

# Annual Security Report Walden University

## Relating to Walden University Residencies

October 1, 2020 (Reflecting Statistics for 2019 Reporting Period)

Walden University (“Walden”) complies with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965. The Clery Act is a federal law that requires colleges and universities to disclose annual campus crime statistics and security policies. Walden University also complies with the Violence Against Women Reauthorization Act of 2013 (VAWA). As an accredited university offering programs of study online, Walden does not maintain a campus and, as such, the required disclosure requirements for campuses are not applicable. However, for purposes of the Clery Act, learning spaces utilized by Walden at required residencies that are used in direct support of, or in relation to, the university’s educational purposes are considered “non-campus buildings or property” and Walden is required to disclose crime statistics and security policies related to these learning spaces. Therefore, this Annual Security Report specifically relates to Walden University Residencies (“Residencies” or “Residency”). Walden will conduct an annual review of our Residency safety program and Clery-related obligations (including this ASR) to ensure continuing compliance with the Clery Act.

## Table of Contents

<b>1 Residency Safety .....</b>	<b>2</b>
1.1 Campus Security Authority .....	2
1.2 Memorandum of Understanding with Law Enforcement .....	3
1.3 Emergency Response and Evacuation Procedures .....	3
1.4 Statement Addressing Issuing of Timely Warnings .....	3
<b>2 Reporting of Criminal Actions Occurring at Residencies and Communication of Residency Safety Policies and Crime Statistics .....</b>	<b>3</b>
2.1 How to Report Criminal Offenses at Walden Residencies .....	3
2.1.1 Limited Voluntary Confidential Reporting .....	4
2.1.2 Professional and Pastoral Counselors .....	4
2.2 Security and Access to Residency Location .....	4
2.3 Security Awareness Programs for Students, Faculty and Staff .....	4
2.4 Crime Prevention Programs .....	4
2.5 Student Organizations with Off-Campus Locations .....	5
2.6 Availability of Security Report and Crime Statistics .....	5
2.7 Policy for Preparing the Annual Disclosure of Crime Statistics .....	5
2.8 Unfounded Crimes .....	5

2.9	Crime Statistics Reporting Table .....	5
<b>3</b>	<b>Sexual Violence Policy .....</b>	<b>8</b>
3.1	Education .....	8
3.2	Definitions.....	9
3.3	Reporting Procedures for Sexual Misconduct including Domestic Violence, Dating Violence, Sexual Assault and Stalking.....	11
3.4	Confidentiality and Accommodations .....	13
3.5	Disciplinary Action .....	13
3.6	Registered Sex Offender Information.....	14
<b>4</b>	<b>Drug and Alcohol Policy.....</b>	<b>15</b>
4.1	Policy Regarding the Possession, Sale, or Use of Alcohol at a Residency.....	15
4.2	Policy Regarding the Possession of Illegal Drugs at Residency.....	15
4.3	Information Relating to the Legal Sanctions for Unlawful Possession of Alcohol and Drugs .....	15
4.4	Drug or Alcohol Abuse Education Program .....	16
4.5	Definitions.....	16
4.6	Information Relating to Health Risks from Drugs and Alcohol.....	17
4.7	University Resources on Alcohol and Drug Abuse Prevention and Awareness.....	18
4.8	Counseling, Treatment and Support Group Resources for Alcohol and Drug Abuse and Prevention.....	18
4.9	Disciplinary Sanctions for Alcohol or Drug Related Violations .....	18
<b>5</b>	<b>Further Questions .....</b>	<b>19</b>
<b>6</b>	<b>Privacy Rights.....</b>	<b>19</b>

## **Annual Security Report for Walden University Residencies**

### **1 Residency Safety**

#### **1.1 Campus Security Authority**

Walden University does not have a campus police or security department. To help ensure the safety of Walden students, faculty and staff attending Walden Residencies (“residency attendees”), the university fully cooperates with local police and other public law enforcement. Walden has designated a Residency Security Authority (RSA) at every Residency. The RSA will be on-site at the Residency and available to receive reports of crimes affecting Residency attendees. Individuals should report any complaints regarding any criminal activity, non-compliance with the Clery Act or VAWA, or any state-specific issues to the RSA. The RSA is the Walden Director of Residencies, or his or her designee.

