



**EMBRY-RIDDLE**  
Aeronautical University  
PRESCOTT, ARIZONA

Annual Security and Fire Safety Report  
Embry-Riddle Aeronautical University – Prescott Campus  
Safety & Security Department  
October 1, 2018

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## **EMERGENCY NUMBERS**

### **ERAU Safety & Security Department:**

Emergency 24/7	928-777-3333
Administrative	928-777-3333
Director of Safety & Security	928-777-3738
Assistant Director of Safety & Security	928-777-3741
Fire-Life-Safety Officer	928-777-6748
Anonymous Tip Line	928-777-4688

### **Prescott Police Department:**

Emergency	911
Administrative	928-777-1900

### **Prescott Fire Department:**

Emergency	911
Administrative	928-777-1700

### **Yavapai County Sheriff's Office:**

Emergency	911
Administrative	928-771-3260

### **Life Line Ambulance Service:**

Emergency	911
Administrative	928-445-3814

### **Yavapai Regional Medical Center:**

Emergency	911
Administrative	928-445-2700

## **1. THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS SAFETY STATISTICS ACT**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a federal consumer protection law passed in 1990, requires all colleges and universities which receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus. This information is made publicly accessible through an Annual Security and Fire Safety Report.

The U.S. Department of Education and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act require this report be published by October 1st for the prior calendar year for review by the public and campus community. The report is prepared by the Campus Safety & Security Department with the cooperation of the Dean of Students office and assistance from the Prescott Police Department. Information sources include ARMS dispatch and recordkeeping and Maxient recordkeeping systems used by Safety & Security and Dean of Students, respectively.

The Campus Safety & Security Department contacts the Prescott Police Department each year to determine if they are aware of any Clery reportable crimes that should be documented on our Annual Security and Fire Safety Report. The City of Prescott Police Department does not report UCR crimes by geographical areas, rather they report crimes that occur within a 500 or 1,000-foot radius of a given address, so their data may include crimes that occurred outside our required reporting area. For calendar year 2017 we made a good faith effort to the request this information from the Prescott Police Department but the information was not provided to us in time for the publication deadline.

The Campus Safety & Security Department reviews all incidents and confirms that proper classification has taken place before they are added to the Annual Security and Fire Safety Report. The annual crime statistics are kept for seven years. Persons can see the report and review that statistics for the past three years on the Campus Safety & Security Department website <http://prescott.erau.edu/Assets/prescott/forms/security/Annual-Security-and-Fire-Safety-Report.pdf> or by visiting the Campus Safety & Security Department in Building 14.

An E-mail will be sent to the Embry-Riddle Prescott campus community providing a direct URL link to view the Annual Security and Fire Safety Report on or before the publishing date of October 1. This report will also be made available to all prospective students and employees at publicly accessible URL links.

Statistics included in the Annual Security and Fire Safety Report include:

### **Criminal Offenses**

- Murder
- Non-negligent Manslaughter
- Negligent Manslaughter
- Rape
- Fondling
- Incest

- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

### **Hate Crimes**

Any of the above-mentioned offenses, and any incidents of the following crimes which were motivated by bias:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

### **Arrests**

- Weapons Law Violations
- Drug Abuse Violations
- Liquor Law Violations

### **Referrals for Disciplinary Action**

- Weapons Law Violations
- Drug Abuse Violations
- Liquor Law Violations

### **VAWA Amendments to Clery**

- Domestic Violence
- Dating Violence
- Stalking

### **Fire Statistics for On-Campus Student Housing Facilities**

- Fires
- Injuries
- Deaths
- Damage

## **2. GENERAL INTRODUCTION**

Embry-Riddle Aeronautical University, Prescott campus consists of 2800 students and some 500 faculty and staff. We are not immune to the problems of modern society. Problems of personal safety, thefts and other crimes exist on, as well as off campus. Do not fall into the trap of considering the campus a sanctuary. Students are considered to be mature. They are

expected to obey the law and take personal responsibility for their conduct. This pamphlet is intended to heighten your awareness of your responsibilities and to demonstrate how to respond to unusual situations you may encounter.

Groups or individuals desiring additional information about Safety & Security are encouraged to contact the Embry-Riddle Aeronautical University Campus Safety & Security at 928-777-3333.

Tenants of Embry-Riddle residence halls can contribute greatly to their own safety, the safety of others and the protection of personal and University property. Please take the time to read this Report and follow its suggestions and directions.

By employing an attitude of personal responsibility, you will enhance the quality of life in your living area. Campus Safety & Security strongly suggests the implementation of these practices for your benefit and that of our community.

It should be stressed that the guidelines that follow are not guaranteed to shield and protect you in all situations. However, if you follow these guidelines you will greatly diminish the probability of being a victim, and substantially increase the possibility that you can handle unanticipated events in a sensible manner. An involved and empathetic citizenry; one in which each individual is willing to accept responsibility for his or her own safety, as well as willing to contribute to the community's well-being, is the best guarantee of a safe and secure environment.

### **3. PERSONAL SAFETY EDUCATIONAL PROGRAMS AND CRIME PREVENTION AT THE UNIVERSITY**

Embry-Riddle Aeronautical University believes that safety is everyone's responsibility and that "security begins at home." Our programs are designed to interact with all members of the University community at every level. Information and literature on crime prevention and personal safety is available at the Campus Safety & Security Office located in Building 14 (Between the Cashiers building and the Mailroom)

The parent and student orientation programs include informational sessions on crime prevention and safety services at the University. The Campus Safety & Security office offers such services as campus escorts and engravers for the marking of personal property. Additionally, free seminars on personal safety topics are presented each semester and are available to the entire University community. The Department of Housing and Residence Life Resident Assistants also receives special training in safety, security, and fire prevention.

In addition to our regular program of crime prevention services, the University carefully monitors crimes or other incidents, which are reported within the campus community. Incidents occurring on University property, which suggests a possible special concern for the safety of our community members, will result in a timely notice or emergency notification being distributed to the community.

## Protecting Yourself

Lock the door to your apartment or residence hall room when you are asleep, showering or alone in the room. These are some of your most vulnerable moments; you need the extra protection a locked door will offer.

Don't open your door to strangers. Identify your visitor before allowing access. Report immediately, to the appropriate maintenance source any problems with your door's security devices.

Do not give your name, address or phone number to strangers.

Do not carry more cash with you than you anticipate needing in one trip. Also do not flash large amounts of cash in public.

Whether traveling on foot, using public transportation, or operating a personal vehicle, have a friend go with you. It's more fun to travel with company, and there is extra safety in numbers. When going out, let your roommate, a friend, or a staff member know where you are going and when you expect to return. This is extremely important when planning outdoor activities.

At night, travel in well-lit areas. Travel on the most direct and highly traveled path. Do not take shortcuts through dark or deserted areas.

Walk and jog facing traffic whenever possible. This increases awareness of potential traffic hazards and also reduces the possibility of being followed unknowingly by someone in a vehicle. Be careful not to get too close to shadowed areas by buildings or shrubbery. Walk in the middle of the sidewalk, out of easy reach of potential attackers.

If you feel threatened, or suspect you are being followed, walk toward lighted areas where there are people. Look over your shoulder frequently. This lets the follower know you are aware of both their presence and your surroundings.

There are emergency phones located throughout this campus. They are designated by the word "emergency" and they have a blue light at the top of the call box. The phone has an emergency and non-emergency button that you can push. The phone call goes directly to our dispatcher who in turn will notify a Safety Officer. Use these phones to contact the Campus Safety & Security office for any reason.

If it is an emergency, state the call box number that is assigned to the phone you are using, and a Safety Officer will respond immediately.

When riding in a car, keep the doors locked. Park your car or motorcycle in a well-lit area. When you approach your car, have your keys ready. Look into the back and front seats to make sure the car is empty before you get in.

When traveling any considerable distance, put together a survival kit. Remember that Prescott is located in a mountainous region in which the weather can change rapidly. Rapid temperature changes and spontaneous storms do occur.

In periods of heavy rain, stay away from areas of known flash flooding or identified as flash flood areas. The currents created by the floods can sweep a vehicle away.

Be aware that this University has numerous types of insects and wild life that make this campus their home. Be careful and don't assume that they are all harmless.

Don't pick up hitchhikers and don't hitchhike!

If anything makes you look twice or feel uncomfortable, call Campus Safety & Security. Report any suspicious activity to Campus Safety & Security.

Keep in mind that when you become intoxicated you are letting down your protective guard. Keep in mind thieves look for the easiest target, which often is someone who is intoxicated.

