Sex-Based Misconduct, including preventing dating violence, domestic violence, sexual assault, and stalking. These campaigns may include, but are not limited to, education about the definition of consent, consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships while also encouraging a safe environment for bystanders to intervene in a potential case of dating violence, domestic violence, sexual assault, or stalking.

4. Provide educational materials to promote compliance with the Policy and familiarity with reporting procedures, and post on the FPU's website the names and contact information of the Title IX Coordinator and other information regarding preventing and reporting Sex-Based Misconduct, including Title IX Sexual Harassment, and compliance with this policy.

5. Provide prompt and equitable response to reports of Sex-Based Misconduct, including authorizing and ensuring effective implementation of Supportive Measures and Title IX Supportive Measures for complainants and respondents, determining whether to file a Formal Title IX Sexual Harassment Complaint on behalf of the University, overseeing

implementation of the University's Sex-Based Misconduct grievance processes, effectively implementing Preventative and Corrective Measures in cases of Sex-Based Misconduct, and overseeing the University's informal resolution process including restorative justice models.

6. Maintain records of reports of Sex-Based Misconduct, including Title IX Sexual Harassment including: investigation records, any determination regarding responsibility, any audio or audiovisual recording or transcript related to the grievance process, any supportive measures implemented, any preventative or corrective measures imposed on the respondent, any remedies provided to the complainant, any appeal and result of such appeal, any informal resolution process and result from such process, all training materials used to train Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process (including restorative justice and mediation), for seven (7) years and in accordance with University records management policies.

7. Identify and address any patterns or systemic problems that arise during the review of reports of Title IX Sexual Harassment.

8. Ensure procedures are in place to provide support for both complainants and respondents during the University's process for responding to allegations of Sex-Based Misconduct, including Title IX Sexual Harassment and informal resolution processes (including restorative justice and mediation models).

9. Shall decide whether or not a hearing is necessary to determine whether any sexual violence more likely than not occurred. In making this decision, the Title IX Coordinator may consider whether the parties elected to participate in the investigation and whether each party had the opportunity to suggest questions to be asked of the other party or witnesses, or both, during the investigation, consistent with all applicable law.

APPLICABLE DEFINITIONS

Definitions applicable to this Policy are set forth below. Under federal regulation the definitions applicable in cases of Title IX Sexual Harassment are different from the definitions applicable to other types of Prohibited Conduct as a matter of law. Accordingly, set forth below are three sections of definitions:

1. Definitions Applicable in all Matters of Prohibited Conduct Covered by this Policy;

2. Definitions Applicable in Matters of Prohibited Conduct Other than Title IX Sexual Harassment;

3. Definitions Applicable Only in Cases of Title IX Sexual Harassment.

These sections are set forth below.

A. Definitions Applicable in all Matters of Prohibited Conduct Covered by this Policy.

1. Responsible Administrator. The Responsible Administrator refers to the University employee charged with responsibility for the administration of this policy as described in Section III Responsibility for Administration of Policy. The Responsible Administrator will either be the Title IX Coordinator, highest level administrator in the Department of Student Development, or the highest-level administrator in the Office of Human Resources, as appropriate depending on the nature of the complaint.

2. Responsible Employee. Under this Policy, a responsible employee means an employee who has the duty to report sexual harassment to an appropriate school official who has the authority to take action to redress sexual harassment or provide supportive measures to students. Responsible employee includes, but is not limited to, those individuals with any of the following positions or substantially similar positions or job duties, regardless of the specific title the institution may attach to the position:

    a. Title IX coordinator or other coordinator designated to comply with and carry out the institution's responsibilities related to complaints of sexual harassment.
    b. Residential advisors, while performing the duties of employment by the institution.
    c. Housing directors, coordinators, or deans.
    d. Student life directors, coordinators, or deans.
    e. Athletic directors, coordinators, or deans.
    f. Coaches of any student athletic or academic team or activity.
    g. Faculty and associate faculty, teachers, instructors, or lecturers.
    h. Graduate student instructors, while performing the duties of employment by the institution.
    i. Laboratory directors, coordinators, or principal investigators.
    j. Internship or externship directors or coordinators.
    k. Study abroad program directors or coordinators.

    Responsible Employee does not include any of the individuals described above who are also any of the following:

    a. A therapist, physician, psychotherapist, member of the clergy, sexual assault counselor, or domestic violence counselor, as defined in the California Evidence Code, when acting in the course and scope of their licensure or ordination in their job at Fresno Pacific University (e.g., the campus Chaplain; not other Fresno Pacific University employees who are members of the clergy outside of their role at Fresno Pacific University).

b. An individual acting in a professional capacity for which confidentiality is mandated by law, including, but not necessarily limited to, Confidential Resources as defined under this Policy.

All employees of the University who receive, in the course of their employment, information that a violation of this Policy has occurred shall promptly report that information to the Title IX Coordinator, the Office of Human Resources, or the Department of Student Development, as appropriate and directed under this Policy. This includes all students who are also employees of the University when the disclosure is made to them in their capacity as an employee. The online reporting form can be accessed at https://fresno.tfaforms.net/39. Any Responsible Employee that is unsure of whether the information they have received triggers their reporting obligation should consult with the Title IX Coordinator, the Office of Human Resources or the Department of Student Development. Exceptions to the duty to report include:

a. University employees who are Confidential Resources (as defined below) who receive, in the course of employment, information that a student has or may have suffered Sex-Based Misconduct, including, but not limited to, Title IX Sexual Harassment.
b. Employees who learn of a report of Sex-Based Misconduct during the course of participation in a public awareness event such as a "Take Back the Night" or similar event.

3. Confidential Resources. FPU's confidential Resources ("Confidential Resources") include the Campus Nurse, mental health counselors (such as On-Site Counselors), and the Campus Chaplain employed within the Office of Spiritual Formation. Confidential Resources are exempt from reporting Prohibited Conduct when working in the course and scope of their licensure or ordination; however, Confidential Resources will inform a person who discloses experiencing possible Prohibited Conduct of the discloser's right to report directly to the Title IX Officer and how to make a report to the Title IX Officer. When Confidential Resources are not working in the course and scope of their licensure or ordination, they are considered a Responsible Employee and a report must be made if the Confidential Resource has information regarding a possible allegation of harassment, discrimination or sexual misconduct. Any Responsible Employee that is unsure of whether the information they have received triggers their reporting obligation should consult with the Title IX Coordinator, the Office of Human Resources or the Department of Student Development. This exemption does not extend to other areas of mandated reporting obligations under federal, state, or local laws, such as the California Child Abuse and Neglect Reporting Act (CANRA) or Cleary Act reporting requirement as a Campus Security Authority.

4. Preponderance of Evidence. A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not to be true. This shall be the

standard of proof applicable to all factfinding under this Policy.

5. Relevancy of Evidence. Throughout this policy, references are made to relevant evidence, both in the investigation phase or adjudication phase of a matter. Relevant evidence means evidence which has any tendency in reason to prove or disprove a disputed fact, including both inculpatory and exculpatory evidence, that is of consequence in determining whether the allegations of Prohibited Conduct are true or not true under the preponderance of the evidence standard. Relevant evidence includes evidence regarding the credibility of a party or witness. However, notwithstanding the above, the following evidence must be excluded:

    a. Evidence which is disclosed to a Confidential Employee, operating within the scope of their work, unless the disclosing party and the Confidential Employee provide voluntary written consent to its use.
    b. Evidence which is protected by a legally recognized privilege unless the appropriate party has provided voluntary written consent to its use. Legally recognized privileges including, but not limited to, the following: the attorney-client privilege, evidence maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional when acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party.
    c. Evidence of a complainant's prior sexual history unless one of the following exceptions applies:
        i. If such information is offered to prove that someone other than the respondent committed the conduct alleged by the Title IX Complainant; or
        ii. If the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

6. Sex-Based Misconduct. Sex-Based Misconduct includes:

    a. All forms of discrimination and harassment on the basis of sex, gender, pregnancy or perceived pregnancy, childbirth, breastfeeding or medical conditions related to pregnancy, childbirth or breastfeeding.
    b. California Sexual Harassment, as defined herein.
    c. Sexual Harassment under the California Education Code, as defined herein.
    d. Title IX Sexual Harassment, as defined herein, and other conduct which violates Title IX of the Education Amendments of 1972.
    e. Exposing one's genitals in a public place for the purpose of sexual gratification.
    f. Other sex-related misconduct involving extortion, exploitation, or other non-consensual conduct including assisting with or being an accessory to Sexual Misconduct.

g. Attempts to engage in any Sex-Based Misconduct, even if not completed.

7. Sexual Harassment Under the California Education Code. Sexual Harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

    a. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
    b. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
    c. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
    d. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

    Sexual harassment includes sexual violence, sexual battery, and sexual exploitation as defined herein.

8. Sexual Violence. Sexual violence means physical sexual acts perpetrated against a person without the person's affirmative consent. Physical sexual acts include the following:

    a. Rape, defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral penetration by a sex organ by another person, or by a sex-related object, without consent of the victim.
    b. Criminal Sexual Contact, defined as the intentional touching of another person's clothed or unclothed body parts without consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
    c. Statutory Rape, defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

9. Sexual Exploitation. Sexual exploitation means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including but not limited to, any of the following acts:

a. The prostituting of another person.
b. The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud or coercion.
c. The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.
d. The distribution of images, including video or photograph, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
e. The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

10. Consent. Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of all persons involved an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not alone constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity, even after penetration occurs. If confusion or ambiguity arises as to the willingness of the other individual to proceed, then consent should be re-obtained. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct). The following provisions apply to the definition of consent:

    a. Incapacitation: Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs or taking medication.
    b. The Respondent's belief that the alleged victim consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the factfinder will consider all of the facts and circumstances the Respondent knew, or reasonably should have known, at the time. In particular, the Respondent's belief is not a valid defense where:
        i. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
        ii. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the alleged victim affirmatively consented; or
        iii. The Respondent knew or a reasonable person should have known that the alleged victim was unable to consent because the alleged victim was incapacitated, in that the alleged victim was: asleep or unconscious;

unable to understand the fact, nature or extent of the sexual activity due to the influence of drugs, alcohol or medication; unable to communicate due to a mental or physical condition. Anyone engaging in sexual activity should be aware of the other person's level of intoxication.

11. Credibility. The credibility of complainants, alleged victims, respondents and witnesses must be evaluated when there are conflicting versions of relevant events related to a matter under investigation required by this Policy. Credibility means whether or not a particular version of events should be believed. In assessing credibility of any person, factors to consider include, but are not necessarily limited to: inherent plausibility of the person's statement; their demeanor and attitude toward the matter; whether they have motivation to inaccurately state facts; whether or not other persons or evidence corroborate their version of events (such as an eye witness or someone who discussed the events with the person around the time the events took place); the character of the testimony; the extent of the person's capacity to perceive, remember or communicate regarding the matter; consistent or inconsistent statements made by the same person; admissions of untruthfulness. No one factor is necessarily determinative of credibility. The mere fact that there was no eye witness to an alleged event does not mean a person is not credible, and similarly whether a respondent had previously engaged in similar misconduct does not mean the respondent is not credible as to the current matter being investigated.

12. Preventative and Corrective Measures. Services, accommodations, corrective actions, sanctions, remedies or other measures put in place as a result of final resolution of a complaint of conduct prohibited by this Policy. Possible Preventative and Corrective Measures imposed under this Policy include:

    a. Participation in a voluntary, facilitated restorative process including related documentation of the outcome;
    b. Written or verbal apology;
    c. Written or verbal warning, or other counseling memorandum;
    d. Training or other educational requirements, such as an assigned reading, a research or reflective paper, attendance at an educational seminar or program, or similar activity, and the requirement to pay for the cost associated with such activity consistent with law;
    e. A behavioral agreement outlining expectations for behavior and future corrective actions for misconduct;
    f. Assistance from or check-ins with campus safety personnel;
    g. Mandatory or voluntary counseling;
    h. Mentorship, accountability meetings or coaching assignments;
    i. Community service or other volunteer activities;
    j. Fines not to exceed $500.00 per violation, where permitted by law and

accreditation standards;

k. Restitution, which may or may not be monetary (if monetary not to exceed $2,000.00);
l. Modifications to housing assignments, job position or work assignments (such as a transfer or modification of job duties), or delivery of curriculum or course requirements (such as required courses, independent study, adjusted deadlines, or remote learning);
m. Disciplinary probation, which may include monitoring of progress, review of behavior, limitations on campus privileges, or other restrictions on participation in University events, extra-curricular programs (such as athletics or leadership programs) or co-curricular activities (such as clubs and organizations) over a set period of time;
n. Prohibition from living in on-campus housing or from utilizing certain campus facilities;
o. No-contact directives;
p. Drug testing and/or drug and alcohol counseling programs;
q. Temporary or permanent exclusion from attending University events or activities;
r. Suspension from employment or participation in an academic program, extra-curricular or co-curricular activities;
s. Expulsion from the University's academic programs or separation from employment;
t. Other actions which seek to make a victim whole or which seek to prevent a recurrence of Prohibited Conduct.