## **1.2 Memorandum of Understanding with Law Enforcement**

Walden does not have any formal Memorandum of Understanding with any local law enforcement agencies.

## **1.3 Emergency Response and Evacuation Procedures**

Residencies occur at non-campus buildings and property not under the ownership of Walden, but certain specified areas are controlled by the University during short-term offsite Residencies. Therefore, in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff or faculty which occurs at a Residency, the Residency location personnel or staff (for example, hotel staff or local authorities) are responsible for communication of emergency procedures and the determination of an emergency situation.

## **1.4 Statement Addressing Issuing of Timely Warnings**

In the event that a situation arises at a Walden University Residency, that, in the judgment of the Walden University RSA or academic administration, constitutes an ongoing or continuing threat, a “timely warning” will be issued to Residency attendees. The warning will be issued by e-mail and phone through the Walden University Residency timely warning system to students, faculty, and staff who are attending that particular Residency. Anyone with information warranting a timely warning should report the circumstances to the RSA immediately. Under no circumstances will the timely warning include the name or otherwise reveal the identity of the victim of the crime. Emergency response and evacuation procedures, in coordination with the RSA, will be directed by the Residency location security personnel and/or Residency location staff.

# **2 Reporting of Criminal Actions Occurring at Residencies and Communication of Residency Safety Policies and Crime Statistics**

## **2.1 How to Report Criminal Offenses at Walden Residencies**

To report sexual assault (Clery Act crime) or other criminal offenses or emergencies that occur at Walden University Residencies, individuals should dial 911. It is the policy of Walden University to encourage anyone who is the victim or witness to any crime to promptly report the incident to the local police. Police reports are public records under state law and cannot be held in confidence. In addition, you may report a crime to the following people/departments:

### **Title IX Coordinator (Lead)**

Gina Dyson, Associate Dean, Student Affairs  
100 S. Washington Ave. #1210, Minneapolis, MN 55401  
Phone: 443-220-7016  
E-mail: [TitleIX@mail.waldenu.edu](mailto:TitleIX@mail.waldenu.edu)

### **Title IX Deputy Coordinator**

Julie K. Ogren, Associate Director, Student Affairs  
100 S. Washington Ave. #1210, Minneapolis, MN 55401  
Phone: 612-312-2376  
E-mail: [TitleIX@mail.waldenu.edu](mailto:TitleIX@mail.waldenu.edu)

### **Title IX Deputy Coordinator, Academic Residencies**

#### **RSA**

Maranda Griffin, Director, Academic Residencies

100 S. Washington Ave. #1210, Minneapolis, MN 55401  
Phone: 952-444-9079  
E-mail: [TitleIX@mail.waldenu.edu](mailto:TitleIX@mail.waldenu.edu)

**Title IX Deputy Coordinator, Human Resources**  
Danielle Marsh, Executive Director, Human Resources  
100 S. Washington Ave. #1210, Minneapolis, MN 55401  
Phone: 443-537-1736  
Email: [TitleIX@mail.waldenu.edu](mailto:TitleIX@mail.waldenu.edu)

### **2.1.1 Limited Voluntary Confidential Reporting**

Walden is committed to the safety of students, faculty and staff at Residencies; therefore, Walden does not have a policy of limited confidential reporting. Any information received by the RSA, Title IX Coordinator or other responsible employee regarding criminal activity, sexual misconduct, or any other violation of the [Walden Code of Conduct](#) will be investigated and a record of the incident will be taken along with all relevant information, including the names of the alleged victim.

### **2.1.2 Professional and Pastoral Counselors**

Walden does not employ professional or pastoral counselors. Pastoral and professional counselors are employees of an institution whose official responsibilities include providing confidential counseling. Such services may be available in your local communities.

## **2.2 Security and Access to Residency Location**

Walden University does not have any campus facilities or residences. Additionally, Walden does not have campus police or other security personnel. For the purpose of this policy, Walden Residencies take place in noncampus locations that are not under the ownership of Walden, but with limited control for short duration, and therefore the security and access to those facilities is primarily controlled by the property management. Walden staff coordinates with location personnel to ensure that access to areas where Walden students and staff are located will be limited, to the greatest extent possible, to only members of the Walden community and facility staff.

## **2.3 Security Awareness Programs for Students, Faculty and Staff**

At the beginning of each Residency, all attendees are informed of the safety and emergency procedures specific for the Residency location (normally a hotel or conference center). Attendees are given instructions on what to do in the case of an emergency, and how to report instances of alleged criminal activity.