If you choose to drink alcohol, please do so responsibly.

### **Protecting Your Possessions**

Lock the door when you are away from your room or apartment. Most burglaries in student housing units occur in unlocked, unoccupied rooms or apartments. Lock your door to remove the easy opportunity for thieves. This applies even if you are just down the hall. Remember that it takes less than thirty seconds to burglarize your room. Keep windows closed and locked when away from your room. This protects your belongings from both theft and surprise inclement weather.

Engrave all personal items of value with your student ID number or some other identifying number. Engraving tends to deter theft and assists in identifying possessions should they be stolen. An engraver is available at Campus Safety & Security.

Keep a record of the serial numbers of all your belongings. Items of value that do not have serial numbers should be photographed. Clothing can be marked on the inside label with an indelible laundry marker.

Don't advertise your valuables. Keep them out of sight. Arrange your room so those high-risk items such as cameras, stereos, and televisions are not visible from the outside when the door is open or from ground level windows.

Items of high monetary value and minimal use in a University environment (such as expensive jewelry) should be left at home. Very expensive items should be stored in a safety deposit box.



Do not keep large sums of cash in your room. A bank account is safer. Remember to keep your checks in a secure place. Do not talk indiscriminately about receiving money. There is no need to advertise to potential thieves.

Do not leave your belongings unattended in public areas such as restrooms, hallways, laundry rooms, and dining rooms. If you want to keep it, keep it with you.

Carry your purse or backpack close to your body and keep a tight grip on it. Mark items you regularly take to class such as books, backpacks, and calculators. Persons in laboratory classes should also mark all of their personal supplies with their name or some other identifying number.

Do not carry your identification cards and your checks in the same wallet. Keep them separate: I.D. in your bill fold in one pocket and checkbook in another pocket. If either are lost or stolen, the finder will not have access to your checking account. Do not carry your social security card in your purse or wallet!

Make a list of your credit cards, identification cards, and checking account numbers and keep the list in a safe place. If your purse or wallet is lost or stolen, you will then have a list of numbers to use when notifying the proper authorities. Remember you will need to contact not only the police, but also all credit card companies and banks with which you do business. Make these notifications immediately.

Insurance in housing units operated by Student Housing covers the institution's property only. Residents are encouraged to provide their own insurance against loss of or damage to personal possessions. If your family has homeowner's insurance, check with your family's agent about coverage.

### **Protecting Your Motor Vehicle**

Lock your motor vehicle and take the keys. Many car burglaries and car thefts occur because the owner did not take the time to secure the car. Do not make your car a target of opportunity by leaving it open to all who care to enter.

Do not park in isolated, dark places if these areas can be avoided. Park where there are people and where the car will be well-lit.

Do not leave items of value unattended in your car. Expensive cameras, stereo equipment, textbooks and clothing left on the seat of an unattended car are invitations to theft. If you must leave items in your car, store them in a locked trunk.

Specific parking areas are dedicated to residents at Student residence halls. Familiarize yourself with parking rules for these areas and obey them. Campus Safety & Security will issue citations, boot vehicles and/or tow vehicles when appropriate.

## **Protecting Your Bicycle**

Never leave your bicycle unlocked and unattended. Bicycles are to be secured to designated bicycle racks only.

Register your bicycle for a campus parking permit. Include your bike's serial number (located on the bottom bracket) when you register.

## **4. GENERAL CRIME PREVENTION/SAFETY SERVICES INFORMATION**

The following is a partial list of special services offered by the Campus Safety & Security Department:

### **Safe Walk**

Campus safety escort services are available on campus to everyone. A Safety & Security Department staff member will walk from any location on campus to any other location on campus, day or night, rain or shine.

### **Building Access**

Access will be given to facilities for those individuals who are properly authorized. If a resident of a University-managed housing facility is locked out of their room, they should first seek assistance from a member of the Housing staff. If they are not available, Campus Safety & Security personnel will be happy to assist you. You will be granted access to your building or room upon proof of your identity and access privilege.

### **Extended Parking**

If you need to leave your registered vehicle on campus overnight or for extended periods of time, call Campus Safety & Security and we will suggest the best place to leave it. The University cannot assume liability for loss or damage.

### **Special Events**

We will provide and/or coordinate Safety & Security services for special events on University property.

### **Operation ID**

Engravers are available for students to mark personal items and log serial numbers for their private records.

### **Lost and Found**

Lost and found is located in Campus Safety & Security in Building 14. Property is held for 30 days and then processed for disposal.

## **Anonymous Reporting**

Persons are encouraged to report all crimes to the Campus Safety & Security Department. Persons can call 928-777-4688 to report anonymously.

## **Handicap/Injured Person Transport**

Campus Safety & Security will try to accommodate any person that is mobility-impaired if staffing is available. Requests must come from the Wellness Center.

## **5. BUILDING SECURITY, SAFETY AND ACCESS ISSUES**

If you notice a condition that you consider a hazardous circumstance in your apartment, dorm or campus area, please notify the Department of Housing and Residence Life staff or your Resident Assistant (RA). You may also report a hazardous situation to Campus Safety & Security.

Because of concerns for personal safety and the protection of property, University facilities are locked after business hours according to established schedules set by Campus Safety and the University department which controls the location. Any entry into a secured area after hours requires written approval from the controlling department head and notification to Campus Safety & Security. Students, faculty, and staff shall carry their University identification with them at all times and present it on request of any University official.

University housing facilities are restricted to residents and invited guests. RA's check for propped open doors and remind residents of the importance to keep doors locked to help prevent crime. Residents are strongly encouraged to keep their individual doors and windows locked at all times. If a resident of a University-managed housing facility is locked out of their building or their room, they should first seek assistance from a member of the Housing staff by calling 928-777-3790.

The University is committed to providing a safe and secure environment throughout its facilities. The campus is patrolled by safety officers on a regular basis and officers pay close attention to maintaining the physical security of the University. Students, faculty, and staff are encouraged to report lock problems, lighting problems, safety or security concerns, unauthorized persons, or suspicious conditions to Campus Safety & Security as soon as possible.

## **6. LAW ENFORCEMENT ON CAMPUS**

The Campus Safety & Security Department is not a sworn public law enforcement agency. There is no specific Memorandum of Understanding (MOU) between ERAU and Prescott PD. Campus Safety & Security works closely with the Prescott Police Department and will notify them when a crime is committed on campus.

Safety Officers are responsible for maintaining a safe and secure environment throughout the University. They enforce University rules and regulations, patrol campus grounds, respond to emergencies, provide routine and specialized security service, investigate incidents, and

facilitate the response of community emergency services as required. While Safety Officers are not certified law enforcement officers with arrest powers, they do receive training in various aspects of campus Safety & Security, with special training in campus and police relations.

Armed Security Officers are responsible for maintaining a safe and secure environment throughout the University. They enforce University rules and regulations, patrol campus grounds, respond to emergencies, provide routine and specialized security service, investigate incidents, and facilitate the response of community emergency services as required. While armed Security Officers are not certified law enforcement officers with arrest powers, they do receive training in various aspects of campus Safety & Security, with special training in campus and police relations. Armed Security Officers have been trained in the use of a sidearm, which they wear while on duty.

## **7. REPORTING CRIMES ON CAMPUS**

Embry-Riddle Aeronautical University encourages all members of the University community to report crimes or suspicious conditions as soon as possible. The prompt and accurate reporting of such conditions will help Campus Safety & Security to investigate the incident, and initiate appropriate actions, including notification and coordination with the police department and other community agencies as appropriate.

Safety Officers assist in facilitating police service for individuals on campus as appropriate. The University encourages all victims of crime to report the incident to Campus Safety & Security and the Police Department as soon as possible. A Safety Officer will be happy to assist you complete this process. To report a crime on campus, call 777-3333, to speak with a Dispatcher. To report a crime to the Prescott Police Department please call 911.

## **8. DAILY CRIME LOG**

The Campus Safety & Security Department uses an ARMS Automated Record Management System, as its case management system. Campus Safety & Security also maintains a daily crime log for Clery compliance purposes. This log can be viewed upon request in the Safety & Security office. The log lists all crimes that have been reported over the prior 60 days and includes crime type, date reported, date of incident, location and disposition if available. The crime will be listed on log within two days of being reported. Once a crime is listed on the daily crime log a disposition can only be changed to "Unfounded" by Prescott Police Department. If Campus Safety & Security investigates the case and believes the case is a false report or unfounded Campus Safety & Security will contact the Prescott Police Department to review disposition. If the case is judged unfounded by the Prescott Police Department it will be documented on the original case report.

