



# Tulane University

# **ANNUAL SECURITY & FIRE SAFETY REPORT**

2021-2022 ACADEMIC YEAR

Prepared by the Tulane University Police Department  
Includes Policy Statements for the 2021-2022 Academic Year and  
Crime Statistics for Calendar Years (CYs) 2019, 2020 & 2021



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### **EQUAL OPPORTUNITY/ACCESSIBILITY STATEMENT AND NOTICE OF NON-DISCRIMINATION**

Tulane is committed to and encourages a diverse and inclusive community that respects and values individual differences. In support of this commitment, Tulane University prohibits discrimination in its employment practices or educational programs/activities on the basis of race, color, sex, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, gender expression, pregnancy, marital status, military status, veteran status, or any other status or classification protected by federal, state or local law. Tulane University complies with applicable federal and state laws addressing discrimination, harassment and retaliation. Discrimination or harassment on the basis of any protected classification will not be tolerated. Complaints of discrimination must be filed in accordance with the policies set forth below. Individuals must promptly report discrimination so that prompt and appropriate action can be taken.

Kathryn Fernandez, Executive Director of Campus Accessibility, is Tulane's designated Americans with Disabilities Act/Coordinator for Section 504 of the Rehabilitation Act of 1973 and may be reached by email at [kfernandez@tulane.edu](mailto:kfernandez@tulane.edu), by phone at 504-247-1751, or in person at 200 Broadway Street, Suite 218. Julia Broussard, Interim Assistant Provost for Title IX & Clery Compliance, is Tulane's Interim Title IX Coordinator and may be contacted at 504-314-2160, by email at [jbrouss@tulane.edu](mailto:jbrouss@tulane.edu) or [mith76@tulane.edu](mailto:mith76@tulane.edu), or in Suite Go2, Lavin-Bernick Center, New Orleans, LA, 70118. The Office of Institutional Equity handles complaints of discrimination and harassment and can be contacted by telephone at (504) 314-2897. OIE's email address is [oiel@tulane.edu](mailto:oiel@tulane.edu) and its office is at 1515 Poydras Street.







# Message from the Chief of Tulane Police

To the University Community –

On behalf of the men and women of the Tulane University Police Department, thank you for taking the time to view our Annual Security and Fire Safety Report (ASR). The ASR is an excellent resource for information pertaining to safety and security initiatives on our campus. At Tulane University, we are committed to serving our students, faculty, staff, employees, and visitors while providing a safe environment to learn, work, and grow.

Each year, Tulane issues this report about safety and security programs and crime statistics as part of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). The Clery Act is based on the premise that current and prospective students and employees are entitled to accurate, complete, and transparent disclosures about campus crime and threats to their personal safety, allowing them to make well-informed decisions about where to study, work, and live.

The Tulane University Police Department is committed to working closely with members of the community to solve problems and proactively address issues that will reduce the likelihood of crime occurring on our campus. It is always our goal, as a university, to do everything we can to ensure the safety and well-being of our community.

Sincerely,



Kirk Bouyelas  
Chief of Police  
Tulane University Police Department





# Annual Security Report

## **PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

The Clery Act Coordinator, in consultation with the Tulane University Police Department, prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Tulane University Police Department, information provided by other University offices such as The Division of Student Affairs, The Office of the Provost, other Campus Security Authorities, and information provided by local law enforcement agencies surrounding each academic campus.

This report provides statistics for the previous three years (2021, 2020, and 2019) regarding reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by Tulane University. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and narcotics, and missing persons. The statistical information in this report applies to the main University campus in uptown New Orleans, downtown health sciences campus, and other areas such as Elmwood and the Tulane National Primate Research Center. Additional information is available on our website—<https://publicsafety.tulane.edu>.

Statistical information is not requested from, nor is it provided by, Professional Counselors of the Counseling Center, or Pastoral Counselors who are performing that function and role as their employment with the University. Professional Counselors and Pastoral Counselors are not required by law to provide statistics for this compliance document. Counseling and Pastoral Professionals, as defined by federal law, who act in such capacities, have been advised that while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged, when they deem appropriate, to inform the persons they are counseling of their ability to report any crimes to the police department for inclusion in the annual statistics.


The University distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1st of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a copy of this report by contacting TUPD at 504-865-5381 or by visiting <https://publicsafety.tulane.edu/clery-act>.

## **REPORTING CRIMES AND OTHER EMERGENCIES**

Tulane has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately report incidents to the TUPD to ensure an effective investigation and appropriate follow-up actions, which may include issuing a Timely Warning or Emergency Notification. Call TUPD at 504-865-5911 (or simply 55911 from a campus phone) uptown and 504-988-5555 (or simply 85555 from a campus phone) downtown. Stay on the line so the dispatcher can get the information needed. An officer will be dispatched quickly, or the reporting party may be asked to come by the office located in the Collins C. Diboll Complex on the uptown campus and at 1201 Tulane Ave. on the downtown campus. TUPD is open 24 hours every day. To report an emergency to the New Orleans Police Department, call 911. For other Tulane University campuses, see the separate sections at the end of this report for additional information, including calling 911 to report crimes.

Members of the Tulane community – students, faculty, staff, and guests – are encouraged to report all criminal actions, emergencies, or other public safety related incidents occurring within the University's Clery geography to the University Police Department (TUPD) in an accurate, prompt, and timely manner. The University's Clery geography includes: on campus property including campus residence halls, buildings, and/or facilities; designated non-campus properties and facilities; public property adjacent to and immediately accessible from on campus property, and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities. TUPD has been designated by Tulane as the official office for campus crime reporting. TUPD strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures TUPD is able to evaluate, consider and send timely warning reports, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime and Fire Log, and accurately documenting reportable crimes in its annual statistical disclosure.





All TUPD incidents involving students are forwarded to the Division of Student Affairs for review and potential action, as appropriate. TUPD or other agency investigators will investigate a report when it is deemed appropriate.

If assistance is required from the New Orleans Police Department (NOPD) or the New Orleans Fire Department (NOFD), TUPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including TUPD, will offer the victim a wide variety of services and resources. TUPD has a Support Services Unit that has staff available to answer questions and assist victims in identifying and obtaining the necessary resources. Additionally, TUPD will notify the Student Affairs On-Call Professional, who is available 24/7 and available to provide additional support and resources for students.

### **Voluntary, Confidential, & Anonymous Reporting**

We encourage University community members to report crimes promptly and to participate in and support crime prevention efforts. The University community is much safer when all community members participate in safety and security initiatives.

Tulane recognizes that confidentiality is particularly important to victims of crime and survivors of sexual assault. Tulane University students have several options to seek support and/or report a crime. These options fall into three categories: confidential, private and anonymous.

- **Confidential:** These resources are strictly confidential. Except in rare, extreme circumstances, nothing will be shared without your explicit permission. Exceptions to strict confidentiality are when the provider believes you are a threat to yourself or others. We encourage all victims and survivors to seek counseling to help process their experience, options, and to begin the recovery process. Examples of confidential resources include: The Counseling Center, The Health Center for Student Care, the Line, and SAPHE Peer Hotline.
- **Private:** These conversations are kept as private as possible, but information must be shared with key staff members so that the university can offer resources and accommodations and take action if necessary for reasons of safety. In planning any resource, the wishes of the person are given full consideration. Examples of private resources include: Case Management and Victim Support Services, Student Affairs Professional On-Call.
- **Anonymous:** Anonymous reporting is an option if you are afraid of being identified as the complainant. However, you should realize that anonymous reports may not receive immediate attention and must include sufficient detail for the appropriate officials to be able to investigate if warranted.


If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making an anonymous report by visiting the TUPD website and filing a Silent Witness report. This form can be found at <https://publicsafety.tulane.edu/submit-a-tip>. You can also file an online report using the University's online report form: [tulane.edu/concerns](https://tulane.edu/concerns). You can file a report on the details of the incident without revealing your identity. By policy, we do not attempt to trace the origin of the person who submits this form, unless such action is deemed necessary for public safety. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution and may be considered for Timely Warning and Emergency Notifications.



### **FOR EMERGENCIES CALL TUPD**

UPTOWN **504-865-5911** (55911 from a campus phone)  
DOWNTOWN **504-988-5555** (85555 from a campus phone)





Anyone may call the TUPD at 504-865-5911 (55911 from a campus phone) (Uptown Campus) and 504-988-5555 (85555 from a campus phone) (Downtown Campus) to report concerning information. Callers may remain anonymous.

### **Reporting to University Police**

We encourage all members of the University community to report all crimes and other emergencies to TUPD, the New Orleans Police Department, the Jefferson Parish Sheriff's Office or the St. Tammany Parish Sheriff's Office as appropriate, in a timely and accurate manner. TUPD has a dispatch center that is available by phone at 504-865-5911 (or simply 55911 from a campus phone) uptown and 504-988-5555 (or simply 85555 from a campus phone) downtown or in person twenty-four hours a day at the Collins C. Diboll Complex on the uptown campus and at 1201 Tulane Ave. on the downtown campus. Though there are many resources available, University Police should be notified of any crime, whether or not an investigation continues, to assure the University can assess any and all security concerns and inform the community if there is a significant threat to the University community.