B. Definitions Applicable in Matters of Prohibited Conduct Other than Title IX Sexual Harassment.

1. Discrimination. Discrimination means excluding from participation, denying the benefits of, or otherwise subjecting an individual or group of individuals to different treatment based on a Protected Class. For example, unlawful discrimination may consist of a decision, policy, or practice.

2. Harassment. Harassment is unwelcome verbal, visual or physical conduct based on a Protected Class which creates an intimidating, offensive, or hostile work or educational environment that interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion towards an individual based on a Protected Class.

3. Complaint. A report of Prohibited Conduct prohibited by this Policy. A "formal" or written report or complaint is not required.

4. Complainant. A Complainant is any person who reports alleged Prohibited Conduct or an alleged victim of Prohibited Conduct, regardless of whether the alleged victim makes the report. Prohibited Conduct for purposes of this definition does not include Title IX Sexual Harassment.

5. Respondent. A Respondent is a person alleged to have engaged in Prohibited Conduct. Prohibited Conduct for purposes of this definition does not include Title IX Sexual Harassment.

6. California Sexual Harassment.

    a. Sexual harassment is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal or physical conduct of a sexual nature when:
        i. *Quid Pro Quo*: A person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program, activity, or service; or
        ii. *Hostile Environment*: Such conduct is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs, activities, or services of the University and creates an environment that a reasonable person would find to be intimidating or offensive.
    b. Consideration is given to the totality of the circumstances in which the conduct occurred.
    c. Sexual harassment need not be motivated by sexual desire. Examples of conduct that violates this policy include but are not limited to: Obscene or vulgar gestures, posters, or comments; Sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies; Propositions, or suggestive or insulting comments of a sexual nature; Derogatory cartoons, posters, and drawings; Sexually-explicit e-mails or voicemails; Uninvited touching of a sexual nature; Unwelcome sexually-related comments; Conversation about one's own or someone else's sex life; Conduct or comments consistently targeted at only one gender, even if the content is not sexual; or Teasing or other conduct directed toward a person because of the person's gender.

7. Retaliation. Retaliation is an adverse action against a person based on their report or other disclosure of conduct prohibited by this Policy to a University employee or their participation in the investigation, reporting, remedial or disciplinary processes provided for in this Policy. An adverse action is conduct that would intimidate or discourage a reasonable person from reporting conduct prohibited by this Policy or participating in a

process provided for in this Policy, such as threats, intimidation, harassment, or coercion. Retaliation does not include good faith actions lawfully pursued in response to a report of conduct prohibited by this Policy.

8. Supportive Measures. Supportive Measures are services, accommodations or other measures put in place temporarily following a complaint of conduct prohibited by this Policy to assist or protect either the Complainant, the Respondent or the University community. Supportive Measures may remain in place until the matter is resolved, changed, or ended depending on how the parties' needs evolve while the matter is being processed. Supportive Measures may also become a permanent Preventative and Corrective Measure following resolution of the matter. Supportive Measures may include, but are not limited to: counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures, or other measures determined to be reasonable by the Responsible Administrator. When requested by a Complainant or otherwise determined to be appropriate, the University shall issue an interim no-contact directive prohibiting the Respondent from contacting the Complainant during the pendency of the investigation. The University shall not issue an interim mutual no-contact directive automatically, but instead shall consider the specific circumstances of each case to determine whether a mutual no-contact directive is necessary or justifiable to protect the noncomplaining party's safety or well-being, or to respond to interference with an investigation, consistent with all applicable law. A no-contact directive issued after a decision of responsibility has been made shall be unilateral and only apply against the party found responsible.

C. Definitions Applicable Only in Cases of Title IX Sexual Harassment.

1. Formal Title IX Sexual Harassment Complaint. A document filed by a Title IX Sexual Harassment Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Title IX Sexual Harassment Respondent and requesting that the University investigate the allegation. A parent or guardian of a Title IX Sexual Harassment Complainant who is an unemancipated minor may also file a Formal Title IX Sexual Harassment Complaint on behalf of their child or ward. References to "Formal Title IX Sexual Harassment Complaint" throughout this Policy refer to Formal Title IX Sexual Harassment Complaint.

2. Title IX Sexual Harassment Complainant. An individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment irrespective of whether a Formal Title IX Sexual Harassment Complaint has been filed.

3. Title IX Sexual Harassment Respondent. An Individual who has been reported to be the

perpetrator of conduct that could constitute Title IX Sexual Harassment. Any individual may be a respondent, whether such individual is a student, faculty member, administrator, other employee of the University or other person with or without any affiliation to the University.

4. Officials with Authority – Actual Knowledge. For purposes of determining actual knowledge of Title IX Sexual Harassment the following positions have authority at Fresno Pacific University to institute Preventative and Corrective Measures for Title IX Sexual Harassment: The President, the Provost, all Vice Presidents, all Deans of colleges within the University, the Title IX Coordinator, the highest level administrator in the Office of Human Resources, the highest level administrator in the Department of Student Development, and all employees who serve as either student conduct officers, hearing officers, hearing panel members, decision makers, or appeal adjudicators in cases of Title IX Sexual Harassment when serving in that role. In all cases, Preventative and Corrective Measures must be imposed in compliance with the Grievance Process for Complaints of Title IX Sexual Harassment.

5. Title IX Supportive Measures. Title IX Supportive Measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Title IX Sexual Harassment Complainant or Title IX Sexual Harassment Respondent before or after the filing of a Formal Title IX Sexual Harassment Complaint or where no Formal Title IX Sexual Harassment Complaint has been filed. Title IX Supportive Measures are designed to restore or preserve equal access to the University's education program, or activity, without punishing, disciplining, or unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter Title IX Sexual Harassment. Title IX Supportive Measures may include, but are not limited to: counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The determination of what Title IX Supportive Measures are appropriate in a given situation must be based on the facts and circumstances of that situation.

6. Title IX Sexual Harassment Informal Resolution. An informal resolution of Title IX Sexual Harassment may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.

7. Title IX Sexual Harassment. Sexual harassment for purposes of Title IX means conduct on the basis of sex that satisfies one or more of the following:

    a. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual

conduct;

b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
c. Sexual Assault, Dating Violence, Domestic Violence, or Stalking. The following definitions further define Title IX Sexual Harassment:
    i. Sexual Assault: The term Sexual Assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including, but not necessarily limited to, criminal sexual contact, rape, and statutory rape.
        1. Rape, defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral penetration by a sex organ by another person, or by a sex-related object, without consent of the victim.
        2. Criminal Sexual Contact, defined as the intentional touching of another person's clothed or unclothed body parts without consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
        3. Statutory Rape, defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.
        4.
    ii. Dating Violence: The term Dating Violence means violence committed by a person:
        1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and,
        2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
            a. The length of the relationship;
            b. The type of relationship;
            c. The frequency of interaction between the persons involved in the relationship.
    iii. Domestic Violence: The term Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence

laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

iv. Stalking: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    1. Fear for his or her safety or the safety of others; or
    2. Suffer substantial emotional distress.

REPORTING TO POLICE FOR CRIMINAL CONDUCT; EFFECT OF CRIMINAL CHARGES OR CRIMINAL INVESTIGATION

In an emergency situation, FPU community members should call 9-1-1. FPU encourages all members of its community who believe they are the victim of criminal behavior (including, but not limited to, criminal sexual violence) to report the conduct to the police even if significant time has passed since the incident. All members of the FPU community may seek assistance in reporting a crime of sexual violence to law enforcement by contacting the Title IX Coordinator.

Complainants under this policy also may choose not to notify law enforcement. Regardless of whether a Complainant chooses to make a report to law enforcement, the Complainant may still file a Complaint under this policy. Additionally, regardless of whether the alleged misconduct rises to the level of a criminal offense, FPU encourages all community members to report alleged discrimination, harassment, retaliation, or sexual violence to FPU.

The procedures outlined in this Policy are separate from any criminal process or investigation. Because the requirements and standards for finding a violation of criminal law are different from the standards under this Policy, criminal investigations, reports or verdicts may be different from the outcomes under this Policy. The University may share information and coordinate investigation efforts with law enforcement when necessary or appropriate. A delay resulting from such coordination is good cause for extending the timelines to complete the process. Any such delay will be communicated and documented to the Complainant and Respondent.

State, federal, and local government agencies are responsible for criminal prosecution. The University has no authority or responsibility for the criminal prosecution of any matter, even if the University helps someone to file a report of criminal conduct or receives a report of a complaint under this policy that may rise to the level of criminal conduct.

REPORTING PROHIBITED CONDUCT TO THE UNIVERSITY; AMNESTY FOR STUDENT COMPLAINANTS AND WITNESSES

Fresno Pacific University is committed to enforcing this Policy. The effectiveness of the University's efforts depends in part on employees and students telling the University about inappropriate conduct. Employees and students should not assume that Fresno Pacific University has knowledge of any form of illegal discrimination, harassment, or retaliation. If employees or students do not report harassing or discriminatory conduct, Fresno Pacific University may not become aware of a possible violation of this Policy and may not be able to take appropriate corrective action. Any Responsible Employee who believes that this Policy has been violated is mandated to report those concerns, and for concerns related to Sex-Based Misconduct Responsible Employees must report those concerns to the Title IX Coordinator directly.
Any person can report Prohibited Conduct at any time (including during non-business hours), either verbally or in writing, in person, by mail, by telephone, email, or by any other means as follows:

1. Report to the Title IX Coordinator. As of the effective date of this policy, the University's Title IX Coordinator's contact information is as follows:

Name:	Ms. Pam Schock, M.A., Assistant Dean of Student Development
Phone:	559-453-7115
Email:	pam.schock@fresno.edu
Office:	Steinert Campus Center Room 135, Fresno Main Campus, 1717 S. Chestnut Avenue, Fresno, CA 93702

   The Fresno Pacific University website will be kept updated with any changes to the Title IX Coordinator's name and contact information.

2. Report to a Responsible Employee. They can report verbally, via phone or via email to any Responsible Employee, the University's Title IX Coordinator, Department of Student Development, Office of Human Resources or to another appropriate office, such as to the Dean of any of the University's colleges, the Office of the Provost or Office of the President. Any person or office that receives a report (except for Confidential Resources) must forward it to either the Title IX Coordinator, the highest-level administrator in the Department of Student Development, or the highest-level administrator in the Office of Human Resources for review. If the person to whom a report normally would be made to is the Respondent, reports may be made to another Responsible Employee or office.

3. Online Through the University Website. They can report by submitting the online form, either with their name or anonymously. The online form is located on Fresno Pacific University's website at https://fresno.tfaforms.net/39. Forms submitted online will be delivered to the Responsible Administrators identified under this Policy.

Following receipt of a report, the Title IX Coordinator, highest level administrator in the Department of Student Development, and highest-level administrator in the Office of Human Resources shall determine who the appropriate Responsible Administrator is. The Responsible Administrator may select a qualified designee to oversee processing of the matter under this Policy, at the Responsible Administrator's discretion. In the event the Responsible Administrator is unavailable, is a respondent or has a conflict of interest, the President shall determine who shall serve as the Responsible Administrator.

While there is no time limit for submitting reports of Prohibited Conduct, such reports should be brought forward as soon as possible. Prompt reporting will better enable FPU to respond, investigate, provide an appropriate remedy, and impose Preventative and Corrective Measures, if appropriate. All incidents should be reported even if significant time has elapsed.

FPU prefers the Complaint be made in writing and specifically identify the person(s) involved, names of witnesses and what occurred. However, if a Complaint is not filed in writing but FPU receives notice of any allegation(s) that is subject to this Policy, FPU shall take steps to address the allegation(s) in a manner appropriate to the circumstances.

The University will keep reports of Prohibited Conduct as confidential as possible, but may be required to disclose information to comply with law or the University's policies and procedures, including (but not limited to) for the purposes of investigating and/or resolving the complaint.

The University encourages reporting of Prohibited Conduct. It is in the best interest of the FPU community that individuals come forward to make reports of Prohibited Conduct, regardless of whether they have engaged in conduct in violation of university policy, such as using drugs or alcohol at or near the time of the incident. To encourage reporting in these types of situations, the University will not subject a Complainant or witness of Prohibited Conduct who is a student or a student-employee to Preventative and Corrective Measures for a violation of the University's behavior standards or other University policy (i.e., will grant the student amnesty) unless the University determines that the violation was egregious. Egregious violations include acts that:

1. Place the health or safety of themselves or others at risk; or
2. Involves plagiarism, cheating or academic dishonesty.