## **9. LIMITED CONFIDENTIAL REPORTING PROCESS**

Campus Safety & Security encourages anyone who is a victim of a crime or a witness to a crime to report the incident. As our incident reports may be subject to discovery by subpoena Campus Safety & Security cannot guarantee absolute privacy. Anonymous

reports may be made through our anonymous reporting process. If you wish make a report anonymously you may call 928-777-4688 to leave a recorded message.

## **10. COUNSELOR REPORTING PROCESS**

The University does not require counselors to report crimes to the Campus Safety & Security. We do encourage our counseling professionals to inform their clients of the procedure to report a crime to Campus Safety & Security or the Prescott Police Department. In the event a Counselor becomes aware of a Clery reportable offense they will share the fact for statistical purposes without violating their client confidentiality.

## **11. HATE CRIMES REPORTING**

This University takes hate crimes very seriously and encourages the campus community to report any incident that may fall into this category. Reportable hate crimes apply to all Clery reportable crimes under the Clery Act. The Higher Education Opportunity Act specifies four additional crimes that should be reported under the Clery Act if they are committed as part of a hate crime. These crimes are Larceny-theft, Simple Assault, Intimidation and Vandalism.

## **12. REPORTING OFF-CAMPUS CRIME**

Campus Safety & Security encourages all students and all other members of the campus community to report off campus crimes to the Prescott Police Department or their appropriate jurisdiction. We also encourage victims of crimes on campus to report crimes to Prescott Police Department. Persons can call 911 if it is an emergency and 928-777-1900 for non-emergency situations.

## **13. TIMELY WARNING PROCESS**

The purpose of a timely warning is to notify the campus community when a threat may exist on University property and it is considered an ongoing hazard. Campus Safety & Security – in consultation with campus leadership, university General Counsel, the Dean of Students office, and local law enforcement agencies – will determine if the situation at hand is a reportable Clery crime and requires a timely warning. Campus Safety & Security will then be responsible for notification. Notification may take the form of campus-wide email, fliers, posters, or group meetings. Anyone with information that may warrant community notification and a timely warning is encouraged to call Campus Safety & Security at 928-777-3333.

## **14. EMERGENCY NOTIFICATION PROCESS**

Campus Safety & Security is responsible for all campus-wide emergency notifications. The RAVE system may be activated by any Dispatcher, Safety Officer, Security Officer, or Safety & Security management representative by logging in to the RAVE application. If necessary, RAVE messages may also be initiated by the Dispatch office at our sister campus in Daytona Beach. A RAVE announcement may also be made by calling the application provider's service desk. This allows the campus to, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system.

The RAVE emergency mass notification system can send email, voice and text messages to smartphones, Alertus messages to campus computers, and public address loud speakers. Emergency notifications go to all students, faculty and staff, on and off campus, who have set up their notifications for this service. Additional notifications may include public address messages made from patrol vehicle loudspeakers. Notifications will be made promptly and will describe the emergency and recommend action to take. Messages for severe weather and active shooter are pre-formatted. Other emergencies require that the specific message be crafted by the dispatcher, safety or security officer, or safety management personnel making the announcement. Depending on the nature of the emergency external public address system may or may not be used. There will be a full test of the RAVE emergency notification - email, text, voicemail, public address, and Alertus – at the beginning of each semester. An email describing the purpose of the drill and the means by which members of the campus community may opt-in to additional notification methods is sent to the entire campus prior to the drill. The RAVE system is tested silently every two weeks by each member of the Safety & Security Department. During this test each staff member logs in to RAVE and sends a test message to selected management representatives.

## **15. ACTIONS IN EMERGENCY SITUATIONS**

Emergency responses are coordinated by Safety & Security personnel, as well as the Emergency Operations Team (EOT). The EOT is composed of campus leadership personnel who meet for table top exercises four times a year. EOT exercises include topics such as active shooter, wildfire, building fire, contagious illness, missing persons, etc.

Emergency procedures are published on the Prescott Campus Safety & Security Department webpages <http://prescott.erau.edu/about/security/index.html>, in brochures, and are communicated in UNIV 101, CIPS, and ERLI new student briefings. The following outline consists of emergency conditions that can occur on campus. Every type of emergency condition cannot be covered, but the following can be used on any similar emergency or hazardous event. Please familiarize yourself to be prepared in the event of an emergency. It is Campus Safety & Security's responsibility to make notifications, respond, assist victims, mitigate, and contain the emergency.

### **Fire Alarm**

When you hear a fire alarm please immediately leave the building in an orderly fashion. Cooperation is imperative with all staff members and other authorities. Permission will be given to reenter the building when it is safe to do so.

### **Medical Emergencies**

For any situation requiring emergency medical assistance on campus call 911 then ERAU Campus Safety & Security at 928-777- 3333 (x3333 from an internal phone). Both numbers will result in an ambulance response if the emergency warrants.

## Hostile Person on Campus

How you respond to a hostile intruder or an active shooter will be dictated by the specific circumstances of the encounter. You are encouraged to view the “Shots Fired on Campus” and “Run, Hide, Fight” videos on the University Safety/Risk Management webpages <https://ernie.erau.edu/Departments/University-Safety-Office/emergency-management/Pages/Shots-Fired.aspx>. These training material provide tools with which to survive an incident.

## Other Emergencies

The campus posts Emergency Response Guides <http://prescott.erau.edu/-/media/files/prescott/this-is-prescott/campus-safety/emergency-response-guide.pdf> in offices and classrooms throughout the campus. The University also has a Campus Emergency Management Plan (CEMP) available on line internally. This plan outlines a variety of emergency response procedures.

## 16. ALCOHOL POLICIES

The University has established policies regarding the possession, use, and abuse of alcohol on the campus. The following information is drawn from the Student Handbook.

### 4. Alcohol

- A. The possession or consumption of alcohol by anyone under the age of 21; being under the influence of alcohol may be viewed as possession.
- B. Having knowledge of, or being in the presence when an alcohol violation occurs, may constitute equal responsibility and involvement in the incident.
- C. Purchasing for or providing alcohol to anyone under the age of 21.
- D. The possession of alcohol on University owned or operated property (excluding exempted locations such as residence hall 43 rooms with approved alcohol permit or preapproved events) is prohibited.
- E. Showing physical or mental impairment following or resulting from alcohol use.
- F. The possession of or use of powdered/vapor alcohol or “vaportinis” or similar devices on University owned or operated property is prohibited.

### 15. University Managed Housing Policies

- A. Alcohol –only individuals who are 21 years of age or older are permitted to possess and/or consume alcoholic beverages and must follow these guidelines
  - I. Alcohol is only permitted in the residence halls designated where upper division and transfer students reside. All students who wish to consume/possess

alcoholic beverages must obtain an alcohol permit from the Department of Housing and Residence Life (HRL) and post in plain view within their assigned living area.

II. Alcohol is not permitted in the common areas and/or around the residence halls.

III. Alcohol may not be consumed in the presence of any individual under the age of 21 who does not live in the suite/apartment.

IV. Beer, wine, wine coolers, and malt beverages are the only types of alcohol permitted in the halls. The maximum amount of alcohol allowed by a permit holding student at any given time is 12 (12oz) bottles of beer/wine cooler/malt beverages and/or two bottles of wine. Hard liquor and alcohol/energy combination drinks of any kind are prohibited.

The entire Student Handbook is available on line at <https://prescott.erau.edu/-/media/files/prescott/campus-life/dean-of-students/prescott-student-handbook.pdf>

## **17. SUBSTANCE ABUSE POLICY**

It is the policy of the University to maintain a work and educational environment that is safe for our employees and students and conducive to high work standards. The University complies with the Drug Free Workplace Act of 1988, the Drug Free Schools & Communities Act Amendments of 1989, all University drug policies, and all other pertinent federal, state, and local regulations regarding drug and alcohol possession, use, and abuse. The following policy statements are drawn from the Student Handbook.

### **3. Drugs**

A. The sale, manufacture, distribution, possession and use of illegal drugs on or off campus is prohibited. This includes but is not limited to: misuse of over-the-counter drugs; misuse or sharing of prescription drugs; possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug; possessing paraphernalia (i.e., rolling papers, pipes, bong, etc.) for intended or implied use of any form of illegal drug. Possessing paraphernalia that contains or appears to contain illegal drug residue; purchasing or passing illegal drugs from one person to another and using mail services to purchase, pass, or distribute illegal drugs. Illegal drugs include but are not limited to: recreational drugs, non-medical marijuana, synthetic/novelty powders and any substance designed/used to alter a person's state of mind (such as Spice, K-2, Salvia and Bath Salts), cocaine, methamphetamines, heroin, or materials to create an illegal drug.