### **Emergency Phones**


There are 82 blue light emergency phones on the Tulane uptown campus and 3 on the downtown campus. These phones will dial directly to the Tulane University Police Department when activated. Keep this network of lights in sight as you walk across campus. All you need to do is pick up the phone handset, push the red button, or dial 55911 on some phones and you will be immediately connected to the Tulane University Police Department Dispatch Center.

Construction has forced the relocation of some of these phones. Some phones are currently being moved to locations that are more accessible. Many phones are also being upgraded to include mass notification capability.

### **Reporting to Other Campus Security Authorities**

While the University prefers that community members promptly report all crimes and other emergencies directly to TUPD at 504-865-5911 (or simply 55911 from a campus phone) uptown and 504-988-5555 (or simply 85555 from a campus phone) downtown or 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as "Campus Security Authorities." Campus Security Authorities, or CSAs, have duty to report criminal incidents, as defined by the Clery Act, to the crime collection body of Tulane. CSAs include a wide range of individuals with responsibility for campus security or student and campus activities. The definition of "Campus Security Authority" includes but is not limited to: *"an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings."*





While the University has identified several hundred CSAs at the University, we officially designate the following offices as places where campus community members should report crimes.

OFFICIAL	CAMPUS ADDRESS	PHONE NUMBER
Clery Act Coordinator	6823 St. Charles Ave, Ste. 113 Diboll Complex Bldg. #103 New Orleans, LA 70118	504-988-9898
Title IX Coordinator Deputy Title IX Coordinator	6801 Freret Street Joseph Merrick Jones Hall 308 New Orleans, LA 70118	504-865-5611
Assistant Vice-President of Student Affairs Student Resources & Support Services, Dean of Students (Division of Student Affairs)	6823 St. Charles Avenue Lavin-Bernick Center G02 New Orleans, LA 70118	504-314-2160 After Hours: 504-920-9900
Associate Vice-President of Human Resources and Institutional Equity	1555 Poydras St., Suite 964 New Orleans, LA 70112	504-247-1758
Assistant Vice President, Human Resources and Institutional Equity	1555 Poydras St., Suite 964 New Orleans, LA 70112	504-862-8083

### Pastoral and Professional Counselors

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Tulane University to serve in a counseling role are not considered Campus Security Authorities when they are acting in the scope of their professional position. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential, and anonymous reporting options available to them. TUPD sends a written request each year to the Counseling Center office and the Student Health Center that encourages the counselors to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, when they deem it appropriate.

## ABOUT THE TULANE UNIVERSITY POLICE

### Role, Authority, and Training

The Tulane University Police Department includes full-time commissioned officers, trained at state-certified police academies, who meet the requirements of the Louisiana Peace Officer Standards and Training Council (POST). The Tulane University Police Department also is responsible for enforcing Louisiana state laws and New Orleans city ordinances. The Department reports to the Senior Vice-President & Chief Operating Officer of the University.

The Tulane University Police Department is a full-service law enforcement agency that provides police services to the Uptown Campus, the Downtown Medical Center Campus, School of Professional Advancement located in Elmwood, and the National Primate Research Center located in Covington. TUPD recognizes that our community extends beyond the recognized borders of our property and extends patrol efforts into the surrounding neighborhoods. Officers work under cooperative endeavor agreements with local law enforcement such as the NOPD to provide a comprehensive law enforcement presence.

Tulane officers are commissioned police officers that are authorized to make arrests and exercise investigative powers by the State of Louisiana. Tulane police officers carry firearms and several other defensive weapons. Many of our officers are recruited from state and local law enforcement agencies. Many have extensive experience in campus law enforcement. Civilian and administrative staff receive special training in security and safety issues to supplement the department.



TUPD officers are commissioned under the Louisiana State Law Revised Statute 17:1805 and have the same authority as municipal police officers in the State of Louisiana, being authorized to carry firearms and empowered to make arrests. All reported criminal incidents are investigated by the University Police on Tulane campuses. All crimes that occur on campus or on university property shall be reported to TUPD.

### **University Police Jurisdiction**

As provided by law in the State of Louisiana, University Police Officers may discharge their duties on campus and on all streets, roads, and right-of-way to the extent they are within or contiguous to the perimeter of such campuses.

Additionally, University Police Officers may discharge their duties off campus if in pursuit; engaging in intelligence gathering activity; investigating a crime committed on campus; when transporting prisoners; when transporting money, securities, or other valuables on behalf of the University; while providing security or protective services for visiting dignitaries to the University; or if specifically requested by the chief law enforcement officer of the city or parish.

The primary patrol area for University Police Officers encompasses on-campus property including campus residence halls, buildings, parking lots, and other facilities; designated non-campus properties and facilities; public property adjacent to and accessible from campus; and University leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities within the State of Louisiana.

TUPD officers provide police services outside of recognized campus boundaries per the Cooperative Endeavor Agreement (discussed later in this report).

### **Safety, Our Priority**

The Tulane community is a great place to live, study, and work. However, this does not mean that the campus community is immune from all the other unfortunate circumstances that arise in other communities. With that in mind, Tulane University has taken progressive measures to create and maintain a reasonably safe environment on campus. Though the University is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.


With over 13,500 students, approximately 5,000 faculty and staff members on sizable uptown and downtown campuses with numerous buildings, Tulane is in many ways a small city inside the larger city that is New Orleans.

Tulane has instituted several measures to keep the campus and the surrounding neighborhood safer. This includes hiring a local security agency that observes the community. These officers receive university specific training. Unlike TUPD officers, security officers do not have the authority to make arrests.

Throughout the year across the Tulane University campus, many programs and services from various and collaborating departments work to raise awareness of safety and security issues and best practices, and in doing so, help prevent many types of crime both on-campus and off. In essence, all security awareness programs also help prevent crime. The programs are constantly being augmented by new programs created by students and by university offices serving the student and employee populations. Some of these programs are listed in various sections of the Annual Fire Safety and Security Report.







TUPD provides and participates in a number of different safety and security programs and initiatives for the campus community. Some of these programs include:

**Student Interaction Programs** – Officers participate in community engagement programs such as ‘Coffee with a Cop’ and partnership programming with the Undergraduate Student Government.

**National Night Out Against Crime** – TUPD officers attend neighborhood and community gatherings with the New Orleans Police Department to promote community policing and networking between law enforcement agencies and neighbors.

**Safety Escorts** – An on-request officer safety escort for anyone on campus, from and to any campus location, provided by TUPD with a call to dispatch. Promoted through student and parent orientations, online and printed materials.

**Everbridge** – A smart phone app that can be used as a virtual escort to and from the various Tulane campuses. A valid Tulane email address is required to set up your profile.

**TUPD Information Bulletins** – E-mail, social media and web bulletins with information about crime, security or safety trends, advice, prevention strategies, or incidents that may not pose a serious or ongoing threat.

**TUPD Website** – Police department website with Clery Act information and resources, crime prevention resources, crime reporting forms and instruction (including anonymous reports for sexual assault and other incidents of crime), Sex Offender Registry, Silent Witness reporting, Crime Alerts, Daily Crime Log and Previous Months Crime Logs, Crime and Fire Statistics, Annual Fire Safety and Security Report, Links to neighboring law enforcement agencies, RAD Registration, Alcohol, Drug, and Tobacco Policies. Promoted through orientations.

**Parent Orientations** – Representatives from various University departments present to parents of incoming students the safety, security and well-being resources available, including from TUPD.

**Business School Students Orientations** – Experts from TUPD, the Office of the Dean of Students, and other departments present to students in the Business School MFIN, MACCT, MMGMT, and MME programs on personal safety, property protection and crime prevention and reporting.

**Law School Students Orientations** – Experts from TUPD, the Office of the Dean of Students, and other departments present to students in the Law School 1 L’s and LLM’s programs, on personal safety, property protection and crime prevention and reporting.

**International Student Orientation** – Experts from TUPD present to international students on personal safety, property protection and crime prevention and reporting.

**TUPD Safety and Prevention Presentations** – TUPD police officers conduct in-person presentations on preventing and reporting crime, including active-shooter response, crime prevention, bystander intervention, and police services. Promoted by e-mail, regular meetings with student and employee groups and upon request.

**Bait Bike Program** – Bicycles are outfitted with GPS and placed on campus as bait bikes and tracked via Communications if taken. Mandatory registration of all bikes on Tulane campus is provided through the Parking Services Division of Facilities Services Department. Promoted by print and online marketing, orientations.

Guns are not allowed on Tulane University property. By law, no guns are permitted within 1,000 feet of campus, except in constitutionally and statutorily protected areas and/or in possession of commissioned law enforcement officers. While this report covers crime on the Tulane campus and thus raises concerns about overall safety of the Tulane students and community members, it’s important to remember that statistically, college campuses nationwide are safer places to be than the world that surrounds them. In 2019, about 27,300 criminal incidents on campuses at postsecondary institutions were reported to police and security agencies, representing a 4 percent decrease from 2018, when 28,600 criminal incidents were reported. The number of on-campus crimes reported per 10,000 full-time-equivalent students also decreased, from 19.5 in 2018 to 18.7 in 2019. Compare this to the FBI’s reported 2019 crime statistics, where there were approximately 6.8 million criminal offenses nationwide. Between Tulane’s commissioned officers, on and off-campus patrol, and targeted dispatch system, the University neighborhood is one of the most protected parts of the city.