When time is of the essence, information is released to Residency attendees through security alerts sent through the emergency notification process, which may include e-mail and phone.

## **2.4 Crime Prevention Programs**

It is the policy of Walden to offer programming to prevent relationship violence, sexual assault (including stranger and known offender assaults) and stalking each year through online training for residency attendees.

## 2.5 Student Organizations with Off-Campus Locations

Walden does not have any officially recognized student organizations with off-campus locations.

## 2.6 Availability of Security Report and Crime Statistics

This Annual Security Report is required by federal law and contains policy statements and crime statistics for Walden University Residencies. This report is available on the Walden University website at <https://www.waldenu.edu/legal/student-safety-title-ix>. This report will be distributed to all Walden students, faculty and Residency staff participating in Residencies and paper copies may be requested at Walden University Residencies. This report will also be provided to any prospective student or prospective employee upon request.

## 2.7 Policy for Preparing the Annual Disclosure of Crime Statistics

In preparation for Walden's annual disclosure of crime statistics, Walden University Residency staff will compile a report of criminal offenses, supplied by local law enforcement where Residencies were held which is required to be reported in the annual disclosure for each Residency event. These individual reports will be compiled by the Walden administration into the required annual disclosure of crime statistics and filed as required with the campus safety and security survey. The crime statistics report is included in this report and on the Walden University website. For purposes of crime statistic reporting effective with this report for the 2019 reporting period, sexual assault offenses include rape, fondling, incest and statutory rape, and the additional offenses of domestic violence, dating violence, and stalking have been included. Also, categories of bias for classifying an incident as a Hate Crime include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability.

## 2.8 Unfounded Crimes

In the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore 'unfounded', the university will withhold or subsequently remove the reported crime from its crime statistics.

2019: 0 unfounded crimes

2018: 0 unfounded crimes

2017: 0 unfounded crimes

## 2.9 Crime Statistics Reporting Table

### Walden University

October 1, 2020 Report (Reflecting Statistics for 2019 Reporting Period)

### Crime Statistics Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
	2017	N/A	N/A	0	N/A

NEGLIGENT MANSLAUGHTER	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
SEXUAL ASSAULT: RAPE	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
SEXUAL ASSAULT: FONDLING	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
SEXUAL ASSAULT: INCEST	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
SEXUAL ASSAULT: STATUTORY RAPE	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
ROBBERY	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
AGGRAVATED ASSAULT	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
BUGLARY	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A
MOTOR VEHICLE THEFT	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	2
ARSON	2017	N/A	N/A	0	N/A
	2018	N/A	N/A	0	N/A
	2019	N/A	N/A	0	N/A

### HATE CRIME STATISTICS

For the categories of crime listed above and for the additional crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property and any crime perpetrated on the basis of prejudice that results in bodily injury, Walden is required to report hate crimes. Hate crimes are criminal offenses that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the years covered by this report (2017, 2018, 2019), there were no hate crimes reported. The following crime categories are required to be reported only if they are Hate Crimes:

HATE CRIME OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY	CATEGORY OF BIAS (use key)*
MURDER/NO N-NEGLIGENT MANSLAUGHTER	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
SEXUAL ASSAULT: RAPE	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
	2017	N/A	N/A	0	N/A	

SEXUAL ASSAULT: FONDLING	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
SEXUAL ASSAULT: INCEST	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
SEXUAL ASSAULT: STATUTORY RAPE	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
ROBBERY	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
AGGRAVATED ASSAULT	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
BUGLARY	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
MOTOR VEHICLE THEFT	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
ARSON	2017	N/A	N/A	0	N/A	
	2018	N/A	N/A	0	N/A	
	2019	N/A	N/A	0	N/A	
SIMPLE ASSAULT	2017	N/A	N/A	0	N/A	N/A
	2018	N/A	N/A	0	N/A	N/A
	2019	N/A	N/A	0	N/A	N/A
LARCENY THEFT	2017	N/A	N/A	0	N/A	N/A
	2018	N/A	N/A	0	N/A	N/A
	2019	N/A	N/A	0	N/A	N/A
HATE CRIMES*: INTIMIDATION	2017	N/A	N/A	0	N/A	N/A
	2018	N/A	N/A	0	N/A	N/A
	2019	N/A	N/A	0	N/A	N/A
HATE CRIMES*: DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY	2017	N/A	N/A	0	N/A	N/A
	2018	N/A	N/A	0	N/A	N/A
	2019	N/A	N/A	0	N/A	N/A

\*Categories of bias for Hate Crimes include actual or perceived (A) race, (B) gender, (C) gender identity, (D) religion, (E) sexual orientation, (F) ethnicity, (G) national origin or (H) disability.