Student-employees may still be subject to Preventative and Corrective Measures as employees of FPU for acts which put Fresno Pacific University at significant risk of litigation or damage to reputation. The University reserves the right to require individuals who are granted amnesty under this section to participate in assessments, training, counseling, or educational programs, including (but limited to) topics such as health, safety, professionalism, or harassment/discrimination prevention.

The University will not pursue action against a person for a code of conduct violation that does not involve sex discrimination or sexual harassment, but arises out of the same facts or

circumstances as a report or complaint of sex discrimination, or a report or Formal Title IX Sexual Harassment Complaint, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations.

RESPONSE TO COMPLAINTS OF PROHIBITED SEX-BASED CONDUCT – (Compliance with California Education Code Sections 66262.5 and 66281.8)

The Title IX Coordinator will administer complaints of sexual harassment, sexual violence or other Sex-Based Misconduct in accordance with this Section. Nothing in this section shall relieve a Responsible Employee from reporting obligations described in other sections of this policy.

Any disciplinary measures imposed by the University for violations of the University's Behavioral Values and Expectations Policy at or near the time of the incident being investigated shall be consistent with paragraph (10) of subdivision (b) of California Education Code section 67386.

The University will take reasonable steps to respond to each incident of sexual harassment involving individuals subject to the University's policies that occur in connection with any educational activity or other program of the University, as well as incidents that occurred on or off campus, if, based on the allegations, there is any reason to believe that the incident could contribute to a hostile educational environment or otherwise interfere with a student's access to education.

Regardless of whether a complaint has been formally filed under the University's Grievance Process 2 procedures for Formal Title IX Sexual Harassment Complaints, if the University knows, or reasonably should know, about the possible sexual harassment involving individuals subject to the University's policies at the time, the University shall promptly investigate under the procedures set forth under Grievance Process 1, to determine whether the alleged conduct more likely than not occurred, or otherwise respond if the University determines that an investigation is not required. If the University determines that the alleged conduct more likely than not occurred, it shall immediately take reasonable steps to end the harassment, address the hostile environment, if one has been created, prevent its recurrence, and address its effects. The University is presumed to know of sexual harassment if a Responsible Employee knew, or, in the exercise of reasonable care, should have known, about the sexual harassment.[1]

A. Responding to Prior Incidents of Sexual Harassment.

[1] The University may rebut this presumption of knowledge if it shows all of the following: (1) The University provides training and requires all nonconfidential responsible employees to report sexual harassment; (2) Each nonconfidential responsible employee with actual or constructive knowledge of the conduct in question was provided training and direction to report sexual harassment; (3) Each nonconfidential responsible employee with actual or constructive knowledge of the conduct in question failed to report it.

The University shall consider and respond to requests for accommodations relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to the institution's policies.

In some cases, students may disclose incidents of sexual harassment or other Sex-Based Misconduct in the course of their academic program. Responsible Employees, and Confidential Resources acting outside the scope of their licensure or ordination, are still required to report these disclosures to the University's Title IX Coordinator. In such cases, investigation or adjudication of the alleged misconduct may not be required or possible; however, the University may provide the student with supportive measures and resources appropriate to the situation and consistent with the University's obligation to prevent a hostile educational environment or interference with the student's access to education.

B. Responding to Student's Requests for Confidentiality.

If a student who is not an employee of the University is a complainant and requests confidentiality, which could preclude a meaningful investigation or potential discipline of the potential respondent, or that no investigation or disciplinary action be pursued to address alleged sexual harassment, the University shall take the request seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the complainant. The University shall generally grant the request. In determining whether to disclose a complainant's identity or proceed to an investigation over the objection of the complainant, the University may consider whether any of the following apply:

1. There are multiple or prior reports of sexual misconduct against the respondent.
2. The respondent reportedly used a weapon, physical restraints, or engaged in battery.
3. The respondent is a faculty or staff member with oversight of students.
4. There is a power imbalance between the complainant and respondent.
5. The complainant believes that the complainant will be less safe if complainant's name is disclosed or an investigation is conducted.
6. The University is able to conduct a thorough investigation and obtain relevant evidence in the absence of the complainant's cooperation.

If the University determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing additional training and education materials for students

and employees; or conducting climate surveys regarding sexual violence. The University shall also take immediate steps to provide for the safety of the complainant while keeping the complainant's identity confidential as appropriate. These steps may include changing living arrangements or course schedules, assignments, or tests. The complainant shall be notified that the steps the University will take to respond to the complaint will be limited by the request for confidentiality.

If the University determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, it shall inform the complainant prior to making this disclosure or initiating the investigation. The institution shall also take immediate steps to provide for the safety of the complainant where appropriate. In the event the complainant requests that the University inform the respondent that the student asked the University not to investigate or seek discipline, the University shall honor this request.

Notwithstanding the above, all Responsible Employees are required to report allegations of sexual harassment as set forth in Section VII Reporting Prohibited Conduct to the University; Amnesty for Student Complaints and Witnesses. The determinations set forth in this section regarding whether to initiate an investigation or not shall be the responsibility of the Title IX Coordinator (or designee).

UNIVERSITY GRIEVANCE PROCESSES

The University has two separate grievance processes for handling reports of Prohibited Conduct, including Sex-Based Misconduct, under this Policy:

A. Grievance Process 1 for Complaints of Unlawful Harassment, Discrimination, and Sex-Based Misconduct Except for Formal Title IX Sexual Harassment Complaints ("Grievance Process 1"), set forth in Section XII Grievance Process 1 for Complaints of Unlawful Harassment, Discrimination, and Sex-Based Misconduct, Except for Formal Title IX Sexual Harassment Complaints, of this Policy; and

B. Grievance Process 2 for Formal Title IX Sexual Harassment Complaints (Grievance Process 2"), set forth in Section XIII Grievance Process 2 for Formal Title IX Sexual Harassment Complaints, of this Policy.

The investigation and adjudication of alleged misconduct under these processes is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for postsecondary institutions to comply with their obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

The following matters will be processed under Grievance Process 1:

1. All reports of Sex-Based Misconduct which do not meet the requirements of a Formal Title IX Sexual Harassment Complaint which are determined by the Responsible Administrator to fall within the Application and Scope of this Policy as set forth above in Section II Application and Scope (this includes, but is not necessarily limited to, reports regarding sex discrimination, failure to accommodate pregnant or parenting students, conduct which violates the Violence Against Women Act—i.e., sexual assault, domestic violence, dating violence and stalking - which occurs outside of the United States); and
2. Formal Title IX Sexual Harassment Complaints which are dismissed under 34 Code of Federal Regulations Section 106.45; and
3. All other reports of Prohibited Conduct which do not involve Sex-Based Misconduct.

For matters processed under Grievance Process 1, a "formal" or "written" complaint is not required but is encouraged. Responsible Employees are required to report any allegations regarding such matters as described in Section V.A.2 Applicable Definitions/Definitions Applicable in All Matters of Prohibited Conduct Covered by this Policy/Responsible Employee, above.

Grievance Process 2 is reserved only for Formal Title IX Sexual Harassment Complaints which are not otherwise dismissed under 34 Code of Federal Regulations Section 106.45.

During the course of processing a report of Sex-Based Misconduct, it is possible that the alleged conduct may become a Formal Title IX Sexual Harassment Complaint after initiation of Grievance Process 1. In that case, the Title IX Coordinator shall move the matter into Grievance Process 2.

It is also possible that a Formal Title IX Sexual Harassment Complaint may be dismissed during Grievance Process 2, including, but not limited to situations where it is determined that the alleged conduct no longer meets the definition of Title IX Sexual Harassment. In that case, the Title IX Coordinator shall move the matter into Grievance Process 1, as appropriate.

In all cases, the availability of Informal Resolution procedures is governed by Section XI Informal Resolution of Complaints Involving Student Respondents, below.

Additionally, the University may require the Parties, Advisory Support Persons, Advisors, witnesses, third-party professionals or others involved in the grievance process to execute non-disclosure agreements, FERPA waivers or similar documents under either Grievance Process 1, Grievance Process 2 or informal resolution procedures.

INITIAL REVIEW OF REPORTS OF SEX-BASED MISCONDUCT; DISMISSAL OF FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT AND APPEAL FROM DISMISSAL

For reports regarding Sex-Based Misconduct, the Title IX Coordinator shall conduct an initial review of the report and determine the appropriate grievance process for the matter, as set forth in this section.

D. Requirements for Formal Title IX Sexual Harassment Complaint.

In order for a complaint to be subject to the Grievance Process for Complaints of Title IX Sexual Harassment, a Formal Title IX Sexual Harassment Complaint must be filed either by an alleged victim, the parent or guardian of a minor alleged to be a victim, or the Title IX Coordinator.

A Formal Title IX Sexual Harassment Complaint is considered "filed" when either of the following occurs:

1. An alleged victim files a report alleging another person has subjected them to Title IX Sexual Harassment and the report contains a physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Title IX Sexual Harassment Complaint. If the identity of the Respondent is not known to the Complainant, the Complainant does not need to include the Respondent's identity in the Complaint, as this may be determined during the investigation process.
2. The Title IX Coordinator files and signs a Formal Title IX Sexual Harassment Complaint.

Additionally, at the time of filing a Formal Title IX Sexual Harassment Complaint, the following three requirements must be met:

1. The alleged victim must be participating in or attempting to participate in the education program or activity of the University;

2. The alleged misconduct must have occurred against a person in the United States either:
    a. On FPU property;
    b. In connection with FPU activities, programs, or events where the University exercises substantial control over the respondent and the context in which the incident occurred;
    c. Buildings owned or controlled by officially recognized University student organizations, regardless whether the building is located on or off-campus and irrespective of whether the University exercised substantial control over the respondent and the context of the harassment;
    d. Cyber harassment conducted over computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operation of, the University; or

e. Off-campus conduct that has effects in the education program; and

3. The conduct alleged in the Formal Title IX Sexual Harassment Complaint must, if proven by a preponderance of the evidence, constitute Title IX Sexual Harassment.

Participation or Attempted Participation in an Educational Program or Activity: An alleged victim must be participating in or attempting to participate in the education program or activity of the University. This includes, but is not limited to:

1. Applicants for or students enrolled in a University academic programs;
2. Applicants for employment or those employed by the University;
3. Alumni of the University if they graduated from a program of the University and intend to either
    a. Apply to a different program offered by the University or
    b. To remain involved with University's alumni programs and activities;
4. A student who is on a leave of absence if they are still enrolled as a student of the University or if they intend to re-apply to the University after the leave of absence is concluded; or
5. A student who has left the University because of Title IX Sexual Harassment, but who wants to re-enroll if the University responds appropriately to the Title IX Sexual Harassment.

Substantial Control: When determining whether the University exercises substantial control over the respondent and the context in which the incident occurred, factors to be considered include, but are not limited to, whether the University funded, promoted, or sponsored the event.

Off-Campus Conduct: Off-Campus Conduct effects an education program when the alleged victim has to interact with the respondent in a University's education program or activity, or when the effects of the underlying Title IX Sexual Harassment creates a hostile environment in the alleged victim's workplace or educational environment.

E. Title IX Coordinator's Decision to File a Formal Title IX Sexual Harassment Complaint.

The Title IX Coordinator should file a Formal Title IX Sexual Harassment Complaint if doing so is necessary to avoid being deliberately indifferent to known Title IX Sexual Harassment, with or without the participation of the alleged victim. In determining whether to file a Formal Title IX Sexual Harassment Complaint, the Title IX Coordinator may consider a variety of factors including, but not limited to, a pattern of alleged misconduct by a particular respondent, and/or whether the allegations involve violence, weapons, whether filing a Formal Title IX Sexual Harassment Complaint is the best mechanism to protect the campus community, or similar factors.

To the extent possible, the Title IX Coordinator will respect the alleged victim's autonomy and wishes with respect to the filling of a Formal Title IX Sexual Harassment Complaint and grievance process. As such, the Title IX Coordinator's decision to file a Formal Title IX Sexual Harassment

Complaint may occur only after the Title IX Coordinator has promptly contacted the alleged victim of Title IX Sexual Harassment to discuss availability of supportive measures, explain the process for filing a Formal Title IX Sexual Harassment Complaint and consider the alleged victim's wishes with respect to supportive measures and the Formal Title IX Sexual Harassment Complaint process.

Where the Title IX Coordinator files a Formal Title IX Sexual Harassment Complaint, the Title IX Coordinator is not considered a Complainant or otherwise a Party to the grievance process.