B. Drug paraphernalia or other paraphernalia used to facilitate illegal use of a legal substance, stimulants, hallucinogens, or other similar non-prescribed agents known to be harmful or habit forming drugs or chemicals (such as those used in huffing), and attempting to manufacture or sell counterfeit drugs.



C. Medicinal Marijuana is not permitted on campus or at University sponsored events. This includes, but is not limited to, the possession of the substance in any form (edibles or other forms) as well as paraphernalia including pipes with or without residue, rolling papers, bongos, etc. \*Embry-Riddle does not permit the use or possession of medicinal marijuana or paraphernalia on campus (see Medicinal Marijuana policy)

## Medical Marijuana Policy

In 2010, Arizona voters approved the Arizona Medical Marijuana Act (Proposition 203), which, under certain circumstances, authorizes the possession and use of marijuana for medical purposes by people with debilitating medical conditions who obtain a written certification from a physician. Notwithstanding the passage of Proposition 203, because of the University's obligations under Federal law, marijuana, including medical marijuana, will continue to be banned on campus. Additionally, campus health care providers, in accordance with Federal law as well as University policies and regulations, will not prescribe medical marijuana. Under Federal legislation entitled The Drug Free Workplace Act of 1988, and The Drug Free Schools and Communities Act of 1989, "no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any Federally funded or guaranteed student loan program, unless it has adopted and has 85 implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees." Federal law entitled The Controlled Substances Act prohibits the use, manufacture, distribution, dispensing, or possession of marijuana; it also classifies marijuana as a controlled substance and makes no exception for medical use. Proposition 203 does not change the fact that marijuana remains illegal under Federal law; the University will therefore continue to enforce its current policies prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, including medical marijuana, on its property or as part of any of its activities. In summary, despite popular misconception, Proposition 203 only made possession and use of medical marijuana legal under Arizona law. It did not generally legalize marijuana possession and use. Marijuana remains a controlled substance under Federal law and possession and use of marijuana remains illegal under Federal law, regardless of whether a person has a prescription or is otherwise complying with Proposition 203. In order to remain eligible to receive Federal grant funding and participate in federally funded student financial aid, the University must require that students, faculty, and staff do not unlawfully possess or use marijuana on campus or as part of any of its activities. As a result, the possession or use of marijuana on campus, even in accordance with the exceptions granted by Proposition 203, is a violation of Federal law and the University's current policies and regulations. Employees and students who violate these policies will continue to be subject to disciplinary action.

The entire Student Handbook is available on line at <https://prescott.erau.edu/-/media/files/prescott/campus-life/dean-of-students/prescott-student-handbook.pdf>

Embry-Riddle Aeronautical University will provide education for students, faculty, and staff through program development and literature distribution. Enforcement of state and federal drug laws may be referred to police agencies having jurisdiction.

The University promotes substance abuse awareness by sponsoring educational programs and distributing literature on the subject. The University is additionally committed to assisting students in the resolution of problems associated with substance abuse. We encourage students to seek additional help through referrals from University Wellness Center at 928-777-6653 or Counseling Center at 928-777-3312. Programming and literature is also provided by the Department of Housing and Residence Life at 928-777- 3744. Information on substance abuse is also covered in the Student's Rights and Responsibility section of the Student Handbook.

## **18. MISSING STUDENT PROCESS**

The Higher Education Opportunity Act requires this university to make a policy statement on the campus missing student policy. This policy originates from the Dean of Students office, but is included in this Annual Campus Security and fire Report.

### **Reporting requirements**

**On Campus Students:** All Faculty, staff and students have a responsibility to report any student living on campus that may be missing from the campus community for more than 24 hours. You are required to make your report to the Campus Safety & Security Department.

**Off Campus Students:** All faculty, staff and students have a responsibility to report any students living off campus that may show signs of being missing from the campus community. Failure, to attend classes, campus functions, and missed appointments, may be signs of a possible problem. We encourage reporting under these circumstances. There is no 24-hour reporting requirement under the Higher Education Opportunity Act for Off Campus Students, although you are encouraged to report your concerns to the campus Safety & Security Department.

### **Emergency information**

It is the university's responsibility to collect and maintain confidential student contact information in case an on campus student is reported missing. This information will be collected by the Department of Housing and Resident Life during the regular check in process at the beginning of Fall and Spring semester. This confidential information will be filed in a secured location within the Department of Housing and Resident Life or review only by authorized individuals if the information is required. If a student is under 18 years of age his or her custodial parent or guardian will be notified as well.

### **Notification process**

The Campus Safety & Security Department through the Dean of Students Office is responsible for reporting missing students to local law enforcement within 24 hours of completing a preliminary investigation.

The Campus Safety & Security Department through the Dean of Students Office is also responsible for notifying students registered contacts and the custodial parents or guardian if

the student is under the age of 18 years in addition to any confidential emergency contact (if different).

If the student is an off campus student it is the responsibility of the student's custodial parents or guardian. They in turn are responsible for contacting local law enforcement.

### **Investigative Process**

A university incident report will be completed by the Safety Department. The Safety & Security Department will adhere to the following investigative procedure:

- Contact suitemates and friends.
- Contact instructors and advisors.
- Contact Campus Wellness Center.
- Contact Campus Student Employment.
- Contact Campus Post Office.
- Contact Department of Housing and Resident Life for room search.
- Check class schedules and attendance.
- Check parking lots for students registered vehicle.
- Campus wide notification if required.

Once the internal investigative process is complete and if the student cannot be located, all information will be turned over to the local law enforcement agency with jurisdictional responsibility.

The Safety & Security Department will monitor local law enforcement and keep the Dean of Students Office updated on any developments. Dean of Student's Office will be responsible to notify all other campus authorities to include; the Chief Operating Officer, the Records Office and the Chief Academic Official.

### **19. VIOLENCE AGAINST WOMEN ACT (VAWA)**

Sexual assault is unacceptable and will not be tolerated at Embry-Riddle Aeronautical University. It is a criminal act under Arizona State Law and will be treated as such. The University urges an individual who has been sexually assaulted to file an official report. We encourage any member of the campus community that has information about a sexual assault to report the incident to Campus Safety & Security or the Title IX Office. Campus Safety & Security and the Title IX Office will also encourage anyone reporting a crime to report it the Prescott Police Department or other appropriate law enforcement agency. Information on the prevention and response to a sexual assault on campus can be found in the University's Civil Rights Equity and Sex/Gender-based Harassment, Discrimination, and Sexual Misconduct policy at <https://prescott.erau.edu/title-ix/>

Embry-Riddle Aeronautical University Prescott Campus prohibits acts, termed "Sexual Misconduct" by the Embry-Riddle Aeronautical University Prescott Campus, which can be crimes as well. Sexual misconduct includes, but is not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking, and sexual harassment. While Embry-Riddle

Aeronautical University Prescott utilizes different standards and definitions than the State of Arizona Revised Statutes, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX <https://prescott.erau.edu/title-ix/> and the Clery Act, which mandates the contents of this report.

It is the policy of Embry-Riddle Aeronautical University Prescott Campus to notify Campus Safety & Security when sexual misconduct occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement, but may also respect a victim's request not to do so.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, the Embry-Riddle Aeronautical University Prescott Campus utilizes a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming. Some of these awareness programs include "You Got This!" an on-line module for students, live presentations presented during new student orientation, as well as on-line training modules provided to faculty, staff, and contractors.

It is the policy of the Embry-Riddle Aeronautical University Prescott Campus to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the State of Arizona definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Programs are informed by evidence-based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

In the event that sexual misconduct, gender-based violence, or the crimes of sexual assault, stalking, dating violence, or domestic violence do occur, the Embry-Riddle Aeronautical

University Prescott Campus takes the matter very seriously. The Embry-Riddle Aeronautical University Prescott Campus employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the University's Nondiscrimination Policy in the student handbook. A student wishing to officially report such an incident may do so by contacting Campus Safety & Security at (928) 777-3333 or the Title IX Coordinator at (928) 777-3747. Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a victim chooses to report to local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through the Embry-Riddle Aeronautical University Prescott Campus resolution process.

If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact Campus Safety & Security at (928) 777-3333 if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the ERAU Counseling Center for counseling services, support and guidance. The ERAU Counseling Center can provide confidential resources.