## Working Relationship with Local, State, and Federal Law Enforcement Agencies

TUPD maintains a cooperative relationship with the Louisiana State Police, New Orleans Police Department, and surrounding police agencies. This includes inter-operative radio capability and a joint police records computer system, training programs, special events coordination, and investigation of serious incidents.


The Tulane University Police Department participates in a Cooperative Endeavor Agreement that authorizes police officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance public and officer safety and efficiency. This agreement is with the City of New Orleans and allows for joint training and cooperation on other matters, such as pre-planned large-scale special events.

Tulane and the New Orleans Police Department (NOPD) work closely together to keep the campus neighborhood safe. The officers of TUPD and NOPD communicate regularly on the scene of incidents that occur in and around the campus area. Tulane police investigators work closely with the investigative staff at NOPD when incidents arise that require joint investigative efforts, resources, crime-related reports and exchanges of information, as deemed necessary. If an incident occurs that exceeds the capabilities of the University Police Department, personnel and other resources are provided by the above listed law enforcement agencies.

Tulane officers patrol regularly in the uptown area bordered by Jefferson, South Claiborne, South Carrollton, and St. Charles Avenues. TUPD also works with Louisiana State Police when incidents arise that require collaboration. TUPD is a member of the Louisiana State Analytical and Fusion Exchange where intelligence and information is shared with other local and state agencies.







A daily crime log is kept of all incidents reported to TUPD. The daily crime log is available for review at the uptown and downtown district police stations, as well as the National Primate Research Center and School of Professional Advancement. It is also available on the TUPD website at <https://publicsafety.tulane.edu/daily-crime-log>. Tulane monitors incidents at its off-campus sites and records those offenses. Tulane police report and provide the New Orleans Police Department with pertinent records in cases of serious on-campus crime. The NOPD and LSP accepts and processes evidence for serious crimes.

### **Crimes Involving Student Organizations at Off-Campus Locations**

Tulane University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Tulane University students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, TUPD will actively investigate certain crimes occurring on or near campus. If TUPD learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency, and forward information about the situation to the Office of Student Conduct, as appropriate.

The University requires all recognized student organizations to abide by federal, state, and local laws, and University policies and procedures. The University may become involved in the off campus conduct of recognized student organizations when such conduct is determined to affect University interest (as defined in the Tulane Code of Student Conduct, found in PDF form at <https://conduct.tulane.edu/node/2476>).

Tulane has several officially recognized student organizations that have privately owned housing facilities outside the boundaries of the uptown campus. If a community member calls NOPD to respond to one of these locations, NOPD may notify TUPD to respond jointly or they will notify TUPD after they have responded. However, NOPD does this out of courtesy and is not required to notify or involve TUPD when they respond to a call involving private property. However, none of these recognized student organizations provide non-campus housing facilities as defined by the Clery Act and are therefore considered non-campus property.

### **TIMELY WARNING REPORTS**

Tulane University will issue a timely warning when a Clery crime, occurring within Clery geography, poses a serious or on-going threat to the campus community. Timely Warning Notifications will be distributed as soon as pertinent information is available, in a manner that is timely, that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar crimes or occurrences. University Police will disseminate these warnings through a variety of mechanisms, including but not limited to email, SMS messaging and other forms of media. Timely Warnings are posted via the crime alert listserv as soon as pertinent information is collected. All students, faculty, and staff members receive timely warnings for all campuses via email. Timely Warning Notifications are primarily distributed by blast email to all students and employees on campus as soon as pertinent information is available. The intent of a Timely Warning Notifications is to warn the campus regarding a criminal incident, providing individuals an opportunity to take reasonable precautions to protect themselves. Timely Warning Notifications are generally written and distributed to the campus community by the designee of the Chief, and they are routinely reviewed and approved by the Chief of Police or their designee prior to distribution.

Timely Warning Notifications are sent to the university community to notify members of the community about specific Clery Act crimes (as described below) that have been reported to TUPD and that have occurred on or within the university's Clery geography (on-campus, non-campus or public property), where after review and assessment it is determined that the incident may pose a serious or continuing threat to members of the community. Crimes that occur outside the campus' primary Clery geography, as stipulated or other non-Clery specific crimes, will be evaluated on a case-by-case basis.

Timely Warning Notifications are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an





ongoing threat to the larger Tulane community)

- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Clery Act Coordinator or designee).
- Major incidents of Arson
- Motor Vehicle Thefts
- Other Clery crimes as determined necessary by the Chief of Police or their designee.

In addition, when a serious crime happens on or near Tulane's uptown campus, parents, neighbors and others outside the campus can be made aware by subscribing to the Timely Warning listserv, a special email list used by TUPD. To subscribe, visit this web page: <https://publicsafety.tulane.edu/crime-alerts>.

The University will issue Timely Warnings when the following criteria are met: 1) a crime is reported; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. Such crimes include but are not limited to: 1) Clery Act crimes that are reported to any campus security authority or the local police; or 2) incident in which an ongoing threat to the campus community exists. Additionally, the University Police may, in some circumstances, issue Timely Warnings when there is a pattern of crimes against persons or property.

The TUPD Chief of Police or designee reviews all reported crimes to determine if there is an ongoing threat to the community and the distribution of a Timely Warning is warranted. Timely Warnings may also be posted for other crime classifications, as deemed necessary. The Tulane Police Command Staff issues Timely Warnings under the authority of the Chief Operating Officer. For incidents involving off-campus crimes, the University may issue a Crime Alert if the crime occurred in a location used and frequented by the University population.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **Emergency Management at Tulane University**


The University's Office of Emergency Preparedness and Response (OEP&R) is responsible for the Emergency Operations All Hazards Plan (EOAHP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions. The mission of the Tulane University Office of Emergency Preparedness and Response (OEPR) provides the university with a solid yet flexible emergency preparedness and response structure, positioned to provide for the best possible safety and welfare of the faculty, staff and students through the preservation of life, health, property, and environment.

The primary function of the Life Safety department is to provide a safe and secure environment for students, faculty, and staff. The Life Safety department (LFD) provides comprehensive services in support of the university's operations, including performing required testing, inspecting, and maintaining the fire/life fire safety systems in all buildings on our campuses. LFD specialists ensure the university's fire life safety systems comply with the National Fire Protection Association's (NFPA) codes and other industry standards. The life safety technicians ensure that all fire code violations are corrected in a timely manner. They maintain all suppression systems throughout the university, which include fire pumps, fire extinguishers, chemical suppression hoods, halon or inergen systems, and sprinkler systems. The LFD also oversees the work of any outside contractors that modify or repair university fire systems. In addition, the life safety technicians maintain all the university's fire extinguishers and fire detection systems to code. These include fire alarms, smoke detectors, pull stations, horns, and strobes. In addition, the university fire marshal, and in some cases, conditions, require an LFD crew to be on hand at university-based special events and major sporting events.

A summary of the University's emergency response procedures is located at <https://emergencyprep.tulane.edu>.

Included at this web page is detailed information regarding the University's emergency notification policy, including how to enroll in the emergency notification system to ensure you receive emergency notices on university and cellular telephones.





General information about the emergency response and evacuation procedures for Tulane is publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the Emergency Preparedness and Response website. Detailed information about and updates to the Tulane EOHP and Departmental Contingency and Continuity Plans are available at the Office of Emergency Management. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

OEPR is responsible for updating and maintaining the university's emergency plans. The Tulane University All-Hazards Emergency Operations Plan (EOP) provides the core framework for preparedness, response, and recovery efforts that manage threats and/or incidents that could negatively impact the university's populations, assets, programs, properties, reputation, and/or viability.

The plan is designed as a guide for the activation, organization, and deployment of essential personnel and resources by OEPR to manage incidents quickly and efficiently. To do this, the EOP provides:

- Authorizations for plan activation and the conduct of immediate response actions.
- An organized management system for response and recovery operations.
- Authorization and frameworks for coordination and communication with stakeholders.
- A methodology for both gathering and evaluating information and developing strategic action plans for managing the incident from onset to resolution.
- A system for developing and issuing safety advisories to University populations.
- A system for coordinating operations internally and with external agencies/response partners.
- Defined roles and response procedures for staff with emergency response assignments.
- A methodology for the procurement and allocation of resources, tracking emergency costs, and assessing damage and losses.

Within the EOP are annexes that cover a range of hazards from acts of violence, including active shooter, to building and structural collapse to health hazards to severe weather, including hurricanes. Each annex identifies the response roles and responsibilities various university departments have pertaining to the hazards described within the annex.

OEPR is also responsible for guiding departments through their all-hazards and continuity of operations planning. Departmental plans are updated each spring and submitted to OEPR during the summer.

General information about emergency plans and responses can be found at <https://emergencyprep.tulane.edu>.

Additionally, the EOP is posted on an internal website for all faculty and staff to access. Students and departments are given emergency flip guides with specific hazards and procedures each year. Additionally, a mailer is sent to all employees and all students each summer reminding them of how they will receive emergency alerts (called TUALerts) and of the importance of having a personal evacuation plan for hurricanes.


### **Drills, Exercises and Training**

Annually, the University conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year and include several departments from across the campus. The exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The University conducts after-action reviews of its emergency management exercises. The University also tests the emergency notification systems on campus. In addition to attendance rosters at trainings and exercises, after-action reports serve as documentation.

In conjunction with at least one emergency management exercise each year, the University will notify the community of the exercise and remind the community of the publicly available University information regarding emergency response procedures, as explained here: <https://emergencyprep.tulane.edu/emergency-communications-system>.