F. Dismissal of Formal Title IX Sexual Harassment Complaint; Appeal of Dismissal.

The University is required to dismiss a Formal Title IX Sexual Harassment Complaint if:

1. The conduct alleged, if true, does not constitute Title IX Sexual Harassment;
2. The conduct alleged did not occur in the University's education program or activity; or
3. The conduct alleged did not occur against a person in the United States.

The University may, but is not required to, dismiss a Formal Title IX Sexual Harassment Complaint at any time during the grievance process if:

1. An alleged victim notifies the Title IX Coordinator in writing that the alleged victim would like to withdraw the Formal Title IX Sexual Harassment Complaint or allegations therein;
2. The respondent is no longer enrolled or employed by the University; or
3. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Title IX Sexual Harassment Complaint or allegations therein.

Circumstances preventing University from gathering sufficient evidence to reach a determination includes, but are not limited to, the following: the report of Sex-Based Misconduct does not identify an alleged victim; the report of Sex-Based Misconduct includes precisely the same allegations that the University has already processed through this Policy; the length of time between an alleged incident of Sex-Based Misconduct and the filing of a Formal Title IX Sexual Harassment Complaint prevents the University from collecting enough evidence to reach a conclusion; or when the alleged victim has stopped participating in the investigation but has not sent a written withdrawal request and the only inculpatory evidence available is the alleged victim's statement in the Formal Title IX Sexual Harassment Complaint or as told to the Title IX Coordinator or a University investigator.

In all cases of dismissal of a Formal Title IX Sexual Harassment Complaint, regardless of whether the dismissal was mandatory or permissive, such dismissal does not preclude the University, in its sole discretion, from processing a report of Sex-Based Misconduct under the University's Grievance Process 1, or another appropriate University policy or procedure.

If the University dismisses a Formal Title IX Sexual Harassment Complaint, the Title IX Coordinator will promptly send written notice of the dismissal and reasons for such dismissal simultaneously to the Parties ("Notice of Dismissal of Formal Title IX Sexual Harassment Complaint"). Such notice shall include an option to appeal the determination regarding dismissal.

Either party may appeal the dismissal of a Formal Title IX Sexual Harassment Complaint on any of the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence not reasonably available at the time the determination of dismissal was made that could affect the outcome of the matter; or
3. The Title IX Coordinator had a conflict of interest or bias against a party, generally or individually, that affected the outcome of the matter.

Any appeal of a dismissal of a Formal Title IX Sexual Harassment Complaint must be made in writing to the Title IX Coordinator within five (5) business days of the date of the Notice of Dismissal of Formal Title IX Sexual Harassment Complaint and must set forth all grounds for the bases of such appeal. If an appeal does not set forth sufficient grounds for appeal, the appeal will be dismissed. If an appeal does set forth sufficient grounds for appeal, the appeal will be reviewed by an appeal adjudicator for final decision regarding dismissal on or around five (5) business days of the date of the appeal.

G. Option to Consolidate Formal Title IX Sexual Harassment Complaints.

The Title IX Coordinator may consolidate multiple Formal Title IX Sexual Harassment Complaints against more than one Title IX Sexual Harassment Respondent, or by more than one Title IX Sexual Harassment Complainant against one or more Title IX Sexual Harassment Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The requirement for the same facts or circumstances means that the multiple Title IX Sexual Harassment Complainants' allegations are so intertwined that their allegations directly relate to all parties.

H. Offer of Title IX Supportive Measures.

The Title IX Coordinator is responsible for offering and coordinating the effective implementation of Title IX Supportive Measures. In cases of alleged Title IX Sexual Harassment, regardless of whether or not a Formal Title IX Sexual Harassment Complaint has or will be filed, the Title IX Coordinator will promptly contact the alleged victim to discuss the availability of Title IX Supportive Measures and consider the person's wishes with respect to such measures. The Title IX Coordinator will engage in a meaningful dialogue with the alleged victim to determine which supportive measures may restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual

harassment. If a complainant desires supportive measures, the recipient can, and should, keep the complainant's identity confidential (including from the respondent), unless disclosing the complainant's identity is necessary to provide supportive measures for the complainant (e.g., where a no-contact order is appropriate and the respondent would need to know the identity of the complainant in order to comply with the no-contact order, or campus security is informed about the no-contact order in order to help enforce its terms).

When supportive measures are not provided to the alleged victim, the Title IX Coordinator shall document the reason why such measures were not provided and not clearly unreasonable in light of the known circumstances.

The Title IX Coordinator may also provide Title IX Supportive Measures to the person accused of Title IX Sexual Harassment, as appropriate.

I. Emergency Removal of Student Title IX Respondent; Appeal of Emergency Removal.

The Title IX Coordinator may remove a student Title IX Respondent from the education program or activity on an emergency basis only if:

1. Before such removal, the University will undertake an individualized safety and risk analysis, determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
2. The Title IX Respondent is provided with notice and an opportunity to appeal the decision immediately following the removal ("Notice of Emergency Removal").

To appeal a decision for emergency removal, a student Title IX Respondent must submit their appeal ("Emergency Removal Appeal") to the Title IX Coordinator in writing within seventy-two (72) hours of receiving the Notice of Emergency Removal. The Emergency Removal Appeal must describe the reasons why emergency removal is not appropriate.

The Emergency Removal Appeal will be reviewed by the Vice President of Student Development (or designee other than the Title IX Coordinator) which will issue a final decision on emergency removal, generally within forty-eight (48) hours of the Title IX Coordinator's receipt of the Emergency Removal Appeal. A Title IX Respondent is subject to the requirements of the emergency removal while the appeal is pending.

Nothing in this section precludes the University from placing an employee Title IX Respondent on paid administrative leave.

INFORMAL RESOLUTION OF COMPLAINTS INVOLVING STUDENT RESPONDENTS

Prior to the initiation of the appropriate grievance process or at any time prior to conclusion of a grievance process, a report of Prohibited Conduct (including Sex-Based Misconduct and Formal Title IX Sexual Harassment Complaints) may be resolved by an informal resolution process under the following circumstances:

1. Responsible Administrator, in consultation with the Department of Student Development (for student participants) and the Office of Human Resources (for employee participants), chooses to offer an informal resolution process;
2. In matters of Title IX Sexual Harassment, a Formal Title IX Sexual Harassment Complaint has been filed, or a Formal Title IX Sexual Harassment Complaint has been filed and then dismissed;
3. The respondent is a student, who is not also an employee, and the student is willing to accept the Preventative and Corrective Measures resulting from the informal process;
4. All parties have received a written notice disclosing the allegations, the requirements of the informal process, a statement that during the informal process either party has a right to withdraw and resume the applicable grievance process, and any consequences resulting from participating in the informal process, including what records will be maintained or shared from the informal process ("Notice of Informal Resolution Procedures");
5. The parties wish to resolve the matter without completion of an investigation or adjudication, or where the respondent desires to admit responsibility for the alleged Prohibited Conduct; and
6. The complainant and respondent both voluntarily provide written consent to participate in the informal process ("Participation Agreement").

The Responsible Administrator has authority to:

1. Require the University to be included as a party to an informal process; and/or
2. Terminate the informal process at any time prior to its completion and re-initiate the applicable grievance process if facts or circumstances emerge that indicate the matter is not appropriate for an informal process.

The Responsible Administrator's decision whether to offer an informal resolution process and whether to terminate such process prior to completion is final and not subject to appeal.

Informal resolution processes should generally be completed within thirty (30) business days from the initiation of the process. The documented agreement resulting from the informal resolution process is final and not subject to appeal. Following completion of an informal

resolution process, the Responsible Administrator (or designee) shall ensure the parties adhere to the outcome.

Information shared with a facilitator or mediator during the informal resolution process will not be used in a separate student conduct or grievance process if the informal process is not completed and the facilitator or mediator shall not become a witness to any subsequent grievance process. However, facts disclosed to a facilitator may otherwise be uncovered in the normal course of investigation if the applicable grievance process is re-initiated. Information shared between a complainant and respondent during an informal resolution process may be used in the applicable grievance process if the informal resolution process is not completed, in accordance with law and University policy.

Options which the Responsible Administrator may offer for informal resolution of Prohibited Conduct include:

1. A facilitated restorative justice process ("RJ Process"); and
2. A facilitated mediation ("Mediation"), as described below.

J. Restorative Justice Process.

A facilitated restorative justice process is philosophy of justice as well as a set of practices and seeks to:

1. Eliminate Prohibited Conduct;
2. Prevent recurrence of Prohibited Conduct; and
3. Address harm caused by Prohibited Conduct through active accountability in a manner that meets the needs of both complainant and the campus community.

A RJ Process is facilitated by someone trained in trauma-informed restorative justice practices who is impartial, and free from conflicts of interest or bias ("Facilitator").

Disputes of fact are permitted in a RJ Process; however, in all cases the student respondent must be willing to admit and take responsibility for the Prohibited Conduct as generally described in the report of Prohibited Conduct.

At the end of a RJ Process, an agreement is required to document the outcome that must be in writing and signed by the parties. The Facilitator shall deliver the agreement to the Responsible Administrator.

Aside from the requirements described above, the restorative justice facilitator has discretion in how best to conduct the process, including, but not limited to, whether face-to-face interaction between the parties occurs

K. Mediation.

Mediation is a process that seeks to help the parties resolve a dispute. Mediation is facilitated by an impartial facilitator who is free from conflicts of interest or bias ("Mediator"). The Mediator must be familiar with negotiation and dispute resolution protocols and may be, but is not required to be, an attorney. The Mediator
does not have the authority to unilaterally impose Preventative and Corrective Measures. The parties must agree to Preventative and Corrective Measures to resolve the matter.

Disputes of fact are permitted in a mediation process; however, in all cases the student respondent must be willing to negotiate regarding the appropriate imposition of Preventative and Corrective Measures to resolve the allegations generally set forth in the Formal Title IX Sexual Harassment Complaint.

At the end of a Mediation, the negotiated agreement must be in writing and signed by the parties, and the Mediator shall forward a copy of the agreement to the Responsible Administrator.

Aside from the requirements described above, the Mediator has discretion in how best to conduct the process, including, but not limited to, whether face-to-face interaction between the parties occurs.

GRIEVANCE PROCESS 1 FOR COMPLAINTS OF UNLAWFUL HARASSMENT, DISCRIMINATION, AND SEX-BASED MISCONDUCT, EXCEPT FOR FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINTS

The procedures set forth in this Section XII apply to all reports of Prohibited Conduct, including reports of unlawful harassment, discrimination and Sex-Based Misconduct, except those which meet the parameters of a Formal Title IX Complaint of Sexual Harassment and the Formal Title IX Sexual Harassment Complaint has not otherwise been dismissed.

L. Initial Review of the Complaint; Supportive Measures.

The Responsible Administrator shall conduct an initial review of the Complaint to determine whether an investigation is required and whether Supportive Measures are appropriate. An investigation is required when there is a dispute of fact which impacts the determination of whether conduct violating this Policy has occurred or it is otherwise in the best interest of the campus community to do so. Supportive Measures may include (but are not limited to): separating the parties; requiring the parties to abstain from communication with each other; modification to campus housing or work assignments; removal from on-campus housing; campus security escorts; making alternative working or academic arrangements; assistance with reporting allegations of criminal misconduct to police; and options for seeking mental health counseling or other support during the processing of a Complaint. In instances of allegations of

Sex-Based Misconduct where an investigation is not conducted, the Title IX Coordinator shall provide to the alleged victim information regarding Supportive Measures, on-campus and off-campus resources and supportive services, the importance of preserving evidence and identification/location of witnesses, and the availability of assistance to file a report with law enforcement and contact information to do so.