After regular business hours, or in any situation where a victim wishes, local resources, such as Yavapai Family Advocacy Center (928)775-0669, are also available and may be able to provide confidential assistance.

4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital or Yavapai Family Advocacy Center will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
  - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
  - Typically, if police are involved or will be involved, they will obtain evidence from the

scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet to avoid contamination.

- If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
  - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
  - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
  - If you obtain external orders of protection (e.g., Orders of Protection or an Injunction against Harassment), please notify Campus Safety & Security or the campus Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from ERAU Counseling Services, the Women's and Diversity Center, and/or the Yavapai Family Advocacy Center.
6. Contact Campus Safety & Security at (928) 777-3333 if you need assistance with Embry-Riddle Aeronautical University Prescott campus concerns, such as no-contact orders or other protective measures. The Title IX Coordinator or the Title IX Investigator can also assist in any needed advice for students who wish to obtain protective or restraining orders from local authorities.

The Embry-Riddle Aeronautical University Prescott Campus is able to offer reasonable academic support, changes to living arrangements, security escorts, no contact orders, counseling services access, and other support and resources as needed by a victim. The Embry-Riddle Aeronautical University Prescott Campus is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for involved parties.

## **Legal Definitions**

Rape is generally defined by states as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under Arizona law, rape is defined as sexual intercourse against the will of the victim that can occur under a variety of circumstances, including:

- Where the victim is prevented from resisting due to alcohol or drugs.
- Where the assailant uses physical force or the threat of force to overpower and control the victim.
- Where the victim fears that s/he or another will be injured if the victim does not submit.

- Where the victim is at the time unconscious of the nature of the act, and this is known to the assailant.
- Where the victim is incapable of giving legal consent due to a mental disorder or developmental or physical disability, and this is known or reasonably should be known to the assailant.
- Where the act is accomplished by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another person.
- Where the assailant uses duress, such as a direct or implied threat of hardship or retribution, to coerce the victim.
- Where the assailant uses force, fear, or threats to accomplish sexual intercourse against the will of the spouse. This provision of the law is known as the "spousal rape law."

The complete Arizona rape and sexual assault offense definitions can be found in accordance to the Arizona Revised Statutes under Title 13 (Criminal Code) Chapter 14 (Sexual Offenses)

<https://www.azleg.gov/FormatDocument.asp?inDoc=/ars/13/01401.htm&Title=13&DocType=ARS>

### **Other Sexual Offenses**

Other sexual offenses associated with the crime of rape include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

For further information regarding Embry-Riddle's Prescott campus Nondiscrimination Policy and Procedures go to <https://prescott.erau.edu/title-ix/>

### **Sex/Gender Based Harassment, Discrimination, and Sexual Misconduct**

Any violation of the Civil Rights Equity & Sex/Gender Based Harassment, Discrimination, and Sexual Misconduct Resolution policy will fall under Title IX and will be handled in accordance with the Civil Rights Equity & Sex/Gender Based Harassment, Discrimination, and Sexual Misconduct Resolution Process.

A. Consent: Consent is an explicitly communicated, reversible mutual agreement in which all parties are capable of making a decision. Consent is informed, voluntary, and actively given. Consent exists when all parties exchange mutually understandable affirmative words or behavior indicating their agreement to participate voluntarily in sexual activity.

- 1) Consent is active, not passive.
- 2) Silence, in and of itself, cannot be interpreted as consent.
- 3) Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.

- 4) Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- 5) Previous relationships or prior consent cannot imply consent to future sexual acts
- 6) Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
- 7) In order to give consent, one must be of legal age. Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.

B. Force/Manipulation: Force is the use of physical violence and/or imposing on someone physically or verbally to gain sexual access. It includes, but is not limited to coercion, intimidation, and physical violence.

- 1) Coercion: Coercion is unreasonable pressure for sexual activity; pressure that continues after a person(s) has indicated the first time that they do not want to go further. Example: when person "A" makes it clear they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, but continued pressure to engage in sexual activity by person "B" continues, is considered coercion.
- 2) Intimidation: Intimidation is defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class.
- 3) Physical Violence: "Physical violence is the intentional use of physical force with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to, scratching; pushing; shoving; throwing; grabbing; biting; choking; shaking; slapping; punching; burning; use of a weapon; and use of restraints or one's body, size, or strength against another person" (CDC, 2007).

NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but nonconsensual sexual activity is not by definition forced.

C. Incapacitation: An individual is incapacitated when they are not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically impaired, from developmental disability, by alcohol or other drug consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep, involuntarily physically restrained, or otherwise unaware that the sexual activity is occurring.

In addition, an individual is incapacitated if they demonstrate that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual activity. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of



control over physical movements (such as walking without assistance), being unaware of circumstances or surroundings, or being unable to communicate for any reason.

An individual in a blackout state may or may not meet the definition of incapacitation. Such an individual may appear to act normally, but later may not have recall of the events in question. The extent to which a person in this state affirmatively gives words or actions indicating a willingness to engage in sexual activity and the other person is unaware – or reasonably could not have known – of the alcohol consumption or blackout, must be evaluated in determining whether consent could be considered as having been given.

D. Non-Consensual Sexual Intercourse (NCSI): Any sexual penetration or intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force.

E. Non-Consensual Sexual Contact (NCSC): Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.

F. Sexual exploitation: Sexual exploitation is an act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, for their own advantage or to benefit anyone other than the Reporting Party. Examples of sexual exploitation include, but are not limited to:

- 1) Creating picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior, or a state of undress, of another person without the other's knowledge and consent;
- 2) Sharing picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior, or a state of undress, of another person without the other's knowledge and consent;
- 3) Observing, or assisting others, with the observation of sexual behavior or a state of undress of another person without the knowledge and consent of that person;
- 4) "Peeping Tom" or voyeuristic behaviors;
- 5) Engaging in sexual behavior with knowledge of an illness or disease (HIV, STD, or STI) that could be transmitted by the behavior without full and appropriate disclosure to the partner(s) of all health and safety concerns;
- 6) Engaging in or attempting to engage others in "escort services" or "dating services", which include or encourage sexual behavior in exchange for money or other benefit or reward;
- 7) Purposefully providing drugs or alcohol to a person for personal gain;
- 8) Exposing another person to pornographic material without the person's advance knowledge or consent.

- 9) Intentionally or recklessly exposing one's genitals in nonconsensual circumstances; 1  
This would include using a camera to take pictures or video under the skirt of a person.
- 10) Sexually-based stalking and/or bullying.

G. Harassment: The University's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

- 1) Quid Pro Quo Harassment: A University employee or someone in an authoritative role explicitly or implicitly conditions a student's/employee's participation in an education program or activity or bases an educational decision on the student's/employee's submission to unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid pro quo harassment will not be tolerated whether the student/employee resists and suffers the threatened harm or submits and thus avoids the threatened harm.
- 2) Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other sex-based and/or gender-based physical, written, visual, or verbal conduct of a sexual nature where:
  - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
  - b) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or
  - c) such conduct has the purpose or effect of:
    - i) Unreasonably interfering with an individual's academic, social or professional performance; or
    - ii) Creating an intimidating, hostile, or demeaning employment or educational environment.

H. Hostile Environment: A hostile environment is created when the offense is: sufficiently severe, persistent, or pervasive. For example: actions that unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the University's educational [and/or employment], social and/or residential program. A hostile environment may be created by oral, written, graphic, and physical conduct that is sufficiently severe, persistent, or pervasive that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs, or activities or employment access, benefits, or opportunities.

Additional information pertaining to ERAU's Sexual Assault, Sexual Harassment and Sexual Misconduct Policy can be found at <https://prescott.erau.edu/title-ix> Please see the Title IX Coordinator for more information.

## **Sex Offenders**

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Embry-Riddle Aeronautical University Prescott Campus is providing a link to the Arizona State Sex Offender Registry [http://www.azdps.gov/services/sex\\_offender/](http://www.azdps.gov/services/sex_offender/) All sex offenders are required to register in the state of Arizona and to provide notice of each institution of higher education in Arizona at which the person is employed, carries out a vocation, or is a student.

In addition to the above notice to the State of Arizona, all sex offenders are required to deliver written notice of their status as a sex offender to Embry-Riddle Aeronautical University Prescott Campus no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the Embry-Riddle Aeronautical University Prescott Campus. Such notification may be disseminated by Embry-Riddle Aeronautical University Prescott Campus to, and for the safety and well-being of, the Embry-Riddle community, and may be considered by the Embry-Riddle for enrollment and discipline purposes.