### VAWA Offenses Reporting Table

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
	2017	N/A	N/A	0	N/A

<b>VAWA OFFENSES: DOMESTIC VIOLENCE</b>	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>5</b>
<b>VAWA OFFENSES: DATING VIOLENCE</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
<b>VAWA OFFENSES: STALKING</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>

**ARRESTS AND DISCIPLINARY REFERRALS REPORTING TABLE**

<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>ON-CAMPUS STUDENT HOUSING</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>2</b>
<b>DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
<b>ARRESTS: DRUG ABUSE VIOLATIONS</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>6</b>
<b>DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
<b>ARRESTS: LIQUOR LAW VIOLATIONS</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>1</b>
<b>DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS</b>	<b>2017</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2018</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>
	<b>2019</b>	<b>N/A</b>	<b>N/A</b>	<b>0</b>	<b>N/A</b>

**3 Sexual Violence Policy**

**3.1 Education**

Walden University educates all Residency attendees about sexual assaults (including all forms of rape), dating violence, domestic violence and stalking through ongoing prevention and awareness programs, such as a mandatory online training course provided prior to attendance. As part of the Walden University Residency materials, students, faculty and Residency staff are provided with information regarding security procedures, practices and crime prevention during Walden University residencies, as well as with information regarding primary and ongoing prevention and awareness programs to prevent dating violence, domestic violence, sexual assault, and stalking during Walden University residencies. The materials include:



- a statement that Walden University prohibits domestic violence, dating violence, sexual assault, and stalking;
- the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;
- the definition of consent, in reference to sexual activity, in the applicable jurisdiction;
- safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.
- bystander empowerment training that 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. 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.
- A statement that the university will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.
- A statement that the university will provide written notification to victims about options for, available assistance in, and how to request changes to academic situations, living situations, working situations, and protective measures.

### 3.2 Definitions

Walden University's [Code of Conduct](#) prohibits sexually violent acts, which can be considered criminal offenses as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. While Walden may utilize different standards and definitions than state criminal codes, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. Section 3.3 outlines the procedures for reporting sexual misconduct.

Sexual harassment is also a form of misconduct that undermines the integrity of the academic environment. It is the policy of Walden University that sexual harassment is prohibited. All members of the Walden community, especially officers, faculty and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

**Sexual harassment**, as defined in the Walden University [Code of Conduct](#) can include, but is not limited to, unwelcome sexual advances; requests for sexual favors; unwelcome physical contact of a sexual nature; e-mails containing inappropriate sexual content; obscene or harassing phone calls or jokes of a sexual nature; suggestive gestures, sounds, stares, or other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of a student's academic progress;

- b. Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting assessment of academic progress; or
- c. Such conduct, by instructors, staff, or students, including between students, has the purpose or effect of interfering with academic performance or creating an intimidating, hostile, or offensive environment.

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

**Sexual Assault (Sex Offense):** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. *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.
- B. *Incest* — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. *Statutory Rape* – Sexual intercourse with a person who is under the statutory age of consent.
- D. *Rape* – 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. The FBI’s updated definition of rape, which encompasses the categories of rape, sodomy, and sexual assault with an object is: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**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.

- The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - For the purposes of this definition:
    - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - Dating violence does not include acts covered under the definition of domestic violence.
  - 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:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;

- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- 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:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.
- 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.

**Bystander Intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- recognizing situations of potential harm;
- understanding institutional structures and cultural conditions that facilitate violence (this might include fraternity or sports cultures at some institutions);
- overcoming barriers to intervening;
- identifying safe and effective intervention options; and taking action to intervene.

**Consent:** A freely given agreement to the sexual conduct in question. Lack of verbal or physical resistance or submission by the claimant resulting from the use of force or threat of force by the respondent shall not constitute consent. Consent may be withdrawn at any time.