M. Assignment of Neutral Investigator; Notice of Complaint Procedures.

If an investigation is required, then the Responsible Administrator shall either directly investigate the matter or may assign a qualified neutral investigator to investigate the alleged misconduct ("Investigator"). In some cases, an investigative team may be utilized. The Responsible Administrator shall have broad discretion in selection of a neutral investigator, provided that the assigned Investigator has both the skills and resources necessary to conduct a complete investigation. The Investigator may be a University employee or a third-party investigator. All Investigators will carry out their roles in an impartial manner. Before the investigation begins, the Responsible Administrator will provide the Complainant and the Respondent with a Notice of Complaint & Investigation Procedures ("Notice of Complaint Procedures") that, generally, includes the following information:

1. The general nature of the alleged violations;
2. A summary of the grievance process, including a copy of the relevant portions of this Policy (including in matters of Sex-Based Misconduct information regarding the importance of preserving evidence and the identification and location of witnesses, and that such evidence may assist in proving a criminal offense or in obtaining a protection order);
3. The purpose of the investigation and a statement that the investigation is when all known and/or available evidence or information must be introduced;
4. A statement that knowingly making false statements or knowingly submitting false information to the University as part of the grievance process is a violation of this Policy and the codes of conduct applicable to employees and the Student Values and Behavioral Standards policy, and may subject the person doing so to corrective measures, up to and including expulsion from the University's academic program and/or termination from employment;
5. The identity and contact information of the Investigator;
6. A statement that the findings of fact will be based on a Preponderance of Evidence standard;
7. A statement warning against interference with the integrity of the investigation, including, but not limited to, discussions with witnesses which may be perceived as threatening or coercive;

8. Any Supportive Measures that have been imposed (including, in matters of Sex-Based Misconduct, information regarding the availability of both on-campus and off-campus resources and other supportive services);
9. The option for a Support Person;
10. An admonition against Retaliation;
11. A statement that any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to the same notice requirements; and
12. A statement that advises student parties of their right to consult with an attorney, at their own expense, at any stage of the process if they wish to do so and that an attorney may serve as a support person or an advisor.

N. Investigation Timeline and Process; Standard of Proof.

Generally, the investigation shall be complete within ninety (90) business days from the issuance of the Notice of Complaint. This deadline and all deadlines contained in this Policy may be extended by the University for good cause. The University shall not unreasonably deny a student party's request for an extension of a deadline related to a complaint during periods of examination or school closures. The Complainant and Respondent will be notified in writing of any such extensions, the reasons for the extension and the projected new timeline. During the investigation, the Investigator will meet separately with the Complainant, Respondent, and witnesses who may have relevant information, and will gather other available and relevant evidence and information. The Investigator will make findings of fact based on a preponderance of the evidence. The interviews may be electronically recorded at the discretion of the Investigator and will be maintained by the Responsible Administrator. It will be the sole electronic recording permitted; the parties and witnesses are not permitted to make their own recording of their interview. No recording devices, including cell phones, will be permitted in the room where the interview is taking place other than the Investigator's recording device. To the extent a student who is a Respondent declines to participate in the investigation, non-participation may not be used as a basis for appeal and the Investigator will make findings of fact without the input of the Respondent. Employees of the University are required to participate in the investigation process. The Investigator may bring support staff to investigative interviews or other proceedings to assist in the process. Parties and witnesses may bring an Advisory Support Person, as described below. No other persons are permitted at an investigatory interview or other proceeding unless granted permission by the Responsible Administrator.

O. Consent Required for Privileged Information.

The Investigator cannot access, consider, disclose, or otherwise use a Party's records which are protected by a legally recognized privilege, including, but not limited to, the following: the attorney-client privilege, questions and evidence made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or

paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the Investigator obtains that party's voluntary, written consent to do so.

P. Sexual History.

The Investigator may not consider a Complainant's prior or subsequent sexual history with the following two exceptions: if such information is offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Q. Prior Dating Relationship.

The Investigator may not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the Complainant and Respondent unless the evidence is relevant to how the parties communicated consent in prior or subsequent consensual sexual relations. Where the Investigator allows consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent, the mere fact that the Complainant and Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual. Before allowing the consideration of any evidence of a prior dating relationship, the Investigator shall provide a written explanation to the parties as to why consideration of the evidence is appropriate.

R. Investigation Documentation.

The Investigator shall prepare a written summary to the Responsible Administrator that includes a statement of the allegations and issues, the perspectives of the parties (e.g., admissions or denials), a summary of the evidence, findings of fact and information supporting such findings, credibility determinations for all witnesses, including the Complainant and Respondent without basing such determination on the person's status as a Complainant, Respondent or witness. At the request of the Responsible Administrator, the Investigator may also make a recommendation regarding whether any University policy violations occurred.

S. Investigation File.

The investigation file, including the final report, interview recordings and any documentary evidence relied upon by the Investigator, shall be maintained by the Responsible Administrator and shall not be made available to the Complainant, Respondent or any witness unless otherwise required by law (including, but not limited to, requirements under the Violence Against Women Act). The Responsible Administrator may share the investigation file with others as needed to carry out their obligations under this policy.

T. Preventative and Corrective Measures.

If no investigation is required, or following the completion of an investigation, the Responsible Administrator shall:

1. Forward the investigation file and/or other appropriate documentation for all matters involving
   employees (including student-employees) to the Office of Human Resources; and
2. Forward the investigation file and/or other appropriate documentation for all matters involving students to the Department of Student Development, for the purpose of determining whether a policy
   violation has occurred and, if so, what Preventative and Corrective Measures should be implemented. The Office of Human Resources and the Department of Student Development may issue Preventative and Corrective Measures or may refer the matter for further adjudication or resolution under other applicable University policies, and shall provide the Parties notice of the decision in writing ("Notice of Decision"), as appropriate. The Notice of Decision shall set forth the findings of fact and, if appropriate, all Preventative and Corrective Measures imposed. In cases of Sex-Based Misconduct involving a student Respondent, the Notice of Decision shall also set forth credibility assessments, if such assessments determined the outcome of the matter. Preventative and Corrective Measures may include, but are not limited to: training and education, counseling, suspension, participation in a voluntary restorative process, separation from employment, expulsion from the University's academic programs, or as otherwise defined in this Policy. Except as otherwise provided below in Sections XII.J. Right to Request a Student Judicial Board Hearing in Cases of Sex-Based Misconduct Where the Preventative and Corrective Measures Include Student Suspension or Expulsion from an Academic or Extracurricular Program, and XII.K Appeal Rights, the Notice of Decision shall be final.

U. Right to Request a Student Judicial Board Hearing in Cases of Sex-Based Misconduct Where the Preventative and Corrective Measures Include Student Suspension or Expulsion from an Academic or Extracurricular Program.

In situations where the Preventative and Corrective Measures to be imposed include suspension or expulsion from the University's academic program or University-controlled extracurricular programs, a student Respondent who disagrees with the Notice of Decision may request a hearing in writing submitted to the Responsible Administrator within five (5) business days only. The Title IX Coordinator shall establish procedures for the conducting of Student Judicial Board Hearing's for this purpose. Such procedures shall include, at a minimum, the following:

1. An external hearing officer may be, but is not required to be, utilized as part of the Student Judicial Board Hearing process;

2. At hearing the Respondent may indirectly question the Complainant and/or witnesses before a neutral
decision-maker with the power to independently find facts and make credibility assessments;
3. The hearing shall be informal, and rules of evidence shall not apply;
4. Questions for each person must be submitted to the Responsible Administrator by the Respondent at least three (3) days in advance of the hearing;
5. Only questions that are relevant will be permitted at the hearing;
6. Only the Parties, witnesses, Advisory Support Persons, the Title IX Coordinator, University support staff, and support staff of external professionals involved in the proceeding may attend the hearing;
7. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that the party did not identify during the investigation and that was available at the time of the investigation unless permitted by the discretion of the hearing officer for good cause. However, the hearing officer has discretion to accept for good cause, or exclude, such new evidence offered at the hearing;
8. Following the hearing, the Responsible Administrator will communicate the outcome to the Respondent with a Notice of Student Judicial Board Hearing Decision, which shall include the decision as to findings of fact and credibility. If the Respondent wishes, they may appeal the Notice of Student Judicial Board Decision as described in Section K Appeal Rights, below.

V. Appeal Rights.

Either the Complainant or the Respondent may appeal the Notice of Decision or Notice of Student Judicial Board Hearing Decision in writing submitted to the Responsible Administrator within five (5) business days from the date of the notice based on one or both of the following criteria:

1. New evidence has come to light that was not available at the time of the investigation; or
2. Procedural errors or unfairness, including, but not limited to, bias of an investigator, Responsible Administrator, hearing officer or decision-maker.

Only appeals which raise new evidence or procedural issues that may alter the findings of fact or decision regarding Preventative and Corrective Measures will be considered. Upon receipt of an appeal, the Responsible Administrator will review the appeal to determine if it meets the required criteria and, if so, forward the appeal to an appeal adjudicator. The appeal adjudicator may affirm the finding, affirm but modify the Preventative and Corrective Measures, or remand the matter back for further investigation and/or other proceedings. All appeals adjudicator decisions are final.

W. Notices.

All notices and communications to FPU faculty, staff, administration, and students will be delivered via the University's email system. All such parties have a responsibility to promptly read all University emails. For individuals outside of the FPU community (including former employees and former/withdrawn students), notices and communications will be sent to the most recent email and physical home address on file with the Responsible Administrator.

X. Advisory Support Person.

The Complainant and/or Respondent may choose anyone (including legal counsel, a colleague, friend, family member or other representative) to voluntarily serve as an advisory support person ("Support Person"). The Complainant and Respondent may be accompanied by their advisory support person to any meeting or proceeding under this Policy; however, the advisory support person may not speak on their behalf, advise them on how to answer a question of the Investigator, or otherwise engage with the Investigator or others participating in any part of the process under this Policy. The Complainant and Respondent must notify the Responsible Administrator at least three business days in advance if they wish to bring an advisory support person and must disclose their name and contact information to the Responsible Administrator. The Responsible Administrator may require the Complainant and/or Respondent to select a different advisory support person if the person selected is a witness to the matters contained in the Complaint.

GRIEVANCE PROCESS 2 FOR FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINTS

The grievance process set forth in this Section XIII applies only to Formal Title IX Sexual Harassment Complaints which are not otherwise dismissed pursuant to 34 Code of Federal Regulations Section 106.45.

Y. Formal Title IX Sexual Harassment Complaint Investigation Procedures.

Formal Title IX Sexual Harassment Complaints shall be investigated as follows:

1. Initial Review of the Complaint. The Title IX Coordinator shall conduct an initial review of the Complaint to determine whether an investigation is required. An investigation is required when there is a dispute of fact which impacts the determination of whether Title IX Sexual Harassment has occurred, or it is otherwise in the best interest of the campus community to do so. During the entirety of this grievance process, there will be a presumption that a Title IX Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

2. Assignment of Neutral Investigator. If an investigation is required, then the Title IX Coordinator shall assign a qualified neutral investigator to investigate the alleged misconduct ("Investigator"). In some cases, an investigative team may be utilized. The Investigator shall have no conflict of interest and be free of bias for or against a Title IX Complainant or Title IX Respondent generally or individually with respect to the people involved. Such determinations regarding bias shall be made by an objective evaluation of the circumstances without relying on stereotypes (e.g., assuming that all self-described feminists or survivors are biased against men, or that a man is incapable of being sensitive to women, or that prior work as a victim advocate or as a defense attorney renders the person biased for or against complainants or respondents). The Title IX Coordinator shall have broad discretion in selection of an Investigator, provided that the person assigned has both the skills, training and resources necessary to conduct a complete investigation. The Investigator may be a University employee or a third-party investigator.
3. Notice of Formal Title IX Sexual Harassment Complaint Procedures. Before the investigation begins, the Title IX Coordinator will simultaneously provide the Title IX Complainant and Title IX Respondent with a Notice of Formal Title IX Complaint & Investigation Procedures ("Notice of Formal Title IX Sexual Harassment Complaint"). If a party has already elected an Advisor and submitted the required documentation for their Advisor, the Notice of Formal Title IX Sexual Harassment Complaint shall also be delivered to the Advisor. Additionally, in the case of unemancipated minors, the Title IX Coordinator shall send a copy of such notice to the unemancipated minor's parent or guardian and is permitted to communicate with the parent or guardian regarding the grievance process. If the alleged victim's identity is unknown and the Formal Title IX Sexual Harassment Complaint is filed by the Title IX Coordinator, the Notice of Formal Title IX Sexual Harassment Complaint is not required to be provided to the alleged victim or a third party who may have filed the initial report of Title IX Sexual Harassment. The Notice of Formal Title IX Sexual Harassment Complaint shall include the following information, as applicable:

    a. The alleged conduct that, if true, constitutes Title IX Sexual Harassment, including, if known, the identities of the Parties involved in, and the date, time, and location of, the alleged incident;
    b. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
    c. A summary of the grievance process, including information regarding informal resolution procedures, each party's entitlement to inspect and review evidence, rights regarding an Advisor and a copy of this Policy;
    d. Information regarding the importance of preserving evidence and the identification and location of witnesses, and that such evidence may assist in proving a criminal offense or in obtaining a protection order in a court of law;
    e. The purpose of the investigation and a statement that the investigation is when all known and/or available evidence or information must be introduced;

f. A statement that knowingly making false statements or knowingly submitting false information to the University as part of the grievance process is a violation of this Policy and the codes of conduct applicable to employees and the Student Values and Behavioral Standards policy, and may subject the person doing so to corrective measures, up to and including expulsion from the University's academic program and/or termination from employment;
g. The identity and contact information for the Investigator;
h. A statement that the standard of evidence is a Preponderance of Evidence;
i. A statement warning against interference with the integrity of the investigation, including, but not limited to, discussions with witnesses which may be perceived as threatening or coercive;
j. Any Title IX Supportive Measures that have been imposed (including information regarding the availability of both on-campus and off-campus resources and other supportive services); and an admonition against Retaliation;
k. A statement that any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to the same notice requirements;
l. A statement that advises student parties of their right to consult with an attorney, at their own expense, at any stage of the process if they wish to do so and that an attorney may serve as a support person or an advisor.