Tulane police officers and supervisors have received training in incident command and responding to critical incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually TUPD, NOPD and the New Orleans Fire Department and/or New Orleans Emergency Medical Services; they typically respond and work together to manage the incident. Depending on the nature of the incident, other Tulane departments and other local or federal agencies could also be involved in responding to the incident.





The Offices of Housing and Residence Life and Fire Safety coordinate evacuation drills each semester for all residential facilities on both campuses. Thus, the emergency response and evacuation procedures are tested at least twice each year for each residential facility. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. TUPD does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus and other factors such as the location and nature of the threat. In both cases, TUPD and Housing and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fire or other emergency. At Tulane, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the TUPD, Fire and Life Safety, and the Housing and Residence Life Departments (the downtown campus is monitored by Fire and Life Safety, TUPD, and Facilities Services) to evaluate egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first-floor meetings and during other educational sessions that they can participate in throughout the year. The resident advisors are trained in these procedures as well, and act as an ongoing resource for the students living in residential facilities.

The Offices of Housing and Residence Life and Fire Safety conduct numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. Tulane will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Additionally, Tulane has plans in place for evacuating students from the uptown and downtown campuses in the event they are threatened by severe weather. These plans supplement but do not replace the individual evacuation plan that each student is required to develop. In the event of an emergency requiring evacuation from campus, students may elect to self-evacuate. Those students remaining on campus as of official closure time will be transported to a shelter a safe distance from campus, housed during the emergency and returned to campus when the campuses are reopened. The Office of Emergency Preparedness and Response maintains agreements for transportation and housing of students in the event of an emergency. To assist students with their own evacuation plans, Transportation Services operates a shuttle to Louis Armstrong International Airport from the uptown campus from the initial announcement of closure until the University is evacuated.

Evacuation plans for individual buildings in TNPRC and Elmwood are identical to the New Orleans plans. Since there are no resident students in the TNPRC or Elmwood locations, there are no plans to evacuate students from the area in the case of severe weather


### ***Shelter-in-place procedures—what it means to “shelter-in-place”***

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

### ***Basic “shelter-in-place” guidance***

If an incident occurs and the building you are in is not damaged, stay inside, seeking an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, Tulane ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit and use the stairs





instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

### **How you will know to “shelter-in-place”**

A shelter-in-place notification may come from several sources, including the TUPD, Emergency Preparedness and Response, other University employees, the federal or local government, NOPD, or other authorities utilizing the University’s emergency communications tools. Tulane utilizes a mass notification system with text message and email capabilities and has installed an emergency alert siren system on the uptown campus, which will be used to notify all persons on the campus when there is a need to take immediate shelter. Procedures will be immediately put in place to address sheltering for severe weather and sheltering during a campus lockdown.

### **How to “shelter-in-place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency.
- If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
  - > An interior room;
  - > Above ground level; and
  - > Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. (University staff will turn off ventilation as quickly as possible.)
- Make a list of the people with you and ask someone (house staff, faculty, or other staff) to call the list in to TUPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

### **Emergency Notification**

Tulane University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. In the event of a serious incident that poses an immediate threat to members of the Tulane community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails and emergency text messages that can be sent to a phone or PDA, or a voice recorded message that can be sent to a specific phone number (for more information about Tulane employees and students receiving alerts, and also periodic updates for parents, visit Tulane’s Emergency Communication Systems website at <https://emergencyprep.tulane.edu/emergency-communications-system>). In the event that individuals do not have Internet access during an emergency, Tulane also provides emergency information on the Tulane AlertLine (504-862-8080 or toll-free, 877-862-8080), a phone service that allows individuals to receive the same emergency information found on the emergency website in the form of a voicemail message.

The University will post updates during a critical incident on the Tulane emergency website at <https://tulane.edu/emergency>. Members of the larger community who are interested in receiving information about emergencies on campus should use the emergency website at <https://tulane.edu/emergency> and the AlertLine, 504-862-8080, for obtaining updates in the event of an emergency on campus. Tulane University performs a university-wide annual test of the system. The following procedures outline the process the University uses when issuing emergency notifications.





## ***Procedures Used to Notify the Campus Community***

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the University's email system, and verbal announcement within a building and public address system on police cars and emergency text messages that can be sent to a phone or PDA, or a voice recorded message that can be sent to a specific phone number (for more information about Tulane employees and students receiving alerts, and also periodic updates for parents, visit Tulane's Emergency Communication Systems website at <https://tulane.edu/emergency>). In the event that individuals do not have Internet access during an emergency, Tulane also provides emergency information on the Tulane AlertLine (504-862-8080 or toll-free, 877-862-8080), a phone service that allows individuals to receive the same emergency information found on the emergency website in the form of a voicemail message.

The University will post updates during a critical incident on the homepage. If the situation warrants, the University will establish a telephone call-in center to communicate with the University community during an emergency.

## ***Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System***

The University Police and/or other campus first responders may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the Police Dispatch Center or upon discovery during patrol or other assignments. Members of the Tulane community are notified on an annual basis that they are required to notify the Tulane Police Department of any situation or incident on campus that involves a significant emergency or dangerous situation and that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. TUPD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document situations that may cause a significant emergency or dangerous situation. In addition, TUPD has a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If such a threat exists, the University will promptly notify the campus community or the appropriate segments of the community that may be affected by the situation. Different types of emergencies require different confirmation processes. For example, the process for confirming an approaching hurricane varies from that of an active shooter. Tulane works with every necessary internal department and outside agencies to confirm the necessary information for initiating the emergency notification system.


Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in the University Police or other authorized University office to issue an emergency notification.

The University's authorized representatives will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing emergency notifications. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community.

## ***Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification***

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the University community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the University notification system, the University will also post applicable messages about the dangerous condition to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety on the Tulane emergency website at <http://emergency.tulane.edu>. Members of the larger community who are interested in receiving information about emergencies on campus should use the emergency website at [www.tulane.edu/emergency](http://www.tulane.edu/emergency).





emergency.tulane.edu and the AlertLine, 504-862-8080, for obtaining updates in the event of an emergency on campus. If the emergency affects a significant portion of the entire campus, University officials will distribute the notification to the entire campus community.

### ***Determining the Contents of the Emergency Notification***

The Office of Emergency Preparedness and Response (OEP&R) and the University Communications Office receive information from various offices and departments on campus. If TUPD confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Tulane community, OEP&R, and University Communications will collaborate to determine the content of the message. OEP&R will initiate the process using some or all of the systems described below to communicate the threat to the Tulane community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Upon confirming that an emergency or dangerous situation exists involving an immediate threat to the health or safety of students or staff on campus, an immediate notification will be disseminated to the campus community. OEP&R and UCM will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: TUPD, NOPD, and/or the New Orleans Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University has developed a wide range of template messages addressing several different emergencies. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop a message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

During incidents in which the University's emergency alert notification system has been used, the university may continue to send updates via that system to faculty, staff, and students. The updates shall reflect the same messaging that University Communications sends via email and posts on the website and social media. Additionally, the university shall send the All Clear via the emergency alert notification system, which may be followed up with additional messaging from University Communications.

### ***Procedures for Disseminating Emergency Information to the Larger Community***

The University will provide information to the larger community (parents, alums, New Orleans host community) through the University website and local media outlets and resources. When circumstances require, the Office of University Communications and Marketing will provide media releases and ensure the website is kept current.

### ***Enrolling in the University's Emergency Notification System***

We encourage members of the campus community to enroll in the University's alert system. For more information about Tulane employees and students receiving alerts, and periodic updates for parents, visit Tulane's Emergency Communication Systems website at <https://emergencyprep.tulane.edu/emergency-communications-system>. We encourage University community members to regularly update their information at the same site.

## **SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES**


### **Academic and Administrative Buildings**

During normal business hours, the Tulane University's uptown campus is generally open and accessible to students, faculty, staff and visitors of the university.

The majority of academic and administrative buildings are open during normal business hours (typically Monday through Friday, from 8am to 5pm, except holidays) and are typically secured during the late evening hours, depending upon class schedules, special event scheduling, and community usage.

The downtown campus is not open to the public and requires card access. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours and all of these buildings have varied levels of access. After business hours, buildings are secured





by TUPD staff according to preset schedules, and re-entry into these buildings has to be cleared through the Tulane University Police Department or made by key or card access entry.

Academic and administrative buildings do not have a TUPD staff member assigned to them. However, TUPD officers patrol the academic and administrative buildings on a regular basis. For information about the access protocol for a specific building, see the building manager, a department head, or contact TUPD. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.

### **Special Considerations for Residence Hall Access**

We expect students to secure their individual residence hall rooms and report anything suspicious to the Tulane University Police Department and to the residence life staff. Many residence halls maintain a 24-hour exterior door-locking system; entrance into buildings is by key or card. Visitors are allowed into the residence halls only when escorted by a resident. Other halls, including those for first-year students, have desk assistants hired by Housing and Residence Life who are on duty during defined hours; residents of those halls must show identification.

On the uptown campus, all residence halls operate under a computerized Access Control and Security Monitoring System. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. Security Officers are responsible for checking and securing doors, when needed.

When a door is malfunctioning, personnel are summoned for immediate repair. Remember to lock your doors and windows. Most residence halls are equipped with locks and with crash bars to ensure a quick emergency exit.

Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that his/her guest(s) are aware of the University and residence hall policies. Guests are not provided with room keys or door access cards. All exterior doors are locked 24 hours a day. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents. When TUPD receives a report of an unescorted person in a residence hall, a police officer is dispatched to identify that person. TUPD has contracted security guards assigned to each residence hall between the hours of 6 p.m. and 6 a.m. TUPD officers supplement this coverage by providing roving patrols throughout each campus 4 hours a day and 7 days a week. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated buildings and gain access via the University's electronic access control system.

### **Security Considerations for the Maintenance of Campus Facilities**

Tulane University is committed to campus safety and security. At the University, locks and outdoor lighting is intended to promote safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Maps showing the best-lit and most traveled routes across campus are available by contacting TUPD.

Environmental Health & Safety, in conjunction with representatives from the University Police, conducts surveys of University property twice each year to evaluate campus lighting. At the University, there are over 2,700 walkway, parking lot, and roadway lights that provide illumination on campus.

The University also conducts an annual Campus Night Safety Walk. This event consists of a walk-through campus with staff from Facilities Services, Student Affairs, Risk Management, Emergency Preparedness, TUPD, and Student Government to identify areas in need of improved lighting, landscaping, and other modifications that could make campus travel safer. This event is sponsored by Student Affairs.

To help ensure the safety of the entire University community, outdoor lighting, door-locking systems, and landscaping around residence halls and throughout campus are maintained by the Tulane Facilities Services Department. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. TUPD regularly patrols the uptown and downtown campuses and reports malfunctioning lights and other unsafe physical conditions to the Facilities Services Department for correction. We encourage community members to promptly report any security concern, including concerns about locking mechanisms, lighting, or landscaping. Reports can be made using the online report form at <https://tulane.edu/concerns>.









## TULANE UNIVERSITY'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

### Policy Statement

Tulane University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Tulane University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Tulane University does not discriminate on the basis of sex in its educational programs nor tolerate sexual violence, which is a type of sex discrimination. Other acts can also be forms of sex-based discrimination and are prohibited, whether gender-based or not, and include intimate partner violence, and stalking. Tulane University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs and procedures that address sexual assault, intimate partner violence, and stalking, regardless of whether the incident occurs on or off campus, and regardless of how these events are reported to a University official.

The Tulane University “All In” website also provides additional and in-depth information: [allin.tulane.edu](https://allin.tulane.edu).

### Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

**Domestic Violence:** A Felony or misdemeanor crime of violence committed by—

- 1) a current or former spouse or intimate partner of the victim;
- 2) a person with whom the victim shares a child in common;
- 3) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 4) 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
- 5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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.


Definition of a **Crime of Violence:** According to Section 16 of Title 18 of the United States Code, the term “crime of violence” means:

- i. An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another; or,
- ii. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

**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.

- i. The existence of such a relationship shall be 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.
- ii. For the purposes of this definition—
  - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - B) Dating violence does not include acts covered under the definition of domestic violence
- iii. 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.





**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

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

**Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

**Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

**Stalking:**

- i. 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.

For the purposes of this definition—

- A) **Course of Conduct** means two or more acts, including, but not limited to, acts 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.
- B) **Reasonable Person** means a reasonable person under similar circumstances and with similar identities to the victim.
- C) **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

The following are titles and sections of Louisiana State Law which most clearly coincide with the federal definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking as published in the Clery Act. The list is not exclusive or comprehensive, as circumstances involved with other crimes may also meet the Clery Act definitions. In situations where the state law definitions vary from those of the Clery Act, the specific circumstances of the incident are taken into account and compared to the Clery Act definitions to determine if the incident should be carried as a statistic for reporting purposes in this document.

The complete legal definitions of Louisiana Statutes with all subparts are publicly available on the Louisiana State Legislature website at the following address: <http://legis.la.gov/legis/Home.aspx>

#### **Domestic Violence**

Louisiana Revised Statutes (LRS) Title 46, Sections 2131 – 2148 establish the *Louisiana Domestic Abuse Prevention Act* including definitions of behaviors considered "domestic violence."

Additionally, there are several criminal code sections which detail specific behaviors considered "domestic violence," including, but not limited to LRS 14:35.3 *Domestic abuse battery*, LRS 14:37.7 *Domestic abuse aggravated assault*, and LRS 14:79 *Violation of protective orders*. Other crimes may involve an element of domestic violence and are included in reported statistics if the behavior meets the Clery standard.





## Dating Violence

Louisiana Revised Statutes (LRS) Title 46, Section 2151 establishes the *Louisiana Protection from Dating Violence Act* which extends to dating partners all benefits and protections available under the *Louisiana Domestic Abuse Prevention Act*.

Additionally, there are several criminal code sections which detail specific behaviors considered “dating violence,” including, but not limited to LRS 14:34.9 *Battery of a dating partner*, LRS 14:34.9.1 *Aggravated assault upon a dating partner*, and LRS 14:79 *Violation of protective orders*. Other crimes may involve an element of dating violence and are included in reported statistics if the behavior meets the Clery standard.

## Sexual Assault

Louisiana Revised Statutes (LRS) Title 46, Sections 2181 – 2188 establish the *Louisiana Protection for Victims of Sexual Assault Act* and provides for victims of sexual assault access to civil remedies including protective orders.

Louisiana Revised Statutes (LRS) Title 14, contains several sections which defines various behaviors considered “sexual assault,” including, but not limited to LRS 14:41 *Rape (defined)*, LRS 14:42 *First Degree Rape*, LRS 14:42.1 *Second Degree Rape*, LRS 14:43 *Third Degree Rape*, LRS 14:43.1 *Sexual battery*, LRS 14:43.1.1 *Misdemeanor Sexual battery*, LRS 14:43.2 *Second Degree Sexual battery*, LRS 14:43.3 *Oral sexual battery*; LRS 14:80 *Felony carnal knowledge of a juvenile*, LRS 14:80.1 *Misdemeanor carnal knowledge of a juvenile*, LRS 14:81 *Indecent behavior with juveniles*, LRS 14:81.2 *Molestation of a juvenile or a person with a physical or mental disability*, LRS 14:81.4 *Prohibited sexual conduct between educator and student*, LRS 14:89 *Crime against nature*, LRS 14:89.1 *Aggravated crime against nature*, and LRS 14:93.5 *Sexual battery of persons with infirmities*. Other crimes may involve an element of sexual assault and are included in reported statistics if the behavior meets the Clery standard.

## Stalking

Louisiana Revised Statutes (LRS) Title 46, Section 2171 – 2174 establishes the *Louisiana Protection from Stalking Act* which extends to victims of stalking all benefits and protections available under the *Louisiana Domestic Abuse Prevention Act*.

Louisiana Revised Statute (LRS) Title 14, Section 40.1 *Stalking* clearly mimics the federal definition for stalking. Additionally, LRS 14:40.2 *Cyberstalking* and LRS 14:40.7 *Cyberbullying* often involve behaviors which meet the Clery Act definition for stalking. Other crimes may involve an element of stalking and are included in reported statistics if the behavior meets the Clery standard.

## Tulane University Definitions for Students


On August 14, 2020, new Title IX regulations from the Department of Education took effect, requiring Tulane to make changes to our policy definition and procedures with regards to sexual harassment (which includes sexual assault, dating/ domestic violence, and stalking). During the 2020-21 academic year, the University had two procedures to resolve issues of sexual violence: one to address the Prohibited Conduct in our Code of Student Conduct and one to address conduct that met the definition of sexual harassment as stated in the Title IX federal regulations, which were codified in the Code in Appendix A. The follow definitions are from both procedures.

### Title IX Federal Regulation Definition of Sexual Harassment/Violence

Sexual Harassment includes two distinct but overlapping definitions:

1. The May 2020 amendments to the Title IX regulations (34 C.F.R. part 106, hereafter “Federal Regulation Sexual Harassment”) define Sexual Harassment as conduct on the basis of sex that must satisfy one or more of the following:
  1. A Tulane employee conditions the provision of an aid, benefit, or service of Tulane on an individual’s participating in unwelcome sexual conduct; or
  2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Tulane’s education program or activity; or
  3. Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as defined in Section III, Parts B, C, D, and E below. Student conduct that meets this definition must be resolved using the Title IX Grievance Procedures articulated in this Appendix in Part IX below.




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2. In addition, consistent with Title VII of the Civil Rights Act of 1964 and the recognition that Sexual Harassment may also occur in a wider variety of contexts, Tulane also defines Sexual Harassment to include any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, electronic, or otherwise (sexual harassment); or, any act of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise based on sex or gender, sexual orientation, gender identity, or gender expression, even if the acts do not involve conduct of a sexual nature (gender-based harassment); when one or more of the following conditions are present:
- a. Submission to or rejection of such conduct is either an explicit or implicit term or condition of, or is used as the basis for decisions affecting, an individual's employment or advancement in employment, evaluation of academic work or advancement in an academic program, or basis for participation in any aspect of a Tulane program or activity (*quid pro quo*); or
  - b. The conduct is sufficiently severe, pervasive, or persistent that it has the purpose or effect of unreasonably interfering with, limiting or depriving an individual from participating in or benefiting from Tulane's learning, working, or residential programs under both an objective and subjective standard (hostile environment). In evaluating whether a hostile environment exists, Tulane will evaluate the totality of known circumstances, including, but not limited to:
    - i. the frequency, nature and severity of the conduct;
    - ii. whether the conduct was physically threatening;
    - iii. the effect of the conduct on the Complainant's mental or emotional state;
    - iv. whether the conduct was directed at more than one person;
    - v. whether the conduct arose in the context of other discriminatory conduct;
    - vi. whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or Tulane programs or activities;
    - vii. whether the conduct implicates academic freedom or protected speech; and,
    - viii. other relevant factors that may arise from consideration of the reported facts and circumstances.