### **3.3 Reporting Procedures for Sexual Misconduct including Domestic Violence, Dating Violence, Sexual Assault and Stalking.**

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, Walden University takes the matter very seriously. Any complaints or inquiries regarding sexual misconduct or harassment should be brought forth to the Title IX Coordinator, Deputy Title IX Coordinator or the RSA. All such claims will be investigated promptly and thoroughly.

It is the policy of Walden University to promote awareness to prevent dating violence, domestic violence, sexual assault, and stalking, and other forcible and non-forcible sex offenses, and to encourage anyone who is the victim or witness to any such offense to promptly report the incident to the local police and, if applicable, to the security personnel at the Residency location. 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 and have them call 911.
2. Students may file a disciplinary complaint by contacting the Title IX Coordinator via phone or email (*contact information located in Section 2*). The Title IX Coordinator is responsible for receiving and processing, in a timely manner, reports from students, faculty, staff, and administrators regarding rights and responsibilities concerning sexual misconduct in violation of Title IX.
3. File a police report with the local police. A report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:
  - ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
  - provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later;
  - assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
4. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
5. 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 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., restraining orders, injunctions, protection from abuse), please notify Residency Staff or the Title IX Coordinator so that those orders can be observed during the Residency.

To report an incident that occurs at a Walden University Residency, individuals should dial 911 and seek immediate medical attention. 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. However, a victim has the right to decline to notify such authorities. If requested, Residency staff will assist the student in notifying the local police and security personnel at the location.

Protective measures for victims are available whether a victim chooses to report to local law enforcement, and irrespective of whether a victim pursues a formal complaint through the Walden University resolution process. Walden will use its best efforts to inform crime victims of their rights and support the victim in relation to orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts. Walden University students or employees who report that he or she has been a victim of domestic violence, dating violence, sexual assault, stalking and other forcible and non-forcible sex offenses at a residency shall be provided with a written explanation of his or her rights and options.

Students, faculty, and staff members have the right to file both a criminal complaint and a Title IX complaint simultaneously.

More information regarding Title IX may be found at: <https://www.waldenu.edu/legal/student-safety-title-ix>.

### **3.4 Confidentiality and Accommodations**

If applicable and requested by the student, Residency staff will provide the victim of an offense with options for a change in the student's accommodations or academic situations. Any accommodations or protective measures provided to a victim of sexual misconduct will be kept confidential to the extent that maintaining such confidentiality will not impair the ability of the university to provide the accommodations or protective measures. Walden will complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. Contact the Title IX Coordinator if you need assistance with Walden University concerns, such as no-contact orders or other protective measures. The Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities.

Walden is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other appropriate supports and resources as needed by a victim. Walden University also offers confidential services for victims of sexual misconduct. Students, faculty, and staff may contact the Walden University Student Assistance Program via phone: **866.465.8942** or online: [www.guidanceresources.com](http://www.guidanceresources.com) Enter ID: SAP4EDU.

### **3.5 Disciplinary Action**

If applicable, disciplinary action will be taken in accordance with the Walden [Code of Conduct](#). Walden University will, upon written request, disclose to the alleged victim of a crime of violence or other non-forcible sex offense, the results of any disciplinary hearing conducted by the university against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information will be provided to the victim's immediate family, if so requested.

In conducting disciplinary proceedings for cases of sexual misconduct, Walden will use a preponderance of evidence as its evidentiary standard.

Walden's process and procedures for institutional disciplinary action in cases of domestic violence, dating violence, sexual assault, or stalking, will provide a prompt, fair, and impartial investigation and resolution. It will be conducted by officials who receive annual training on issues related to such offenses, and other forcible and non-forcible sex offenses, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The type of proceeding used will be determined based upon a number of factors, including the circumstances and seriousness of the allegation. The investigation may, but not necessarily, include a hearing. The investigation may include, but is not limited to, conducting interviews of the Complainant, the alleged perpetrator, and any witnesses; reviewing law enforcement investigation documents (if applicable); reviewing student and personnel files; and gathering and examining other relevant documents or evidence.