4. Amended Notice of Formal Title IX Sexual Harassment Complaint. If during the course of the investigation, the Investigator will be investigating new allegations about the Parties that are not originally included in the Notice of Formal Title IX Sexual Harassment Complaint, then a subsequent notice containing these new allegations ("Amended Notice of Formal Title IX Sexual Harassment Complaint") will be issued to both Parties. Additionally, if the new allegations do not constitute Title IX Sexual Harassment then the University may elect to process those allegations under other applicable grievance or dispute resolution processes, including, but not limited to, Grievance Process 1 or those contained in student or employee handbooks.

5. Investigation Process.

   a. Timeline. Generally, the investigation shall be complete within ninety (90) business days from the issuance of the Notice of Formal Title IX Sexual Harassment Complaint to the Parties. This deadline and all deadlines contained in this Policy may be extended by the University for good cause. The Complainant and Respondent will be notified in writing of any such extensions, the reasons for the extension and the projected new timeline. The University shall not unreasonably deny a student party's request for an extension of a deadline related to a complaint during periods of examination or school closures.

   b. Standard of Proof. The applicable standard of proof shall be a Preponderance of

the Evidence.

c. Interviews, Participation of the Parties & Gathering of Evidence. The Investigator is the person primarily responsible for gathering evidence sufficient to reach a determination regarding responsibility (i.e., such burden shall not rest on the Parties). During the investigation, the Investigator will meet separately with the parties and witnesses who may have relevant information and will also gather other available and relevant evidence and information. The Investigator will provide an equal opportunity for the Parties to present witnesses, including fact and expert witnesses, and will objectively review other inculpatory and exculpatory evidence. The Investigator will also consider relevant circumstances such as the ages of the Complainant and Respondent, disability status, position of authority of involved parties and other factors. The Parties are permitted to discuss the allegations under investigation with others or to gather and present relevant evidence; however, the Parties are precluded from intimidating or otherwise tampering with Parties or witnesses or otherwise interfering with the investigation, such as by attempting to alter or prevent a Party or witnesses' testimony involved in the investigation. To the extent a student who is a Respondent declines to participate in the investigation, non-participation may not be used as a basis for appeal of the process and the Investigator will complete the investigation without the input of the Respondent. The interviews may be electronically recorded at the discretion of the Investigator and will be maintained by the Title IX Coordinator. It will be the sole electronic recording permitted; the Parties are not permitted to make their own recording of their interview. No recording devices, including cell phones, will be permitted in the room where the interview is taking place other than the Investigator's recording device. The University reserves all rights with regard to requiring employee participation in the investigation process provided by law and University policy. The Investigator may bring support staff to investigative interviews or other proceedings to assist in the process. Parties and witnesses may bring an Advisor, as described below. No other persons are permitted at an investigatory interview or other proceeding unless granted permission by the Title IX Coordinator.

d. Consent Required for Privileged Information. The Investigator cannot access, consider, disclose, or otherwise use a Party's records which are protected by a legally recognized privilege, including, but not limited to, the following: the attorney-client privilege, questions and evidence made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the Investigator obtains that party's voluntary, written consent to do so.

e. Sexual History. The Investigator may not consider a Title IX Complainant's prior sexual history with the following two exceptions: if such information is offered to prove that someone other than the respondent committed the conduct alleged by the Title IX Complainant, or if the questions and evidence concern specific incidents of the Title IX Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

f. Prior Dating Relationship. The Investigator may not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the Complainant and Respondent unless the evidence is relevant to how the parties communicated consent in prior or subsequent consensual sexual relations. Where the Investigator allows consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the complainant and the respondent, the mere fact that the complainant and respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual. Before allowing the consideration of any evidence of a prior dating relationship, the Investigator shall provide a written explanation to the parties as to why consideration of the evidence is appropriate.

6. Opportunity to Review Documentation and Information During Investigation Process. During the investigation process, the Investigator shall provide both Parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Title IX Sexual Harassment Complaint. This includes evidence upon which the University does not intend to rely on in reaching a determination regarding responsibility, and includes inculpatory or exculpatory evidence whether obtained from a Party or other source, such that each Party should be able to meaningfully respond to the evidence prior to conclusion of the investigation. All Parties should submit any evidence that they would like the Investigator to consider prior to when the Parties' time to inspect and review evidence begins.

   a. Redactions. The Investigator may redact information provided to either Party that is not directly related to the allegations or that is otherwise barred by a legally recognized privilege, or a Party's treatment records if the Party has not provided written consent as further described in Section A.5.d. Formal Title IX Sexual Harassment Complaint Investigation Procedures/Investigation Process/Consent Required for Privileged Information, of Section XIII Grievance Process 2 for Formal Title IX Sexual Harassment Complaints. The Title IX Coordinator shall keep a log of all information not directly related or that is otherwise withheld from the Parties.

   b. Procedures for Review of Documentation. The University will send to each Party and the Party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have ten (10) calendar days after

receiving this information to submit a written response which the Investigator will consider prior to completion of the investigative report. During this ten (10) calendar day period, both Parties may provide additional evidence in response to their inspection and review of the evidence that had been provided to them. The additional evidence provided by both parties will be shared with the other party and each party shall have an additional opportunity to respond to the other party's additional evidence during a five (5) calendar day period following the end of the ten (10) calendar day period. Following this process, the Investigator may also follow up with the Parties regarding any outstanding evidence either Party has not had a chance to speak to. No further review, exchange or submissions will be permitted at this stage.

7. Investigation Report; Parties' Review of Report. The Investigator shall prepare a written investigation report that fairly summarizes relevant evidence and includes copies of relevant documents as enclosures to the report ("Investigation Report"). The Investigation Report will include a statement summarizing the alleged misconduct, the perspectives of the parties (e.g., admissions or denials), a summary of the evidence, including a list of witnesses interviewed and documents reviewed. In a case where there are multiple Title IX Sexual Harassment Complainants and/or multiple Title IX Sexual Harassment Respondents, a single investigative report is permitted. At least ten (10) calendar days prior to the live hearing, the Investigator will send to each Party and each Party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. At the same time as the Investigator sends the Investigation Report to the Parties, the Investigator shall also send a copy of the Investigation Report to the Title IX Coordinator. During this ten (10) calendar day period the Parties may provide a written response to the Investigation Report to the Investigator.

8. Title IX Sexual Harassment Case File. The Title IX Sexual Harassment Case File shall include:

    a. The initial report of Sex-Based Misconduct;
    b. The Formal Complaint;
    c. All notices delivered to the parties;
    d. Copies of all documents and information provided to the parties for review and inspection (either included as part of the Investigation Report or as separate documents);
    e. The Parties written responses to the Investigator regarding their inspection and review of documents and information during the investigation;
    f. The Investigation Report including all exhibits; and
    g. The Parties written responses to the Investigation Report, if available.

9. Notices. All notices and communications to FPU faculty, staff, administration, and students will be delivered via the University's email system. All such parties have a responsibility to promptly read all University emails. For individuals outside of the FPU

community (including former employees and former/withdrawn students), notices and communications will be sent to the most recent email and physical home address on file with the Title IX Coordinator.

10. Advisor. The Title IX Complainant and/or Title IX Respondent may choose anyone (including legal counsel, a colleague, friend, family member or other representative) to voluntarily serve as an advisory support person ("Advisor"), but in all cases the parties must participate directly in all meetings or process prior to the live hearing. The Complainant and Respondent may be accompanied by their Advisor to any meeting or investigation process; however, the Advisor may not speak on their behalf, advise them on how to answer a question of Investigator, or engage with the Investigator or others participating in any part of the process (excluding the live hearing), or otherwise interfere with the investigation in any way—other than to take reasonable breaks during the meeting or proceeding to confer with the respective Party. The Complainant and Respondent must notify the Investigator at least three (3) business days in advance if they wish to bring an Advisor and must disclose their name and contact information to the Investigator. The University may require the Parties and Party advisors to enter into non-disclosure agreements and/or FERPA waivers.

Z. Live Hearing Procedures.

Formal Title IX Sexual Harassment Complaints shall be adjudicated at a live hearing ("Hearing") as set forth below. References to the "Parties" include the Title IX Complainant(s) and Title IX Respondent(s).

1. Hearing Officer Appointment and Purpose. The Title IX Coordinator shall appoint a Hearing Officer to conduct a live hearing as required under Title IX procedures. The Hearing Officer shall be the decision maker and shall:
    a. Evaluate all relevant evidence, both inculpatory and exculpatory, and independently reach determinations regarding findings of fact and whether the Title IX Respondent is responsible for Title IX Sexual Harassment; and
    b. Determine the appropriate Preventative and Corrective Measures, consistent with the University's past practice and this Policy.

2. Hearing Officer Qualifications. The Hearing Officer may be a University employee or external third-party, such as an attorney, so long as the person:
    a. Is not the Title IX Coordinator or Investigator;
    b. Is free from conflict of interest or bias, including bias for or against complainants or respondents generally or with respect to the individual parties;
    c. Has reviewed this Policy and understands the regulations applicable to the live hearing process pursuant to 34 Code of Federal Regulations Section 106.45; and

d. Is qualified by experience, education and/or training to effectively implement the requirements:

   i. To serve impartially;

   ii. Understand issues of relevance of evidence (including how to apply the sexual history evidentiary rules);

   iii. The preponderance of the evidence standard; and

   iv. Any technology to be used at the hearing.

3. Delivery of Notice, Documents, and Information. All notices to FPU faculty, staff, administration, and students will be delivered via the University's email system. All such parties have a responsibility to promptly read all University emails. For individuals outside of the FPU community, notices and communications will be sent to the most recent email address on file with the Title IX Coordinator or, if no email address is on file then to their last known physical address. Copies of all documents provided to the Parties will also be provided to each Party's advisor if known at the time the documents are delivered to the Parties. If a Party is an unemancipated minor, copies of all documents will be provided to the Party and a parent or guardian of the minor upon request of either
the parent/guardian or Party. The Title IX Sexual Harassment Case File and other relevant documents and information will be provided electronically unless otherwise requested by a hearing participant.

4. Virtual Hearing; Participants. Generally, all hearings will be virtual. A virtual hearing means that the Parties are located in separate locations such that the parties never come face-to-face with each other, the Hearing Officer, or witnesses. This may be done through the use of technology whereby all participants are still able to simultaneously see and hear the proceedings. At a virtual hearing, the Parties have the right to be present to observe and hear (or, if deaf, hard of hearing, blind or visually impaired, to access through auxiliary aids) testimony of all individuals who testify and to propose questions to be asked of all individuals who testify at the hearing through their Advisor. The University may, in its discretion, designate that the hearing will be in-person and, if so, either Party may request a virtual hearing instead. Such request must be made in writing submitted to the Title IX Coordinator at least five (5) calendar days prior to the Hearing. Only the Parties, witnesses, Advisors, the Title IX Coordinator, University support staff, and support staff of external professionals involved in the proceeding may attend the Hearing.

5. Pre-Hearing Procedures.

a. Notice of Hearing. The Title IX Coordinator will send a written Notice of Title IX Sexual Harassment Hearing to the Title IX Complainant and the Title IX Respondent at least fifteen (15) calendar days before the hearing. The Notice of Title IX Sexual Harassment Hearing shall include the following information:

   i. The date, time, location;

   ii. Purpose of the hearing;

   iii. The name of the Hearing Officer;

   iv. Other applicable pre-hearing, hearing and post-hearing procedures;

   v. An electronic or hard-copy of the Title IX Sexual Harassment Case File; and

   vi. Notification of whether the University had elected to hold the hearing in-person and, if so, information regarding how to request a virtual hearing.