Student conduct that did not meet the Title IX definition of Sexual Harassment but meets this second definition will be resolved using the procedures articulated in the Code in Part E. Investigation of Major Matters (non-Title IX).

- B. Sexual Assault is having or attempting to have sexual contact with another individual without consent or with an individual who cannot consent because of age or temporary or permanent mental incapacity.
1. Sexual contact includes
    1. sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, or tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight;
    2. sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification; and
    3. attempts to commit sexual assault.
  2. Consent
    1. Consent is defined as being:
      1. informed (knowing);
      2. voluntary (freely given); and
      3. active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity.
    2. Consent cannot be obtained by Force. Force includes: the use of physical violence, threats, intimidation, and/or coercion.
      1. Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
      2. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity.





Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

3. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
4. Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider:
  - a. the frequency of the application of the pressure,
  - b. the intensity of the pressure,
  - c. the degree of isolation of the person being pressured, and
  - d. the duration of the pressure.
3. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.
- d. Being impaired by alcohol or other drugs is not a defense to not obtaining consent.


The statutory definition of sexual assault referenced by the Title IX regulations (34 C.F.R. part 106) also includes having or attempting to have sexual contact between persons who are related to each other within the degrees where marriage is prohibited by law.

- C. Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant'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.
1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  2. Dating violence does not include acts covered under the definition of domestic violence.
  4. Domestic Violence is a felony or misdemeanor crime of violence committed:
    1. By a current or former spouse or intimate partner of the Complainant;
    2. By a person with whom the Complainant shares a child in common;
    3. By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
    4. By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Louisiana;
    5. By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Louisiana.

To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

5. Stalking is engaging in an intentional 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.
  1. 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.
  2. Reasonable person (for the purposes of stalking) means a reasonable person under similar circumstances and with similar identities to the Complainant.



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3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

## **Sexual Misconduct Prohibited by the Code of Student Conduct**

### **Sexual Assault**

Sexual Assault consists of (a) Sexual Contact and/or (b) Sexual Intercourse that occurs without (c) Affirmative Consent.

a. Sexual Contact is:

- Any intentional sexual touching
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Contact includes (i) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (ii) making another touch you or themselves with or on any of these body parts.

b. Sexual Intercourse is:

- Any penetration
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Intercourse includes (i) vaginal penetration by a penis, object, tongue, or finger; (ii) anal penetration by a penis, object, tongue, or finger; and (iii) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

c. Affirmative Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity

Affirmative Consent cannot be obtained by Force. Force includes (i) the use of physical violence, (ii) threats, (iii) intimidation, and/or (iv) coercion.

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

ii. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity.


Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

iii. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

iv. Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

Affirmative Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.





A person who is incapacitated is unable, temporarily or permanently, to give Affirmative Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

The University offers the following guidance on Affirmative Consent and assessing incapacitation:

A person who wants to engage in a specific sexual activity is responsible for obtaining Affirmative Consent for that activity. Lack of protest does not constitute Affirmative Consent. Lack of resistance does not constitute Affirmative Consent. Silence and/or passivity also do not constitute Affirmative Consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in a violation of this Policy. It is important not to make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue that activity.

Affirmative Consent to one form of sexual activity does not, by itself, constitute Affirmative Consent to another form of sexual activity. For example, one should not presume that Affirmative Consent to oral-genital contact constitutes Affirmative Consent to vaginal or anal penetration. Affirmative Consent to sexual activity on a prior occasion does not, by itself, constitute Affirmative Consent to future sexual activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on the presence of Affirmative Consent.

Affirmative Consent may be withdrawn at any time. An individual who seeks to withdraw Affirmative Consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once Affirmative Consent is withdrawn, the sexual activity must cease immediately.

In evaluating Affirmative Consent in cases of alleged incapacitation, the University asks two questions: (1) Did the person initiating sexual activity know that the other party was incapacitated? and if not, (2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated? If the answer to either of these questions is “YES,” Affirmative Consent was absent, and the conduct is likely a violation of this policy.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated per result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person.

One is not expected to be a medical expert in assessing incapacitation. Although every individual may manifest of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?”, “Do you know how you got here?”, “Do you know what is happening?”, “Do you know whom you are with?”

One should be cautious before engaging in sexual contact or sexual intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether Affirmative Consent has been sought or given. If one has doubt about either party’s level of intoxication, the safe thing to do is to forego all sexual activity.

**Being impaired by alcohol or other drugs is no defense to any violation of this policy.**

### **Sexual Exploitation**

Sexual Exploitation is purposely or knowingly doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give Affirmative Consent to sexual activity;



- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images);
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts [including genitalia, groin, breasts or buttocks] in a place where that person would have a reasonable expectation of privacy);
- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Prostituting another person; or
- Exposing another person to a sexually transmitted infection or virus without the other's knowledge

### **Intimate Partner Violence**

Intimate Partner Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence may include any form of prohibited conduct under this policy, including Sexual Assault, Stalking, and Physical Assault (as defined below).

Intimate Partner Violence includes “dating violence” and “domestic violence,” as defined by the Violence Against Women Act (VAWA). Consistent with VAWA, the University will evaluate the existence of an intimate relationship based upon an individual's statement and taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Physical assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical assault will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.

### **Stalking**

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress.

Course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

### **Sexual or Gender-Based Harassment**

Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (a) and/or (b), below, are present. Harassment can be based on gender, sexual orientation, gender identity, or gender expression, and may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (a) and/or (b), below, are present.

- a. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (often referred to as “quid pro quo” harassment); or
- b. Such conduct creates a hostile environment. A “hostile environment” exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the University will consider the totality of known circumstances, including, but not limited to:
  - i. The frequency, nature and severity of the conduct;






- ii. Whether the conduct was physically threatening;
- iii. The effect of the conduct on the Complainant's mental or emotional state;
- iv. Whether the conduct was directed at more than one person;
- v. Whether the conduct arose in the context of other discriminatory conduct;
- vi. Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/ or University programs or activities; and
- vii. Whether the conduct implicates concerns related to academic freedom or protected speech, or is legitimate pedagogical design or delivery.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be





sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

### **Retaliation**

Retaliation means any adverse action intentionally taken against a person for making a good faith report of prohibited conduct or participating in any proceeding under this policy. Retaliation includes intentionally threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of prohibited conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.

## **Tulane University Definition for Employees (Faculty, Staff, and Affiliates)**

### **Sexual Harassment**

1. a) Definition of Sexual Harassment - Sexual harassment is unwelcome behavior of a sexual nature by faculty, administrators, staff, students, and individuals affiliated with Tulane University by contract (including non-employees, such as vendors and independent contractors) or by anyone with whom one interacts to pursue educational or employment activities at the University. For the purposes of this policy, sexual harassment is defined as unwelcome advances, requests for special favors, and any other verbal, written, physical or other conduct of a sexual nature when:
  - (i) Submission to such conduct is implicitly or explicitly made a condition of an individual's participation in University programs, activities, employment, or educational status;
  - (ii) Submission to or rejection of such conduct is used as a factor in employment or academic decisions; or
  - (iii) Such conduct would be objectively regarded by a reasonable person as having the purpose or effect of interfering with an individual's ability to learn or work or participate in University programs or activities by creating an intimidating, hostile, or offensive environment even if the person engaging in the conduct does not intend to interfere, intimidate, or be hostile or offensive.
2. b) Examples of Sexual Harassment - Sexual harassment may include, but is not limited to, the following:
  - (i) Physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults; and intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.
  - (ii) Any nonconsensual sexual behavior; lack of consent may result from, among other things, use of force, threats, or intimidation or advantage gained by use of the victim's mental or physical incapacity, impairment, or helplessness of which the accused was aware or should have been aware. Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education-related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.
  - (iii) Threatening or taking a negative employment action (such as termination, demotion, denial of an employee benefit or privilege, or change in working conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because sexual advances were rejected.
  - (iv) Unwelcome sexual advances, requests for a romantic or sexual relationship to an individual who indicates or has indicated in any way that such conduct is unwelcome, propositions or other sexual comments, such as sexually-oriented gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience.

### **Reporting An Incident**

If a student, employee, or visitor has been the victim of an incident of sexual violence, including intimate partner violence, sexual assault, or stalking, they may immediately report it to the TUPD at 504-865-5911. In the case of an





emergency or ongoing threat, if possible, get to a safe location and report the incident to local police by calling 911.

TUPD officers will respond to campus incidents and locations within their patrol perimeter. Off-campus affiliate locations include fraternity and sorority houses, religious centers, and administrative buildings. The reasons for reporting to the TUPD are:

- To take action that may prevent further victimization, including issuing a Timely Warning to warn the campus community of a continuing threat to safety;
- To apprehend the assailant; and
- To have the incident recorded for purposes of reporting statistics about incidents that occurred on campus. When the victim files a report with TUPD, they will be given the option of having a representative from Student Affairs and/or a friend present as a source of support and information. If the victim requires medical attention, the officers will summon an emergency medical service. The officers will also preserve evidence and conduct initial interviews. They will recommend a medical and rape examination to support the well-being of the victim and to further collect evidence that may be needed for a criminal case. The victim will have the choice to consent to all or only certain parts of the medical and rape examination and evidence collection. In cases of Sexual Assault, TUPD will coordinate with NOPD, who will have primary investigative authority.