Upon the completion of the investigation, the Title IX Coordinator shall present the findings to Walden University leadership which may include, as appropriate, the Executive Director of Student Affairs, the Associate Dean, the Chief Academic Officer, or Human Resources Director. Walden University leadership shall then determine the appropriate resolution to the complaint, considering factors including the role of the party within the university community (student, faculty, or employee). Following a final determination of disciplinary action relating to dating violence, domestic violence, sexual assault or stalking, or any other forcible and non-forcible sex offense, Walden may impose sanctions up to and including dismissal from the university. Walden will institute appropriate measures in order to protect the crime victim relating to the investigative and disciplinary proceedings.

All parties to the process are entitled to have a support person/advisor of their choice at any proceeding or related meeting. This support person/advisor is any individual who provides the accuser or accused support, guidance, or advice. Walden will inform the parties to the proceeding simultaneously of: the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking, the procedures for appealing the results of the proceeding, any change to the results that occurs prior to the time that such results become final, and when such results become final. Walden will attempt to have the investigation and disciplinary process completed in a reasonable timeframe, with the goal being to complete the entire process within 60 days.

A student (either Complainant or alleged perpetrator) may appeal the decision of the university in cases of sexual misconduct policy violations. Faculty and other employees should review their applicable employee handbook for further information regarding their rights under this policy. A student found guilty of violating the Walden's sexual misconduct policy could be criminally prosecuted in state courts and may be suspended or dismissed from the university for the first offense. To the extent possible by law, confidentiality of identifying information regarding victims will be protected. Victims of reported dating violence, domestic violence, sexual assault or stalking will be offered assistance in changing academic or working situations, if requested by the victim and if reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

### **3.6 Registered Sex Offender Information**

In accordance with 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, Walden University is providing a link to the Dru Sjodin National Sex Offender Public Website ("NSOPW"), coordinated by the U.S. Department of Justice, which

is a cooperative effort between jurisdictions hosting public sex offender registries (“Jurisdictions”) and the federal government and is offered free of charge to the public. These jurisdictions include the 50 states, U.S. Territories, the District of Columbia, and participating tribes. The website provides an advanced search tool that allows a user to submit a single national query to obtain information about sex offenders; a listing of public registry websites by state, territory, and tribe; and information on sexual abuse education and prevention. The Dru Sjodin National Sex Offender Public Website (“NSOPW”) may be accessed at <http://www.nsopw.gov>. Walden is also supplying a direct link to each state’s website where a Residency was hosted in 2019:

Minnesota: <https://por.state.mn.us/ListOffenders.aspx>

Maryland: <https://www.dpscs.state.md.us/onlineservs/socem/default.shtml>

Georgia: [http://state.sor.gbi.ga.gov/Sort\\_Public/OffenderSearchResults.aspx](http://state.sor.gbi.ga.gov/Sort_Public/OffenderSearchResults.aspx)

Arizona: <https://www.azdps.gov/services/public/offender>

Florida: <https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf>

Texas: <https://records.txdps.state.tx.us/SexOffenderRegistry/Search>

Hawaii:

<https://sexoffenders.ehawaii.gov/sexoffender/welcome.html;jsessionid=08CDDCC18B2E4C7AF9CEA110B651357F.lana>

All sex offenders are required to register and to deliver written notice of their status as a sex offender to the Residency Coordinator upon their attendance at, as student, faculty or staff, a Walden University Residency.

## **4 Drug and Alcohol Policy**

### **4.1 Policy Regarding the Possession, Sale, or Use of Alcohol at a Residency**

The possession, sale, or furnishing of alcohol at Residencies is governed by the Walden Drug and Alcohol policy and the state law where the Residency is located and only under certain circumstances is the consumption of alcohol permitted. However, the enforcement of state alcohol laws at Residencies is primarily the responsibility of local law enforcement.

Students, instructors, and staff are strictly prohibited from misusing controlled substances, intoxicants, alcohol, and prescription drugs while working, participating in the online classroom, or attending Residencies or other Walden University-sponsored activities.

### **4.2 Policy Regarding the Possession of Illegal Drugs at Residency**

Walden University maintains a drug-free university. The possession, sale, manufacture or distribution of any controlled substance at Residencies is illegal under federal and state laws. The enforcement of such laws at Residencies is primarily the responsibility of local law enforcement. Students, instructors, and staff are strictly prohibited from misusing controlled substances, intoxicants, alcohol, and prescription drugs while working, participating in the online classroom, or attending Residencies or other Walden University-sponsored activities. Violators are subject to university disciplinary action, criminal prosecution, fine and imprisonment.