   The Hearing Officer shall also receive a copy of the Notice of Title IX Sexual Harassment Hearing.

b. Summary of Information. At least ten (10) calendar days before the hearing, the Title IX Complainant and the Title IX Respondent will submit to the Title IX Coordinator a written summary of the information they intend to present at the hearing, including a list of documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony ("Summary of Information"). The Parties must provide the Title IX Coordinator with electronic or hard-copies of any documents not already in the Title IX Sexual Harassment Case File.

c. Notice to Witnesses. The Title IX Coordinator shall contact each requested witness and to notify them of the date, time, location of the Hearing and procedures relevant to their appearance ("Notice to Witness of Hearing Appearance").

d. Deadline for Response to Investigation Report. The last day for the Parties to submit their response to the Investigation Report is five (5) calendar days before the hearing.

e. Cross-Examination or Other Questions. The University encourages that the Parties submit their questions in advance of the hearing to the Title IX Coordinator to allow for a more efficient hearing process, although this does not preclude either Party from asking questions at the Hearing which were not previously submitted. Student parties will have the opportunity to submit written questions to the Hearing Officer in advance of the hearing. At the hearing, the other party will have the opportunity to note an objection to the

questions posed. If a Party chooses to submit questions in advance, they are encouraged to do so at least three (3) calendar days prior to the Hearing.

f. Pre-Hearing Packet. At least three (3) calendar days prior to the Hearing, the Title IX Coordinator will provide to each Party and the Hearing Officer, either a hard-copy or an electronic copy of the Pre-Hearing Packet, which shall include:

   i. The Summary of Information provided by the Parties;

   ii. Any new documents not already provided; and

   iii. A list of witnesses who are expected to appear at the Hearing.

g. Request for Disability Accommodations. If a Party, witness, Hearing Officer or Decision-Maker Panel member requires reasonable accommodation for a disability, they shall submit
such request in writing to the Title IX Coordinator along with supporting information from a healthcare provider as soon as possible and at least three (3) calendar days prior to the hearing.

6. Hearing Procedures.

   a. Hearing Officer Guidelines; Standard of Evidence. Prior to and during the live hearing the Hearing Officer shall approach each case without any preconceived ideas of the responsibility of the Parties involved and thoroughly review the Title IX Sexual Harassment Case File, Summaries of Information and any other relevant documents and information submitted by the Parties prior to hearing. To arrive at findings of fact and determination of responsibility the Hearing Officer must objectively evaluate relevant evidence (both inculpatory and exculpatory) and analyze whether that evidence warrants a high or low level of weight or credibility, including the credibility of each Party and witness. The Hearing Officer has discretion to accept or exclude additional information presented at the live hearing; however, the Hearing Officer may not exclude any evidence relevant to the allegations of Title IX Sexual Harassment. The standard of evidence at the Hearing shall be a Preponderance of the Evidence. The Hearing Officer may determine that an extension or continuance of the hearing is necessary and, if so, shall coordinate with the Title IX Coordinator to issue simultaneous notices to all Parties and witnesses.

   b. Recording. The University will create an audio or audiovisual recording, or transcript, of any live hearing and will make it available to the parties for inspection and review, within a reasonable time period following the hearing. The type of recording shall be at the Title IX Coordinator's discretion. The University's recording shall be the only recording permitted at Hearing, and the Parties will receive a copy of it with the Hearing Officer's Decision.

c. Hearing Advisor. Each Party is given the opportunity to choose their own advisor, who may but is not required to be an attorney, to attend the Hearing ("Hearing Advisor") to ask relevant questions of the other Party at the Hearing. If a Party does not select their own Hearing Advisor, the University will assign such Party their own Hearing Advisor selected by the University at no cost to the Party. The Hearing Advisor may be, but is not required to be, the Advisor who supported the Party during the investigation phase. The Parties are prohibited from being accompanied at the Hearing by anyone other than their Hearing Advisor except as follows:

   i. A parent or guardian of a Party who is an unemancipated minor may attend; and

   ii. Additional parties required as part of a reasonable accommodation for a disability (e.g., a sign language interpreter) may attend.

d. Availability of Evidence; Presentation of Evidence. The University will make all such evidence that has been shared with the Parties subject to the other Party's inspection and review available at the live hearing to give each Party equal opportunity to refer to such evidence during the hearing, including, but not limited to for purposes of cross-examination. The Title IX Coordinator (or designee), Investigator (or designee) or other University representative may, but is not required to, present evidence to the Hearing Officer at the Hearing. If the University presents evidence to the Hearing Officer, that shall not make the University a party to the proceeding. A designee or other University representative may be another University employee or an external third-party, such as an attorney or other qualified representative. The Complainant and Respondent will each have the opportunity to present the information they submitted (unless excluded by the Hearing Officer).

e. Rules of Procedure and Decorum. The Hearing Officer shall decide on any procedural issues as they may come up during the Hearing. The Hearing Officer will also make any determinations necessary to ensure an orderly, productive, and procedurally proper hearing. The Hearing Officer may pause or continue the proceeding as needed in order to make appropriate decisions on procedural issues, including issues of relevance of evidence. Complaint(s), respondent(s), witnesses, and Hearing Advisors are prohibited from interrupting or disturbing the hearing process. Additionally, Hearing Advisors are prohibited from questioning witnesses or the other Party in an abusive, intimidating, harassing, unduly time consuming, repetitive, or disrespectful manner. If a Party's Hearing Advisor refuses to comply with the rules of decorum they may be removed from the Hearing and, if so, the University shall provide that Party a different Hearing Advisor to conduct the cross examination on behalf of that Party.

f. Questions During Hearing.

i. Questions by Parties' Hearing Advisors. All questioning on behalf of a Party shall be done by the Parties' Hearing Advisors. The Hearing Advisor may only ask relevant cross-examination and other questions of a party or witness. After each question is asked by the Hearing Advisor, and before the Party or witness answers the question, the Hearing Officer will determine whether the question is relevant and, if it is not relevant, explain the decision to exclude the question. If a Party or witness is present at the Hearing, but disagrees with a relevance determination, they may either:

a. Abide by the hearing-officer determination and answering the question; or

b. Refuse to answer the question.

A Party or witness may not answer a question that the Hearing Officer has determined to be irrelevant. Unless the Hearing Officer reconsiders the relevance determination, the Hearing Officer cannot rely on any statement made by a Party or witness which that Party or witness has declined to answer regarding cross-examination questions.

ii. Questions by the Hearing Officer. Additionally, the Hearing Officer has the right and responsibility to ask questions and elicit information from Parties and witnesses on the Hearing officer's own initiative to aid the Hearing Officer in obtaining relevant evidence, both inculpatory and exculpatory.

iii. Failure to Appear for Cross-Examination. If a Party or witness does not submit to cross-examination at the live hearing, the Hearing Officer may still rely on any relevant statement of that Party or witness previously made in reaching a determination regarding responsibility, including, for example, those statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties, statements about the alleged misconduct, statements in police reports, sexual assault examination reports, medical reports and other documents even if those documents contain statements of a party or witness who is not cross-examined. However, the Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Statements that a Party or witness made to a third party when that witness or Party are unavailable themselves to be cross-examined at the live hearing (e.g., statements

that a party made to a family member or friend), including statements made against a Party's own interests, may still be relied on when the Party having made those statements fails to submit to cross-examination.[2]

iv. Irrelevant Questions. Questions regarding the below information are deemed not relevant and will be excluded at the Hearing unless the question(s) fall(s) into an exception described below.

1. Consent Required for Privileged Information. The Hearing Officer cannot access, consider, disclose, or otherwise use a Party's records which are protected by a legally recognized privilege, including, but not limited to, the following: the attorney-client privilege, questions and evidence made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the Party has provided voluntary, written consent to do so.

2. Sexual History. The Hearing Officer may not consider a Title IX Complainant's prior sexual history with the following two exceptions: if such information is offered to prove that someone other than the respondent committed the conduct alleged by the Title IX Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

3. Prior Dating Relationship. The Hearing Officer may not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the Complainant and Respondent unless the evidence is relevant to how the parties communicated consent in prior or subsequent consensual sexual relations. Where the Hearing Officer allows consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the complainant and the respondent, the mere fact that the complainant and respondent

[2] This Section XIII(B)(6)(f)(iii) was revised by FPU on September 21, 2021 in order to comply with Victim Rights Law Center et al. v. Cardona, United States District Court, District of Massachusetts orders filed July 28, 2021 and August 10, 2021, and the United States Department of Education Letter to Students, Educators and other Stakeholders dated August 24, 2021 regarding Victim Rights Law Center et al. v. Cardona. This revision shall be effective for all Grievance Process 2 hearings held on or after September 3, 2021 regardless of whether the facts giving rise to the alleged misconduct occurred before that date.

engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual. Before allowing the consideration of any evidence of a prior dating relationship, the Hearing Officer shall provide a written explanation to the parties as to why consideration of the evidence is appropriate.

4. Duplicative or Repetitive Questions. Once a question has been asked, duplicative or repetitive questions are irrelevant.
5. Questions of Witnesses Without Relevant Information. Questions of witnesses who do not have any relevant information regarding the allegations of Title IX Sexual Harassment.

7. Hearing Officer Decision. The Hearing Officer shall issue a written decision ("Hearing Officer Decision") to the Title IX Coordinator within ten (10) business days following the end of the Hearing. Additionally, where not enough information exists for the Hearing Officer to issue a decision, the Hearing Officer may remand the case for further investigation or consideration by the Investigator. The Title IX Coordinator shall simultaneously deliver the Hearing Officer Decision to the Parties within two (2) business days following receipt of it from the Hearing Officer. The Title IX Coordinator is responsible for the effective implementation of Preventative and Corrective Measures determined by the Hearing Officer. The Hearing Officer Decision becomes final when:
    a. The appeal deadline has passed; or
    b. The appeal process has concluded and the Parties receive notification of the appeal decision. Specifically, the Hearing Officer Decision shall include the following information:
        i. Identification of the allegations of Title IX Sexual Harassment;
        ii. A description of the procedural steps taken from the receipt of the Formal Title IX Sexual Harassment Complaint through the determination, including, but not limited to any notices to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and Hearing;
        iii. Findings of fact supporting the determination of whether the Title IX Respondent is responsible for Title IX Sexual Harassment;
        iv. Conclusions regarding the application of this Policy;
        v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any Preventative and Corrective Measures to be imposed on the Title IX Respondent and/or provided to the Title IX Complainant in order to restore or preserve equal access to the University's education program or activity;

vi. A summary of matters not addressed under the grievance process that may be separately addressed pursuant to another University policy including, but not necessarily limited to, codes of conduct applicable to employees and the Student Values and Behavioral Standards policy;

vii. A statement that the Title IX Coordinator is responsible for effective implementation of the Preventative and Corrective Measures;

viii. The University's procedures and grounds for appeal, and the name and contact information for the appeal adjudicator; and

ix. A copy of the recording of the Hearing.

8. Preventative and Corrective Measures – Guidelines for the Hearing Officer. Preventative and Corrective Measures should serve the purpose of stopping Title IX Sexual Harassment, preventing its recurrence, and restoring or preserving equal access to the University's education program or activity. Such measures need not avoid burdening a Title IX Respondent who has been found responsible for Title IX Sexual Harassment. Importantly, Preventative and Corrective Measures should appropriately reflect the University's commitment to education, personal growth, accountability, and ethical behavior. The Hearing Officer shall ensure they are consistent and proportionate responses to conduct that violates this Policy, taking into consideration the context and seriousness of the violation, and based on a fact-specific, case-by-case inquiry.

AA. Appeal of Hearing Officers Decision Regarding Title IX Sexual Harassment.

An appeal by either Party may be made in writing to the appeal adjudicator within five (5) calendar days after such Party has received the Hearing Officer Decision. An appeal must state the ground on which the appeal is made. Grounds for appeal are limited to:

1. Procedural irregularity that affected the outcome of the matter; or
2. New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, hearing officer, or Decision-Maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complaint or respondent that affected the outcome of the matter.

Upon receipt of an appeal, the appeal adjudicator shall forward the appeal to the other Party. The non-appealing Party will have five (5) calendar days to submit a written statement in support of or against the appeal to the Appeal Adjudicator.

Supportive Measures will continue to remain in place during the appeal process. However, no Corrective or Preventative Measures will be implemented prior to the appeal process ending. The appeal adjudicator will issue a written decision regarding the appeal and the rationale for appeal decision within ten (10) business days from the end of the five (5) calendar day period for

the non-appealing Party's statement deadline. This decision will be provided to both Parties simultaneously and will be a final determination regarding the Title IX Respondent's responsibility and cannot be further appealed.

POST-GRIEVANCE PROCESS RESTORATIVE JUSTICE PROCESS

Fresno Pacific University remains committed to supporting and encouraging the use of restorative justice within its community in order to recognize harm, restore relationships and to identify future intentions. To this end, following the completion of a grievance process under this Policy, either Party may request that the Responsible Administrator refer them to resources for facilitated restorative justice. Following a referral to a facilitated restorative justice program, it shall be the parties' responsibility to coordinate with such program directly.