The victim and their supporter will be safely escorted to the hospital for the examination. If there is a reasonable suspicion that date rape drugs may have been administered, the officers will encourage the victim to share this concern with the Sexual Assault Forensic Examiner (SAFE), so that testing is included in the examination. Police agencies have access to valuable forensic expertise and equipment to process on-the-scene evidence. If the victim chooses not to report the assault to NOPD, the evidence collected during the exam will be held in accordance with legislative guidelines.

Victims are not required to report to law enforcement. Victims can decline to engage with law enforcement or a criminal investigation. Tulane has many resources and reporting options in the event of sexual or gender-based violence. Individuals may report instances of intimate partner violence, sexual assault, or stalking to Tulane's Title IX coordinator who is responsible for coordinating the institution's compliance with Title IX. The Title IX coordinator can be reached at 504.865.5611, at [titleix@tulane.edu](mailto:titleix@tulane.edu), or in person at 308 Joseph Merrick Jones Hall, New Orleans, LA 70118.

Individuals may also report instances of intimate partner violence, sexual assault, or stalking to Tulane's Office of Student Resources and Support Services, which coordinates accommodations and resources for crime victims through its Office of Case Management and Victim Support Services. Through its Office of Student Conduct, Student Resources and Support Services investigates instances of intimate partner violence, sexual assault, or stalking in which the perpetrator may be a Tulane student.

Incidents of intimate partner violence, sexual assault, or stalking can be reported to the Office of Student Resources and Support Services by contacting the on-call staff member at 504-920-9900 or by filing an online report at <https://tulane.edu/concerns>.

Employees may also report to the assistant vice president of Employee Resolution and Equal Opportunity Employment, at 504-862-8083 or at 1555 Poydras Street, Suite 964.

Tulane officials will assist victims in notifying law enforcement, including local police, if they elect to do so. Victims are also entitled to choose not to report to law enforcement. In situations where a third party has made a report, victims may decline to engage with law enforcement. Students or employees who report an incident of sexual violence, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options. This written explanation identifies existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the institution and in the community; and describes options for available assistance in; and how to request changes to academic, living, transportation, and work-situations or protective measures. Tulane will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

For additional Tulane University resources and reporting options information, visit [allin.tulane.edu](http://allin.tulane.edu).









## Procedures Victims May Choose to Follow

If an incident of sexual assault, intimate partner violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protective order. The victim of a sexual assault should, if possible, avoid washing, douching, using the toilet, or changing clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented including the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail or other electronic communications, should be saved and not altered in any way.

Evidence may be collected by trained Sexual Assault Forensic Exam nurses (SAFE nurses) within 120 hours (5 days) of the assault. There are three locations in the New Orleans area where victims of sexual assault may seek a forensic exam: at the University Medical Center at 2001 Tulane Avenue, New Orleans, LA 70112, available 24/7; at Tulane-Lakeside Hospital at 4700 South I-10 Service Rd W, Metairie, LA 70001, available 24/7; and at the Family Justice Center's HOPE Clinic at 701 Loyola, Suite 108, New Orleans, LA 70113, available Monday through Friday, 9 a.m. to 6 p.m. by calling 504-503-0878. TUPD can provide transportation and accompany a victim to the hospital for an examination and evidence collection. Student Resources & Support Services can also provide transportation and accompany a victim to the hospital for an examination and evidence collection.

## On & Off Campus Resources

Both the New Orleans and Tulane University community offer important resources to the victims of sexual violence including medical treatment, counseling and advocacy. The Office of Case Management and Victim Support Services in the Division of Student Affairs for students, and Employee Support Services in Human Resources are available to assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. TUPD and the Division of Student Affairs Office of Case Management and Victim Support Services provide to the Tulane community support services and referrals to victims of crime, on and off campus. The staff works with all victims of violence, sexual assault, and harassment. Victim resource services are available upon request by contacting these offices.

Some of the victim services provided by these offices include referrals for medical, counseling, and legal assistance and emergency housing, as well as academic support. The Division of Student Affairs Office of Case Management and Victim Support Services is located in suite G02 in the Lavin-Bernick Center and can be reached 24/7 by calling 504-920-9900.

A victim need not make a formal report to law enforcement or Tulane University to access the following resources. For additional University resources, visit [allin.tulane.edu](https://allin.tulane.edu).

## On-Campus Resources

- Office of Case Management and Victim Support Services in the Division of Student Affairs. Call 504-314-2160 during business hours and 504-920-9900 after hours. Coordinates support and resources for victims of crime and harassment, including sexual assault and harassment.
- TUPD, call 504-865-5381 24/7.
- Tulane Counseling Center at 504-314-2277. Individual and group counseling services for students.
- The Line, Confidential 24/7 telephone counseling available for students at 504-264-6074
- Tulane Student Health Center. Call 504-865-5255.
- Sexual Aggression Peer Hotline and Education (SAPHE): 504-654-9543. Only operates during the fall and spring semesters.
- 24-hour on-call staff from Student Affairs at 504-920-9900.
- Office of Student Conduct at 504-865-5516, for investigations of student Respondents of sexual harassment and sexual violence.
- Hazing Hotline at 504-862-3111.
- Tulane Office of Institutional Equity at 504-862-8083, for investigations of faculty and staff Respondents of sexual harassment and sexual violence.



- Office of Housing and Residence Life at 504-865-5724, for students needing to relocate to or change on-campus housing.
- Title IX Coordinator for reporting sexual harassment and violence at 504-865-5611.

### **Support Available Off-Campus**

These organizations assist with support and safe shelter for people experiencing sexual violence, intimate partner violence, and stalking (for the public).

- Family Justice Center (504-592-4005, 504-866-9554 hotline).
- Metropolitan Centers for Community Advocacy (504-837-5400).
- National Sexual Assault Hotline (800-656-HOPE).
- Louisiana Domestic Violence Hotline (888-411-1333).
- National Domestic Violence Hotline (800-799-7233).

### **Other Support Available Off-Campus**

- New Directions (1-800-624-5544). This free and confidential service offers resources and referrals, counseling and support, online information and interactive tools to Tulane employees and their families for health or personal issues. It is available 24 hours a day, year-round.

### **Supportive Measures and Other Accommodations and Protective Measures**

Whether or not a student or employee reports to law enforcement and/or pursues any formal action, if they report an incident of sexual violence, Tulane University is committed to providing them as safe a learning or working environment as possible. Upon request, Tulane University will make any reasonably available change to a victim's academic, living, transportation, and or working situation. Students may contact the Office of Case Management and Victim Support Services at 504-314-2160, located in suite G02 in the Lavin-Bernick Center, for assistance, and employees may contact Tulane's Office of Human Resources and Institutional Equity at 504-865-4748 (HR4U), located at 1555 Poydras St., Suite 964.


If requested, University staff will provide victims and survivors on how to obtain a protection order from a criminal court. Tulane University is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. Tulane University is also committed to protecting victims from any further harm, and Student Resources and Support Services may issue a temporary no-contact order pending the outcome of any conduct proceeding. The Office of Student Conduct will adjudicate a violation of an active No Contact Order (NCO). Students are informed as such in the actual NCO, "A violation of this Order could result in an immediate interim suspension and conduct against charges to you".

### **Victim Confidentiality**

Tulane University recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Reports made to Tulane University officials will be kept private, and identifying information about the victim shall not be made public (except as otherwise required by the University's Child Abuse/Neglect reporting policy and procedures). Neither TUPD nor the Division of Student Affairs (including the Office of Student Resources and Support Services and its Office of Case Management and Victim Support Services and Office of Student Conduct) will release a Complainant's name to the public or the press. Tulane University will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased because of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this policy. The Office of Student Conduct may be required to disclose the identity of the reporting person/victim if known if the case proceeds to formal adjudication. Victims are notified in advance when this happens.

For more information about the student conduct/adjudication process or to obtain a copy of the Code of Student Conduct, contact the Office of Student Conduct at 504-865-5516 or visit <https://conduct.tulane.edu>.





Tulane University will not release names in the issuance of “Timely Warnings” or “Emergency Notifications”, nor in the “Daily Crime Log,” each of which are required by the Clery Act. Any accommodation or protective measure will be confidential unless it interferes with the measure’s implementation, nor will Tulane University release any personally identifying information in any public record keeping.

Confidential resources for sexual assault within the University are the Counseling Center, the Student Health Center, the Sexual Aggression Peer Hotline and Education (SAPHE) phone line, and The Line (24/7 telephone counseling). Conversations with these resources will not be shared with anyone else except in rare, extreme circumstances.

Private resources within the University for the reporting of sexual assault include TUPD, the Office of Student Resources and Support Services (including the Office of Student Conduct and the Office of Case Management and Victim Support Services), the Office of Institutional Equity, the Title IX office, and Human Resources. Conversations with these groups are kept as confidential as possible, but information about incidents of sexual assault is shared with key staff members so that the University can offer resources and accommodations and take action if necessary for reasons of safety. In planning any response, the wishes of the victim are given full consideration by the University. Contacting one of these private resources may initiate an internal investigation by the University.