## **Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and Other Acts of Sex and Gender Discrimination**

For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions options include warning, suspension, expulsion or termination of employment. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment.

Procedurally, when Embry-Riddle Aeronautical University Prescott Campus receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Embry-Riddle Aeronautical University Prescott Campus will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, targeted intervention, etc.). If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on-or off-campus victim's advisor. No victim is required to take advantage of these services and resources, but Embry-Riddle Aeronautical University Prescott Campus provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures, in the form of this document, is provided to all victims, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and impartial process to be initiated, commencing with an investigation, which may lead to

the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of Embry-Riddle Aeronautical University can be found online here: <http://prescott.erau.edu/Assets/prescott/forms/sexual-misconduct-resolution-process.pdf> The Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, Embry-Riddle Aeronautical University Prescott Campus acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

The investigation and records of the resolution conducted by Embry-Riddle Aeronautical University Prescott Campus are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Arizona law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, Embry-Riddle Aeronautical University Prescott Campus maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The role of advisors is described in detail here <https://prescott.erau.edu/title-ix/> Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any), and the rationale therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of Embry-Riddle Aeronautical University Prescott Campus' process for a Request for Reconsideration.

Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final. Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus

administrators. Embry-Riddle Aeronautical University Prescott Campus does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator, Dr. Elizabeth Frost (928-777-3747) and/or to officials of the U.S. Department of Education.

Reporting of statistics under the Clery Act uses federal offenses definitions that allow comparability across campuses, regardless of the state in which the campus is located. These definitions are as follows:

### **Sex Offenses**

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. Rape — Vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact, without consent.
- B. 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.
- C. Incest — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. Statutory Rape — Sexual intercourse with a person who is under the statutory age of consent.

### **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.

- A. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- B. For the purposes of this definition:
  - i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - ii. Dating violence does not include acts covered under the definition of domestic violence.
- C. For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Domestic Violence**

A felony or misdemeanor crime of violence committed:

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D. 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
- E. By any other person against an adult or youth victim who is protected

## **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- A. Fear for the person's safety or the safety of others; or
- B. Suffer substantial emotional distress.
- C. For the purposes of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

## **20. TITLE IX**

The University's approach to Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., is described in its Civil Rights Equity & Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy <https://prescott.erau.edu/title-ix>

## **Reporting Options**

Victims are not required to file a report with Law Enforcement, but are encouraged to do so and will be assisted by campus authorities in notifying law enforcement if the victim chooses regardless of whether a victim opts to report the crime, accommodations or protective measures may be provided if the victim requests.

Embry– Riddle will take steps to keep your information private to the extent allowed by law.

## **Filing a Complaint with Embry-Riddle**

In addition to or in lieu of filing a criminal complaint, those who feel they have been the victim of the University's Civil Rights Equity and Sex/Gender-Based Harassment, Discrimination and Sexual Misconduct Policy have the right to file a complaint with the University at any time even if police conclude they do not have sufficient evidence for a criminal charge.

## **Filing a Criminal Complaint**

Victims of sexual assault, domestic violence, dating violence and stalking can file a criminal complaint by contacting the local law enforcement agency having jurisdiction over the location of the incident.

## The Process

Embry-Riddle guarantees a prompt, fair, and impartial process from the initial investigation to the final result. Investigations will be conducted by officials who receive annual training on: the issues related to dating violence, domestic violence, sexual assault and stalking; how to conduct an investigation; and resolution processes that protect the safety of victims and promote accountability.

If the complainant wishes to pursue a resolution or if the University, based on the alleged policy violation, wishes to pursue a resolution, then the Title IX Coordinator appoints trained investigators to conduct the investigation, usually within two business days of determining that a resolution should proceed. Investigations are completed expeditiously, normally within 10-14 business days of the completion of the preliminary inquiry by the Title IX Coordinator. Investigations may take longer when, for example, initial reports fail to provide direct first-hand information or in complex situations.

The University's resolution will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. However, the University may undertake a short delay (several days to weeks) in its investigation or resolution process, to comply with a law enforcement request for cooperation (e.g.: to allow for criminal evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The University will promptly resume its investigation and processes once notified by law enforcement that the initial evidence collection process is complete.

All investigations will be thorough, reliable and impartial, and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

The investigator will take the following steps (not necessarily in order):

- In coordination with campus partners (e.g.: the campus Title IX Coordinator), initiate any necessary remedial actions;
- Determine the identity and contact information of the complainant and respondent;
- Identify the exact policies allegedly violated;
- Conduct an immediate initial inquiry to determine if there is reasonable cause to charge the respondent, and what policy violations should be alleged as part of the charge;
- If there is insufficient evidence to support reasonable cause, the report should be closed with no further action;
- Meet with the complainant and respondent to finalize their statement, and
- Prepare the notice of charges on the basis of the initial inquiry;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the respondent, who may be given notice prior to or at the time of the interview;
- Complete the investigation promptly, and without unreasonable delay;
- Provide regular updates to both the complainant and respondent, as appropriate, throughout the investigation;

- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- Share a draft report with the parties and allowing them a period of comment before a report is finalized;
- Once the report is finalized the parties will be allowed to review and provide final commentary which will accompany the report.

At any point during the investigation, if it is determined there is no reasonable cause to believe that University policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

Where the respondent is found not responsible for the alleged violation(s), the investigation will be closed. Where a violation is found, the University will act to end the discrimination, prevent its recurrence, and remedy its effects on the reporting party and the University community.

Written notification will be made by the Title IX Coordinator to all parties of the outcome, to the extent permitted by or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking and/or intimate partner violence, the written notification includes the finding, any resulting responsive actions, and the rationale for the decision. This written notification of final decision will be provided in person and/or emailed to the parties' university-issued email accounts, without undue delay between the notifications. Once received in person or emailed, the notice of decision will be deemed presumptively delivered. Within the written notifications, there will be an explanation of the request for reconsideration process along with any changes to the results that could occur before the decision is finalized, and when it is finalized, if it is not, such as when subject to grievance procedures, appeal, tenure revocation proceedings, mandatory arbitration, union proceedings, etc.

### **Statement of the Rights of the Reporting Party**

- The right to investigation and appropriate resolution of all credible reports or notice of sexual misconduct, harassment, or discrimination made in good faith to University officials.
- The right to be informed in advance of any public release of information regarding the incident.
- The right of the reporting party not to have any personally identifiable information released to the public, without his or her consent.
- The right to be treated with respect by University officials.
- The right to have University policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual misconduct, harassment, or discrimination to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the student, faculty or staff so chooses. This also includes the right not to report, if this is the Reporting party's desire.



- The right to have reports of sexual misconduct, harassment, or discrimination responded to promptly and with sensitivity by University officials.
- The right to be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services for victims of sexual assault, both on campus and in the community.
- The right to a campus no contact order (or a trespass order against a non-affiliated 3rd party) when someone has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the reporting party or others.
- The right to notification of and options for, and available assistance in, changing work, academic and living situations after an alleged sexual misconduct incident, if so requested by the reporting party and if such changes are reasonably available (no formal report, or investigation, campus or criminal, need occur before this option is available).

Accommodations for students may include:

- Change of University owned or operated housing to a different location;
- Assistance from University support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Exam (paper, assignment) rescheduling;
- Taking an incomplete in a class;
- Transferring class sections;
- Temporary withdrawal;
- Alternative course completion options.

Accommodations for employees may include:

- Change of an office or other work location;
  - Rescheduling or reassigning work tasks or committee assignments;
  - Alternative parking assignment;
  - Leave with pay.
- The right to have the University maintain such accommodations for as long as is necessary, and for protective measures to remain confidential, provided confidentiality does not impair the University's ability to provide the accommodations or protective measures.
  - The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report.
  - The right to ask the investigators to identify and question relevant witnesses, including expert witnesses.
  - The right to be informed of all evidence available regarding the allegation(s), and the responding party and witness statements, subject to the privacy limitations imposed by state and federal law.
  - The right to be informed of the names of all witnesses who will be interviewed, except in cases where a witness' identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed).