In some cases, in order to facilitate the restorative process, the facilitator may need information regarding the grievance process. In that case, the facilitator shall submit a request for disclosure of information to the appropriate Responsible Administrator. The request shall be in writing signed by the facilitator. The decision whether to release such information is at the University's sole discretion and shall conform to applicable law
and policy. If a release of information is appropriate, the Responsible Administrator shall request the parties execute appropriate documentation prior to initiating the release.

OUTSIDE AGENCIES

FPU encourages all students and employees who believe they have been subjected to unlawful discrimination or harassment to bring their concerns to the University so that appropriate action can be taken. While it is not required that you exhaust the FPU's internal investigation process before contacting a governmental agency, FPU encourages all members of the FPU community to take advantage of the FPU's process for resolving harassment, discrimination and retaliation concerns and complaints. FPU cannot remedy claimed discrimination, harassment, or retaliation unless such complaints are brought to its attention. Failure to report these claims prevents FPU from taking steps to address the problem. If an FPU community member observes a violation of this policy or believes someone has violated this policy, the member is strongly encouraged to report the incident, irrespective of whether the alleged victim files a complaint themselves. Responsible Employees who learn of such a complaint are required to bring it to the University's attention as described within the policy.

The U.S. Equal Employment Opportunity Commission ("EEOC") and the California Department of Fair Employment and Housing ("DFEH") investigate reports of unlawful harassment, and sexual violence in employment. The U.S. Department of Education Office for Civil Rights ("OCR") investigates reports of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as fact finders and attempt to facilitate the voluntary resolution of disputes. For more information students/employee may contact these agencies as described below:

An employee of FPU may file a complaint with the Department of Fair Employment and Housing (1-800-884-1684; https://www.dfeh.ca.gov) or the U.S. Equal Employment Opportunity Commission (1-800-669-4000; https://www.eeoc.gov).

Students may file complaints regarding protected-class discrimination or harassment, including but not limited to Sex-Based Misconduct to the Office for Civil Rights (OCR) with the U.S. Department of Education (1-800-421-3481; ocr@ed.gov).

Fresno Pacific University and Local Resources

Fresno Pacific Main Campus:
Department of Campus Safety: (559) 453-2298

Student Life: (559) 453-2073
fresno.edu/student-life
Residence Life: (559) 453-2073

Human Resources: (559) 453-2245
fresno.edu/visitors/human-resources
HR@fresno.edu

Fresno Pacific Biblical Seminary (559) 453-2310
fresno.edu/about/seminary

On-Site Counseling Center Referral Line: (559) 453-8050
fresno.edu/student-life/student-services/site-counseling-program

Fresno Pacific All Campuses:
Student and Employee Assistance Program (Guidance Resources Program)
This service includes confidential counseling, financial guidance, resources and tools, legal information, resources and tools, and other online information, tools and services.

Employees: www.fresno.edu/about/drug-and-alcohol-policy/employee-assistance-program
Students: www.fresno.edu/student-life/student-services/student-assistance-program

Call: 800-311-4327
TTD: 800-697-0353
Fresno Pacific University Web ID: GEN311

Fresno Area:
Rape Counseling Center: (559) 222-7273
Marjaree Mason Center: (559) 237-4706

Visalia Area:
Family Services of Tulare County: (800) 448-2044

Bakersfield Area:
Alliance Against Family Violence & Sexual Assault (800) 273-7713 or (661) 327-1091

Law Enforcement:
Fresno County Sheriff's Office 2200 Fresno Street, Fresno, California 93701
Ph: 559 488-3939

Fresno Police Department 2550 Mariposa Street, Fresno, California 93701
Ph: 559 621-7000

Confidential Counseling
On-Site Counseling Center Referral Line
(559) 453-8050
Provides confidential psychological counseling
fresno.edu/student-life/student-services/site-counseling-program

Office of Spiritual Formation - Campus Pastor
(559) 453-3669
Provides confidential pastoral counseling and support
fresno.edu/student-life/spiritual-life

Other Resources

Fresno County Office of Civil Rights
The Fresno County Department of Social Services (DSS) has a Civil Rights coordinator to handle your complaints of discrimination based on race, color, national origin, ethnic group, religion, political affiliation, marital status, sex, sexual orientation, age, or disability. If you feel that you are the victim of discrimination, harassment, sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence and stalking please contact DSS Civil Rights at once. Please call (559) 600-2996 to speak to someone about your concerns
dhs.gov/how-do-i/file-civil-rights-complaint
Mailing Address:
PO Box 1912, Fresno, CA 93718-9888
Attention: 5KXB

Phone: Civil Rights (559) 600-2996
Welfare Relations (559) 600-6212

Office on Violence Against Women: Established the Violence Against Women act, the Office on Violence Against Women is designed to reduce violence against women and strengthen resources for all survivors of sexual assault, domestic violence, dating violence and stalking.

justice.gov/ovw

National Domestic Violence Hotline: Established by the Violence Against Women Act, the National Domestic Violence Hotline provides 24-hour support for people facing domestic violence.
thehotline.org/
1 (800) 799-7233
1 (800) 787-3224 (TTY)

Stalking Resource Center: Part of the National Center for Victims of Crime, the Stalking Resource Center provides assistance and guidance for those impacted by stalking.
victimsofcrime.org/our-programs/stalking-resource-center

NotAlone.gov: This government-sponsored Website contains resources on responding to and preventing sexual assault in schools.
notalone.gov

Rape, Abuse and Incest National Network (RAINN): This nonprofit organization has a twenty-four-hour hotline for anonymous support for people dealing with sexual assault and their friends and families.
rainn.org/get-help/national-sexual-assault-online-hotline

The National Suicide Prevention Hotline: This nonprofit organization has a twenty-four-hour, toll-free confidential suicide prevention hotline.
suicidepreventionlifeline.org/
1 (800) 273-8255

Love is Respect: The Love is Respect website offers information on how to recognize dating violence and seek help.
loveisrespect.org/

Pandora's Project: Information about working with LGBTQIA and gender-nonconforming students and same-sex sexual violence.
pandys.org/lgbtsurvivors.html

Child Welfare Information Gateway: For information on local state laws regarding mandatory reporting and confidentiality.
childwelfare.gov/topics/systemwide/laws-policies/statutes/manda/?hasBeenRedirected=1

MEGAN'S LAW

Megan's Law permits law enforcement agencies to advise the public about registered sex offenders from whom they may be at risk. Megan's Law is available for viewing at the following local law enforcement agencies with an appointment:

Fresno County Sheriff's Office
2200 Fresno Street,
Fresno, California 93701
Ph: (559) 488-3939

Fresno Police Department
2550 Mariposa Street,
Fresno, California 93701
Ph: (559) 621-7000

Fresno State University Police Department
2311 E. Barstow Avenue,
Fresno, California 93740
Ph: (559) 278-2800

State Center Community College Police Department
1101 E. University Avenue
Fresno, California 93701
Ph: (559) 442-8201

The California Department of Justice, Office of the Attorney General's website, dedicated to Megan's Law, is also available for searching: meganslaw.ca.gov.

MISSING STUDENTS

As a provider of on-campus housing, FPU has adopted the following policies and procedures.

Reporting a Missing Student

Students who have been missing for 24 hours should be reported to the Department of Campus Safety. In addition to the Department of Campus Safety, certain officials have significant responsibility for student and campus activities. Missing students may also be reported to these individuals.

- **Dean of Students**
- **Director of Residence Life**

- **Director of Athletics**
- **Team Coaches**
- **Faculty Mentors/Advisors**
- **Resident Directors**
- **Resident Assistants**
- **Regional Center Directors**

These individuals are trained annually on how to report a missing student or a crime. They will immediately report the missing person to the Department of Campus Safety.

Anti-Hazing Policy

Policy Statement
Fresno Pacific University (FPU) upholds the dignity and value of every individual and seeks to build a community of respect and safety grounded in Christ-centered values. Therefore, in compliance with the **Federal Stop Campus Hazing Act, California Education Code §§ 32050–32052, and California Penal Code section 245.6 (Matt's Law)**, FPU strictly prohibits any form of hazing by individuals or groups associated with the university.

Definition of Hazing
Stop Campus Hazing Act

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including

a. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
b. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
c. Causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
d. Causing, coercing, or otherwise inducing another person to perform sexual acts;
e. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
f. Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
g. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal law.

California Education Code §§ 32050–32052

Any initiation or pre-initiation method that could cause bodily danger, physical harm, or personal degradation resulting in physical or mental harm.
Section 32051 prohibits individuals from participating in or conspiring to engage in hazing. Violations can result in fines and potential jail time, with harsher penalties for hazing that results in serious injury or death.

California Penal Code section 245.6 (Matt's Law)

Any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state.
Under the law, a violation of Penal Code Section 245.6 that does not result in serious bodily injury is punishable as a misdemeanor, while a violation that results in death or injury is punishable as a felony or a misdemeanor.

Other examples of hazing include (but are not limited to):

- Threatening or causing physical restraint
- Nudity
- Throwing substances or objects at individuals
- Assigning chores or acts of servitude or humiliation
- Causing excessive exercise, sleep deprivation or excessive fatigue
- Requiring the wearing of apparel or acting in a way that is conspicuous and not within community norms

- Blindfolding
- Subjecting students to abusive or demeaning conduct
- Isolation from community
- Coerced illegal or unethical acts
- Interference with academic or personal well-being, such as adequate time for study

Because of the socially coercive nature of hazing, implied or expressed consent is not a defense under this policy.

Application of Policy

This policy applies to:

- All FPU students and student organizations, recognized or unrecognized.. (For example, but not limited to, athletic teams and club sports, music groups, clubs, student government, affinity groups, societies, associations, and unofficial student organized groups of 2 or more, etc.)
- Volunteers, coaches, and advisors
- Any university-sponsored events, both on and off campus

Other Prohibited Conduct

- Organizing, facilitating, or participating in hazing
- Failing to intervene or report known hazing activity
- Retaliation against anyone who reports hazing in good faith

Reporting Hazing

Reports may be made anonymously or directly to:

- **Office of Student Development**: student.development@fresno.edu
- **Campus Conduct Report Form**: How to Report | University Handbooks
- **Campus Safety**: (559) 453-2298
- **Title IX Office**: for incidents involving harassment or gender-based harm How to Report | University Handbooks

All reports are investigated promptly and confidentially to the extent possible.

Investigation and Response

The Title IX Office will coordinate investigations, if the alleged violation involves hazing that includes sex or gender-based harm or complaints including other protected classes such as, but not limited to, race, disability, citizenship, etc. Procedures for these complaints can be found here: Policy & Procedures | University Handbooks

The Office of Student Development will coordinate investigations, which may include:

- Interviews with relevant individuals
- Review of evidence and organizational activity
- Collaboration with law enforcement when required
- Hearing, Adjudication or Informal Resolution of the complaint under the FPU Behavioral Values and Expectations (found here: Values & Behavioral Standards | University Handbooks and Restorative Discipline Procedures found here: Restorative Discipline Procedure | University Handbooks.

If a group or individual is found responsible, disciplinary action may include:

- Education & Training
- Behavioral Contracts
- Accountability Meetings
- Community Service
- Restitution
- Fees/Fines
- Registration Holds/Dis-Enrollment
- Loss of Privileges, including removal of organizational recognition
- Parental Notification
- Disciplinary probation or expulsion
- Deferred or Interim Suspension
- Suspension or Expulsion
- Referral to criminal prosecution where applicable

Restorative Discipline Plans/Corrective Measures | University Handbooks

Education and Prevention

FPU provides **mandatory hazing prevention education** for**:**

- All new undergraduate students during orientation
- Members and leaders of student organizations
- Student-athletes and coaches and team personnel
- Staff and faculty serving in advisory roles

Education includes statistics, definitions, case examples, prevention strategies, and reporting information.

Transparency and Compliance

FPU will maintain records of hazing findings for at least **seven years** and publish a **biannual public report** of confirmed hazing violations involving student groups. These reports will be made available in the Annual Security Report and on the University's website and submitted to the U.S. Department of Education as required.

Hazing Statistics:

Findings for 2025: No findings

Notifications

Housing students identify an emergency contact person on their housing applications. This person or persons will be notified within 24 hours of the determination that the student is missing. This contact information will be held confidentially and be accessible only to authorized campus officials and to law enforcement personnel in furtherance of a missing person investigation. If students are under 18 years of age and not emancipated, FPU must also notify a custodial parent or guardian within 24 hours of the determination that the student is missing. The Department of Campus Safety will also notify local law enforcement agency within 24 hours of the determination that the student is missing, no matter what the student's age is

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ANNUAL SECURITY AND FIRE SAFETY REPORT

Annual Security and Fire Safety Report 2026



Department of Campus Safety
4866 E. Butler Avenue
Fresno, CA 93702
(559) 453-2298