### **4.3 Information Relating to the Legal Sanctions for Unlawful Possession of Alcohol and Drugs**

- a. ***Alcohol Law Penalties.*** The legal drinking age in all 50 states of the United States and the District of Columbia is 21 years of age. The legal drinking age in the U.S. Virgin Islands, Puerto Rico and Guam is

18 years of age. Persons under the legal drinking age who purchase, possess or consume alcoholic beverages may be subject to fines or imprisonment depending on state law. Persons who knowingly furnish alcohol to minors are also subject to fines or imprisonment.

Specific information on state and local legal penalties for alcohol violations may be obtained on state law enforcement websites.

- b. **Drug Law Penalties.** Under federal law, a conviction for possession of illicit drugs carries a prison sentence of up to three years and a minimum fine of up to \$5,000. The range of penalties for conviction of unlawful distribution of illicit drugs under federal law is summarized in the schedules of federal drug trafficking penalties that can be found online at: <https://www.dea.gov/pr/legis.shtml>. The severity of the sanctions imposed for both possession and distribution offenses depend on the quantity of drugs, prior convictions, and whether death or serious injury resulted. Sanctions may be increased for offenses, which involve distribution to minors or occur on or near a school or campus. In addition, other federal laws required or permit forfeiture of personal or real property used to illegally possess, facilitate possession, transport, or for concealment of a controlled substance. A person's right to purchase or receive a firearm or other federal benefits, such as student loans, grants, contracts, or professional or commercial licenses, may also be revoked or denied as a result of a drug conviction.

Specific information on state and local legal penalties for drug violations may be obtained on state law enforcement websites.

#### 4.4 Drug or Alcohol Abuse Education Program

Walden University has a drug and alcohol abuse program available to students and employees. The information can be found. <https://www.waldenu.edu/-/media/walden/files/legal/adap-2020-walden.pdf>

The Drug-Free Schools and Communities Act Amendments of 1989, as articulated in the Education Department General Regulations (EDGAR) Part 86, the "Drug-Free Schools and Campuses Regulations", require institutions of higher education (IHEs) to develop and implement programs to prevent the abuse of alcohol and the use of illicit drugs by students and employees, including faculty. In addition, IHEs are required to provide annual notification of the provisions of their alcohol and drug abuse prevention programs to students and employees, including faculty, and to conduct biennial reviews of the programs and their effectiveness. Walden University developed its Alcohol and Drug Abuse Prevention Program (the "Walden ADAP Program") to meet the requirements of the Drug-Free Schools and Communities Act Amendments of 1989, as articulated in the Education Department General Regulations (EDGAR) Part 86, the "Drug-Free Schools and Campuses Regulations".

#### 4.5 Definitions

**Addiction:** A compulsive physiological need for alcohol or an illegal drug.

**Alcohol or Alcoholic Beverage:** Alcohol, liquor, brandy, malt liquor, whiskey, rum, gin, sake, beer, ale, wine or any beverage containing one-half of one percent or more of alcohol by volume.

**Controlled Substance:** Any drug listed in schedules I through V or section 202 of the Controlled Substance Act (21 U.S.C. 812). (A list of controlled substances is available on the DEA website at: <https://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm>).

**Illegal or Illicit Drugs:** A controlled substance in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. 812) "illegal drugs" shall not mean the use of a controlled substance pursuant



to a valid prescription or other uses authorized by law.

**Substance Abuse:** The misuse of a substance including alcohol or the use of a substance to an extent deemed deleterious or detrimental to the user, to others, or to society.