- The right not to have irrelevant prior sexual history considered in determining responsibility; (Note- exceptions may be made when the reporting party's sexual history with others may be relevant to the allegation – largely because the reporting party may raise the issue by claiming they would never engage in certain behaviors when evidence indicates otherwise).
- The right to regular updates on the status of the investigation and/or resolution;
- The right to have reports heard by investigators who have received at least eight hours of annual Civil Rights training.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to petition that any Investigator or Title IX Coordinator be recused on the basis of demonstrated bias.
- The right to bring an advisor of the reporting party's choosing to all phases of the investigation and resolution proceeding.
- The right to provide evidence by means other than being in the same room with the responding party.
- The right to have the University compel the participation of student, faculty, staff, and administrator witnesses, during an investigation.
- The right to make or provide an impact statement in person or in writing to the Investigator prior to the completion of the investigation.
- The right to be informed of the outcome, sanctions, and the right to make a request for reconsideration of the resolution process in writing, without undue delay between the notifications to the parties, and usually within 2 business days of the end of the process for any sexual misconduct/sexual harassment violation.
- The right to be informed in writing when a decision by the University is considered final.

### **Statement of the Rights of the Responding Party**

- The right to investigation and appropriate resolution of all credible reports of sexual misconduct, harassment, or discrimination made in good faith to University administrators.
- The right to be informed in advance, when possible, of any public release of information regarding the incident.
- The right to be treated with respect by University officials.
- The right to have University policies and procedures followed without material deviation.
- The right to be informed of and have access to resources for medical, health, counseling, and advisory services.
- The right to be fully informed of the nature, policies and procedures of the campus resolution process and to timely written notice of all alleged violations within the report.
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses.
- The right to be informed of all evidence available regarding the allegation(s), and the reporting party and witness statements, subject to the privacy limitations imposed by state and federal law.
- The right to be informed of the names of all witnesses who will be interviewed, except in cases where a witness' identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed).
- The right not to have irrelevant prior sexual history considered in a campus resolution process; (Note- exceptions may be made when the reporting party's sexual history with

others may be relevant to the allegation – largely because the reporting party may raise the issue by claiming they would never engage in certain behaviors when evidence indicates otherwise).

- The right to have reports heard by investigators who have received at least eight hours of annual Civil Rights training.
- The right to petition that any Investigator or Title IX Coordinator be recused on the basis of demonstrated bias.
- The right to have the University compel the participation of student, faculty, staff, and administrator witnesses and the right to challenge documentary evidence.
- The right to have an advisor of their choice to accompany and assist in the campus resolution process.
- The right to provide evidence by means other than being in the same room with the reporting party.
- The right to a fundamentally fair resolution, as defined in these procedures.
- The right to make or provide an impact statement in person or in writing to the Investigator prior to the completion of the investigation.
- The right to a decision based solely on evidence presented during the resolution process. Such evidence shall be credible, relevant, based in fact, and without prejudice.
- The right to be informed of the outcome, sanctions and the right to make a request for reconsideration of the resolution process in writing, without undue delay between the notifications to the parties, and usually within 2 business days of the end of the process for any sexual misconduct/sexual harassment violation.
- The right to be informed in writing of when a decision of the University is considered final.

### **Campus-wide Communication of the Embry-Riddle Civil Rights Equity & Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy Communication**

In addition to be posted at the Campus' Title IX webpage <https://prescott.erau.edu/title-ix/> each school year an email regarding Embry-Riddle's Civil Rights Equity & Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy is sent by the Title IX administrator to all students, faculty, and staff which reads as follows:

Embry-Riddle Aeronautical University continually strives to recognize, respect, and celebrate the differences and cultural identities among individuals as we recruit, support, and embrace our diverse community. We work to provide a safe environment where self-expression is welcome. We strive to create a campus climate free of discrimination, so that networks, partnerships, and cultural competency continue to be fostered through leadership, integrity, care and respect. In doing so, Embry-Riddle does not permit discrimination or harassment in its programs and activities on the basis of race, color, national origin, sex, gender identity, gender expression, sexual orientation, disability, veteran status, predisposing genetic characteristic, age, religion, pregnancy status or any other characteristic protected by University policy or state, local, or federal law.

If you feel that you may have been discriminated against based on race, color, national origin, age, religion, pregnancy, veteran status, disability, or any other characteristic protected by University policy or state, local, or federal law, please report the incident using the "Harassment, Discrimination (including sexual misconduct) and Retaliation Complaint

Form" [https://cm.maxient.com/reportingform.php?EmbryRiddlePrescott&layout\\_id=40](https://cm.maxient.com/reportingform.php?EmbryRiddlePrescott&layout_id=40) or to the following staff who can assist:

Dr. Elizabeth Frost, Associate Dean of Students & Title IX Coordinator  
Dean of Students Office, Building 49  
(928) 777-3747  
[froste@erau.edu](mailto:froste@erau.edu)

If you would like to discuss your situation or concerns in a confidential manner, please contact Counseling Center at 928-777-3312. By talking with a Counseling professional staff member, information shared will not be released without your consent unless there is a perceived threat to self or someone else.

The University is obligated by Arizona State Law to report any sexual misconduct or abuse of anyone under the age of 18 to local law enforcement.

## **On Campus Title IX Resources**

Campus Safety & Security Building 14	928- 777-3333
Title IX Coordinator- Dr. Elizabeth Frost Building 49 #103	928-777-3747 (office) 928-830-6555 (cell)
Title IX Investigator- Karen Vance Building 49 #108	928-777-6205 (office) 626- 824-0481 (cell)
Campus Wellness Center Building 73	928-777-6653
Campus Counseling Center Building 73/Chapel	928-777-3312
Housing and Residence Life Building 73	928-777-3744 928-777-3790 (after hours)
Women's and Diversity Building 16	928-777-3968

## **Off Campus Resources**

### **Law Enforcement**

**911**

Prescott Police Department	(928) 777-1900
Prescott Valley Police Department	(928) 772-9261
Chino Valley Police Department	(928) 636-4223
Yavapai County Sheriff's Department	(928) 771-3260
Yavapai-Prescott Indian Tribal Police Department	(928) 443-1599

### **Confidential Support and Advocacy**

Yavapai Family Advocacy Center (Sexual Assault Forensic Exams)	(928) 775-0669
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### **Medical**

Yavapai Regional Medical Center- West 1003 Willow Creek Rd, Prescott, AZ 86301	(928) 445-2700
Yavapai Regional Medical Center- East 7700 E Florentine Rd, Prescott Valley, AZ 86314	(928) 445-2700

**21. EMBRY-RIDDLE AERONAUTICAL UNIVERSITY - PRESCOTT CAMPUS**  
**DEPARTMENT OF CAMPUS SAFETY & SECURITY**  
**CRIME STATISTICS FOR 2017**

CATEGORY	VENUE	2015	2016	2017
Murder	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Non-Negligent Manslaughter	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Negligent Manslaughter	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Rape	On Campus	0	0	<b>1**</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Fondling	On Campus	0	0	<b>1</b>
	In dormitories or other residential facilities	0	0	<b>1</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Incest	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Statutory Rape	On Campus	1*	0	<b>0</b>
	In dormitories or other residential facilities	1*	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Robbery	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Aggravated Assault	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Burglary	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Arson	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>

Motor Vehicle Theft	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>

### ARRESTS

CATEGORY	VENUE	2015	2016	2017
Liquor Law Violations	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Drug-related Violations	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Weapons Possession Violations	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>

### DISCIPLINARY REFERRALS

CATEGORY	VENUE	2015	2016	2017
Liquor Law Violations	On Campus	39	58	<b>65</b>
	In dormitories or other residential facilities	39	58	<b>64</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Drug-related Violations	On Campus	3	7	<b>5</b>
	In dormitories or other residential facilities	3	7	<b>4</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Weapons Possession Violations	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>

### HATE CRIMES

CATEGORY	VENUE	2015	2016	2017
Murder	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Non-Negligent Manslaughter	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Negligent Manslaughter	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Rape	On Campus	0	0	<b>0</b>

	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Fondling	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Incest	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Statutory Rape	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Robbery	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Aggravated Assault	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Burglary	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Arson	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Larceny-theft	On Campus	0	1	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Simple assault	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Intimidation	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Destruction/damage/ vandalism of property	On Campus	0	0	0



In dormitories or other residential facilities	0	0	<b>0</b>
In or on a non-campus building or property	0	0	<b>0</b>
On public property	0	0	<b>0</b>

**VAWA OFFENSES**

CATEGORY	VENUE	2015	2016	<b>2017</b>
Domestic Violence	On Campus	0	0	<b>0</b>
	In dormitories or other residential facilities	0	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Dating Violence	On Campus	1	0	<b>0</b>
	In dormitories or other residential facilities	1	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>
Stalking	On Campus	1	0	<b>0</b>
	In dormitories or other residential facilities	1	0	<b>0</b>
	In or on a non-campus building or property	0	0	<b>0</b>
	On public property	0	0	<b>0</b>

\* One case of statutory rape was reported in 2016 but it occurred in 2015

\*\* The rape in 2017 was reported to Title IX Office but the victim chose not to involve the police  
The case of Hate-Crime Larceny-theft in 2016 was inadvertently excluded from the 2016 report, but the error was corrected for this report

Note: No cases in this reporting period were later deemed "Unfounded"

## **22. FIRE SAFETY REPORT FOR ON-CAMPUS STUDENT HOUSING FACILITIES**

This institution is required to collect fire statistics and publish these statistics. We are also responsible to keep an active fire log that list the nature, date, time, and location. These annual fire statistics are published in this document.

This campus has fifteen (15) on-campus student housing facilities. These facilities range from single floor buildings to three story dorm-type buildings. All buildings are equipped with smoke detectors, pull stations and fire alarm systems. These alarm systems are linked to an alarm company that monitors our facilities 24/7.

The alarm company has direct contact with Campus Safety and Security who will dispatch safety officers to all fire alarms. In addition, they contact the local fire department to dispatch firefighters to campus. Campus Safety and Security and the Department of Housing and Residence Life conduct fire drills in each residence hall two (2) times a year. Fire safety issues are covered in the Student Handbook. Smoking, open flames, certain electrical devices, certain chemicals, and gas-type products are prohibited. Students are required to read their student handbook that describes all violations of housing policy and violations of the student Code of Conduct. The following policy statements are drawn from the Student Handbook:

### **6. Weapons and Other Dangerous Materials**

A. Possession or use of a perceived or actual explosive or incendiary device/materials including but not limited to fireworks, chemical or combination of chemicals, compounds, and/or materials, manufactured for the purpose of rupturing or bursting (i.e. dry ice or "toilet cleaning chemical" bomb). Having knowledge of the above or being in the presence of a chemical violation may constitute equal responsibility and involvement under the Standards of Conduct.

B. Possession of hazardous materials in undesignated areas is strictly prohibited. These items include, but are not limited to, flammable substances, flammable solvents, paint thinner, vehicle fluids (gas, jet fuel, and oil), and more than a reasonable amount of spray paint.

C. Other pyrotechnic equipment including, but not limited to, fog, smoke, or fire machines may not be used in or around campus buildings.

D. Having knowledge of the above Weapons and Other Dangerous Materials Policy or being in the presence of a chemical violation may constitute equal responsibility and involvement under the Standards of Conduct.

### **15. University Managed Housing Policies**

#### **B. Prohibited Items in Residence Halls**

I. Halogen lamps/ultraviolet or sun lamps

II. Candles (with wicks)

III. Flammable liquids, flammable vapors, and other dangerous substances. Reasonable provisions will be made for aerosol hairsprays, deodorants, and such; however, these are potentially hazardous and should not be stored in the halls in large quantities.

VI. Portable heaters not provided by the University Department of Safety and Security.

XVI. Unsafe extension cords. Extension cords must be UL approved, three pronged, and not contain any cuts, tears, or splices. Extension cords and power strips must be plugged directly into a wall outlet; they cannot be plugged into one another ("daisy chaining").

The entire Student Handbook is available on line at <https://prescott.erau.edu/-/media/files/prescott/campus-life/dean-of-students/prescott-student-handbook.pdf>

The Department of Housing and Residence Life is responsible for conducting health and safety inspection in the resident halls and to take action to correct any violations that occur within the housing environment.

Training is conducted by Housing and Residence Life for all residential students on evacuation procedures. Department of Housing and Residence Life as well as Campus Safety & Security monitor adherence to policy. Evacuation procedures are described in the Student Handbook.

It is the duty of all persons to report a possible fire to the Department of Housing and Residence Life or Campus Safety & Security. It is the responsibility of Housing and Residence Life and Campus Safety & Security to investigate and take action if required. Campus Safety & Security is responsible for responding to all fire alarms and conducts an investigation with Department of Housing and Residence Life assistance. Campus Safety & Security is also responsible to coordinate with the local fire services as needed. It is Campus Safety & Security's responsibility to document and report all fires in on campus student housing to the Department of Education in the annual Clery report.

Campus Safety and Security employs a Fire Life Safety Officer whose responsibilities include safety training and routine fire inspections.

Annual Fire Statistics will be listed in a separate document that is available to the entire campus community on the Campus Safety and Security website. The Campus Annual Safe and Secure Environment report that lists all Clery requirements as to crime and fire safety, is available on the Campus Safety and Security website. Campus Safety and Security is also responsible for completing the annual Campus safety and security survey.

## **Fire Evacuation Procedures**

All windows, doorways, hallways and stairwells are to remain unobstructed at all times. To block such areas is a violation of local fire codes. Fire codes require that the University conduct two fire drills each year in every on campus student housing facility. These drills are conducted during the first two weeks of the Fall and Spring semesters. Students must evacuate their buildings during all fire alarms. The fire code does not allow for any exceptions to this requirement.

Fire Alarm Evacuation Procedures:

- Exit the building immediately.
- If in your room, close your door and take your key.
- Use stairways, not elevators.
- Once outside move 100 feet away from the building to the designated assembly point.
- Notify staff of the possible location of the fire, if known, or the possible cause of the alarm, and also of possible residents remaining in the building.
- Do not re-enter an evacuated building until a University Official indicates the residents may return to the building. Silencing of an alarm does not indicate the building is safe to reenter.
- Failure to evacuate the building in a timely manner during any fire alarm may result in a \$50 fine.

## **Fire Safety Equipment**

Any costs associated with a false alarm that is caused by negligence or malicious actions may result in the financial responsibility of the responsible party. To ensure that the smoke detectors and sprinklers are appropriately used and serve their designed function, dismantling, covering or otherwise altering them is prohibited. Tampering with any fire safety equipment (including smoke detectors, heat detectors, pull stations, sprinklers, fire extinguishers, or any other fire safety device) may result in a minimum fine of \$100.

The Village and Thumb Butte Apartments (T1) – Hallway and community areas contain smoke and heat detectors. Activation of these devices will result in an evacuation of the building. There are smoke alarms within the suites/apartments that are not connected to the fire alarm system and therefore, will not cause a building evacuation. In a non-fire related alarm (e.g. overcooked food) open the window and close the door to clear the room. Fan away from the detector, preferably with a damp towel to shut the detector off. Opening the suite/apartment door to the main hallway will activate the alarm for the entire hall. Fire extinguishers are located in hallways.

Mingus Mountain Complex – These five buildings are not sprinklered. Smoke detectors are located in bedrooms. Heat detectors are located in lounges/kitchenettes. Fire extinguishers are located on the exterior walkways/balconies. Activation of a detector will sound the alarm in the entire building. Residents are advised to close bedroom doors when cooking or showering to avoid possible non-fire related alarms.



### 23. On Campus Residential Housing Fire Statistics for 2017

Facility	2015				2016				2017			
	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage
Hall One	0	0	0	0	0	0	0	0	0	0	0	0
Hall Two	0	0	0	0	0	0	0	0	0	0	0	0
Hall Three	0	0	0	0	0	0	0	0	1 <sup>B</sup>	0	0	\$0-\$99
Hall Four	0	0	0	0	0	0	0	0	0	0	0	0
Hall Five	0	0	0	0	0	0	0	0	0	0	0	0
Hall Six	0	0	0	0	0	0	0	0	0	0	0	0
Hall Seven	0	0	0	0	0	0	0	0	0	0	0	0
Hall Eight	0	0	0	0	0	0	0	0	0	0	0	0
Hall Nine	1 <sup>A</sup>	0	0	\$0-\$99	0	0	0	0	0	0	0	0
Hall Ten	0	0	0	0	0	0	0	0	0	0	0	0
M-100	0	0	0	0	0	0	0	0	0	0	0	0
M-200	0	0	0	0	0	0	0	0	0	0	0	0
M-300	0	0	0	0	0	0	0	0	0	0	0	0
M-400	0	0	0	0	0	0	0	0	0	0	0	0
T-1					0	0	0	0	0	0	0	0
Total	0	0	0	\$0-\$99	0	0	0	0	0	0	0	0

<sup>A</sup> The 2015 fire incident involved a wooden spatula which caught fire when left unattended on a hot stove burner. There was no damage except to the spatula.

<sup>B</sup> The 2017 fire incident involved a defective (recalled) cellphone which caught fire while charging. It was removed from the room without injury. There was minor damage to the carpet.