#### **4.6 Information Relating to Health Risks from Drugs and Alcohol**

- Employees, including faculty, of Walden University should be aware and informed that health risks associated with the use of illicit drugs and the abuse of alcohol can result in, but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders.
- Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse.
- Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.
- Mothers who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.
- Marijuana contains THC (Delta-9-tetrahydrocannabinol) which accounts for most of its psychoactive or mind-altering effects. The short-term effects of using marijuana include sleepiness, memory and concentration problems, impaired motor coordination, increased heart rate, dry mouth and throat, and decreased social inhibitions. The long-term effects of using marijuana include impaired lung functioning, sexual problems, breast tissue development in men, and possible immune system damage.
- Stimulants increase the activity of the central nervous system. Examples include amphetamines, methamphetamines, cocaine, and crack which cause short-term elevations in mood, self-confidence, energy, heart rate and blood pressure. Potential difficulties associated with the more powerful stimulants such as these include possible physical addiction, psychoses, severe depressions, and anxiety syndromes such as panic attacks and obsessions. Additional health risks include seizures and cardiac arrest.
- Hallucinogens are substances that distort perception of reality. The most well-known hallucinogens include: phencyclidine (PCP), lysergic acid diethylamide (LSD), mescaline, and psilocybin. Under the influence of these drugs, the senses of direction, distance, and time become disoriented. They can produce unpredictable, erratic, and violent behavior in users that sometimes lead to serious injury and death. At high doses, LSD can cause convulsions, coma, heart and lung failure, and even death.
- Sedatives/Tranquilizers are drugs used to reduce anxiety and tension. In some cases, they are used as sleep aids as well. Like alcohol, these drugs are central nervous system depressants. Examples include barbiturates such as amytal, Nembutal, and Seconal, as well as benzodiazepines such as Ativan, halcion, Librium, and Xanax. Rohypnol, a date rape drug, also falls into this category. Although specific effects may vary according to the particular drug, these drugs typically induce a state of relaxation

and drowsiness. At high doses, dizziness, slurred speech, impaired coordination, and amnesia may occur. Health hazards include risk for addiction and coma and/or death from overdose.

- Narcotics are painkillers or analgesics. These drugs include morphine, heroin, codeine, and dilaudid, all of which are derived from opium. Synthetic narcotics include drugs such as Demerol, Percodan, and Darvon. These drugs tend to reduce sensory feeling and sensitivity to all kinds, to pleasure as well as pain. In large doses, they induce drowsiness, mental clouding, lethargy, and even sleep. They are highly addictive. Overdose risks include convulsions, coma, and death.
- Anabolic steroids are synthetic derivatives of the male hormone testosterone. These derivatives of testosterone promote the growth of skeletal muscle and increase lean body mass. The long-term, high dose effects of steroid use are largely unknown. Major side effects of anabolic steroid use include liver tumors, jaundice, fluid retention, high blood pressure, acne, and trembling. Aggression and mood swings as well as other psychiatric side effects may result from their abuse.
- Students and employees should note that the above listing is not intended as all- inclusive. Further information may be gathered from a physician.

#### **4.7 University Resources on Alcohol and Drug Abuse Prevention and Awareness**

Walden distributes materials and offers resources related to alcohol and drug abuse prevention awareness, including the distribution of communications instructing students on how to access written materials relating to alcohol and drug abuse prevention.

#### **4.8 Counseling, Treatment and Support Group Resources for Alcohol and Drug Abuse and Prevention**

In recognition of the dangers of substance abuse, Walden offers the following counseling and treatment resources:

##### **Walden University Student Assistance Program**

Phone: 866.465.8942

Online: [www.guidanceresources.com](http://www.guidanceresources.com) Enter ID: SAP4EDU

##### **Walden Employee Assistance Program**

Employees should contact: Business Health Services (BHS)

Phone: 800-765-3277

Online: <http://www.bhsonline.com> User name: Laureate

##### **Alcoholics Anonymous**

Phone: (212) 870-3400

Online: <https://www.aa.org/>

##### **Narcotics Anonymous**

Phone: (818) 773-9999

Online: <https://www.na.org/meetingsearch/>

#### **4.9 Disciplinary Sanctions for Alcohol or Drug Related Violations**

Walden University will not excuse misconduct by students, faculty or employees whose judgment is impaired due to substance abuse. Violation of the Walden University Alcohol and Drug Policy and/or any municipal, state or federal law or regulation may result in disciplinary action, including but not limited to

a warning, a remediation plan, and up to and including dismissal of a student, even for a first time offense. In addition to the sanctions imposed by Walden, individuals who have violated local, state, and federal law regarding possession, use, and/or distribution of alcohol and other drugs may be referred by the school to the appropriate authorities for arrest and prosecution. Employees, including faculty, found in violation of this policy are subject to disciplinary action, up to and including termination of employment, as provided in the applicable employee handbook. Students should refer to the [Walden University Student Handbook](#).

## **5 Further Questions**

Individuals with questions concerning information contained in this Annual Security Report should contact the Walden University Residency staff.

## **6 Privacy Rights**

Compliance with any of these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).