### **Sexual Assault Prevention/Education Programs**

Tulane University is committed to increasing the awareness and prevention of sexual violence. All incoming students and new employees are provided with programming opportunities and strategies intended to prevent rape, sexual assault, intimate partner violence, and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that Tulane University prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include, but are not limited to:

- One Wave Bystander Intervention Workshop for all Tulane students.
- Alcohol and Other Drugs is an interactive learning experience required for all first-year students that equips students with the skills to support healthy decisions for themselves and their peers, reducing adverse outcomes associated with alcohol and other drug misuse.
- Sexual Misconduct Prevention is a comprehensive simulation required for all first-year students that equips college students with the skills to navigate difficult situations related to sexual misconduct, leading to a safer and more connected campus.
- The Sexual Health for Students and Sexual Literacy for Students online curriculum for first- and second-year students.
- Live Well at Tulane Workshop for all incoming students.
- All In: Understanding and Preventing Sexual Violence at Tulane facilitated by the SAPHEs for all incoming students, followed by SAPHE facilitated small group discussion.
- Tulane University Peer Health Education (TUPHE) Workshops, as requested in residence halls, Fraternities and Sororities, TIDES Classes or Student Organizations.
- Sexual Aggression Peer Hotline and Education (SAPHE) workshops on practicing consent, understanding sexual violence, and supporting survivors of sexual violence.
- Compliance trainings for high risk groups, Presentations by Title IX Coordinator, Student Conduct, and/or the Office of Institutional Equity.
- Online and/or in person training for faculty and staff on the topic of sexual assault and sexual harassment.
- Online training for parents/families on the topic of sexual assault and sexual harassment.
- Shifting the Paradigm, an annual event in the fall to share institutional data on sexual violence and promote the education and prevention of such incidents on campus.
- Sexual Assault Awareness Month (SAAM) events to increase awareness of sexual violence prevention and response resources for the whole Tulane community.
- Sexual Violence Prevention and Response Guide for Faculty to facilitate curriculum integration of prevention initiatives.
- The Well for Health Promotion sexual violence prevention healthy workshop series, sex communication (consent-based) workshop series, and sexual health workshop series available to any member of the campus community by request.



- Financial Literacy Workshop Series offered annually to prevent and respond to instances of power-based violence that include financial abuse.

Tulane engages in wide-ranging educational programming to identify and prevent sexual assault, sexual violence, sexual harassment, intimate partner violence, and stalking. Educational programming opportunities consist of primary prevention and awareness programs and ongoing awareness and prevention campaigns for the campus community that:

1. Identifies sexual assault, sexual violence, sexual harassment, intimate partner violence and stalking as prohibited conduct;
2. Defines what behavior constitutes intimate partner violence, sexual assault, and stalking under the Tulane Code of Student Conduct & Louisiana State Law;
3. Defines what behavior and actions constitute consent to sexual activity under the Tulane Code of Student Conduct and Louisiana State Law;
4. Provides 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 intimate partner violence, sexual assault, or stalking against a person other than the bystander.

For comprehensive information on Tulane's educational programming around the prevention of sexual violence, including the University's prevention plan, please visit <https://allin.tulane.edu/prevention>.

### **One Wave-Bystander Intervention**

One Wave is a comprehensive approach to the primary prevention of violence that capitalizes on the power of peer and cultural influence across all levels of the socio-ecological model. Informed by social change theory, the model targets all community members as potential bystanders and seeks to engage them through awareness, education, and skills practice, in proactive behaviors that establish intolerance of violence as the norm, as well as reactive interventions in high-risk situations – resulting in the ultimate reduction of violence. Specifically, the program initially targets influential individuals from across community subgroups (faculty, staff, students). The goal is for these groups to engage in a basic education program that will equip them to integrate moments of prevention within existing relationships, spheres of influence, and daily activities – both personal and professional. By doing so, new norms will be introduced and those within their sphere of influence will be significantly influenced to move from passive agreement that violence is wrong to active intervention. One Wave aims to mobilize a campus culture of safety and a community of engaged and proactive bystanders that do not tolerate any form of violence. One Wave will create a culture shift and reset the norm to: 1) violence will not be tolerated, and 2) everyone is expected to do their part. One Wave is an opportunity for everyone in our community to play their part to reduce harm on our campus by creating moments of safety and reducing moments of harm. No one has to do everything, but everyone has to do something.

One Wave teaches bystander intervention strategies for preventing and deescalating violence. This workshop focuses on empowering faculty, staff, and students to identify harmful situations and teaching them strategies to intervene.

These strategies include the “3 D’s” of bystander intervention:


- Direct: If you see a concerning behavior and are comfortable intervening, deal with it directly by interacting with one of the people involved.
- Delegate: When you recognize a high-risk situation and you either feel uncomfortable saying something or you feel like someone else is better suited to handle it, delegating the responsibility is an option. This approach allows for a shared sense of responsibility among community members; you don't have to intervene alone. Sometimes you are not the right person to intervene but finding someone who can is important.
- Distract: The focus of this approach is diversion. If you see a high-risk situation, thinking of a way to divert the attention of the people in the situation may be the most effective option to eliminate potential harm.

### **University Disciplinary Procedures in Sexual and Gender Violence Incidents**

#### **On-Campus Investigation & Adjudication**

Tulane's response to sexual harassment, sexual assault, intimate partner violence, and stalking incidents may involve a number of individuals and agencies (e.g., TUPD, the Title IX Coordinator, the Office of Institutional Equity, Tulane's





Sexual Misconduct Response Team, the Office of Case Management & Victim Support Services, the Office of Student Conduct, etc.). In all cases, only those individuals with a need to know are involved in the university's response. For cases involving campus community members as Respondents, there is a timely, campus-based investigation that takes place. If the Respondent is a student, the Tulane University Code of Student Conduct guides this process under the leadership of the Office of Student Conduct. If the Respondent is a faculty or staff member or university contractor, the investigation process is led by the Office of Institutional Equity applying the University's Equal Opportunity & Anti-Discrimination Policies.

However, some cases have conduct that also meets the definition of sexual harassment proscribed by the Department of Education in the Title IX federal regulations. In these circumstances, the case must be resolved using the Title IX federal regulation procedures that are in Appendix A of the Code of Student Conduct (for student Respondents) and Appendix B of the University's Equal Opportunity & Anti-Discrimination Policies.

Title IX Coordinators, Deputy Coordinators, Investigators, Decision Makers (including appellate decision makers), and any person facilitating an Alternative Resolution Option within the Informal Process receive annual training on a variety of topics, including dating violence, domestic violence, sexual assault, stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. These individuals also receive training as required by the 2020 Federal Regulations for Title IX. Tulane has a multi-disciplinary Sexual Misconduct Response Team, which is chaired by the Title IX Coordinator and includes representatives from TUPD, Case Management & Victim Support Services, the Office of Institutional Equity, and the Office of Student Conduct.

In all disciplinary proceedings related to dating violence, domestic violence, sexual assault, and stalking, the accuser and the accused are provided with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Additionally, the institution will simultaneously notify, in writing, both the accuser and the accused of:

- a. The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking
- b. The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary
- c. Any change to the result
- d. When such results become final

### **Timeframes for the Code of Conduct**

Tulane University will seek to resolve all disputes under the Code of Student Conduct promptly and equitably—usually within no more than one academic semester, depending on when a matter is brought to the attention of the University. Special timeframes apply to incidents involving discrimination; for example, with matters involving Title IX, the university seeks to resolve the case within 180 days or less. For purposes of resolving disputes under the Code, a “day” is defined as a “business day.” Business days do not include weekends or holidays.

Time frames may be extended as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate delays, account for University breaks or vacations, or address other legitimate reasons, including the complexity of an investigation (including the number of witnesses and volume of information to be considered) and the severity and extent of the alleged conduct. Best efforts will be made to complete the process in a timely manner by balancing the need for thoroughness, fundamental fairness, and promptness.

### **Timeline for the Equal Opportunity/Anti-Discrimination Policies**

Investigations will commence as soon as practicable following the Initial Inquiry process detailed above. Investigations will be conducted as expeditiously as possible and are usually completed within a reasonable period, typically 60 days, though this may vary based on the availability of parties and witnesses, breaks in the academic calendar, scope of the investigation, or unforeseen or exigent circumstances. If additional time is needed to conduct a thorough investigation, the Office of Institutional Equity may, at its discretion, extend the time for completing the investigation as reasonably necessary. The Office of Institutional Equity will notify the Complainant and Respondent of any extensions. The Complainant, Respondent, and appropriate supervisors will receive regular updates on the status of the investigation.



## **Title IX Federal Regulation Sexual Harassment (Students and Faculty/Staff)**

The University Sexual Misconduct Response and Title IX Coordinator or designee will be responsible for determining whether the reported conduct falls within Federal Regulation Sexual Harassment jurisdiction as defined by the Title IX regulations (34 C.F.R. part 106). If so, Tulane may move forward with a Formal Complaint process as described in the previous section. If not, Tulane may be required to dismiss any Formal Complaint. The University Sexual Misconduct Response and Title IX Coordinator will evaluate reasonably available information to make the following determinations:

1. Did the reported conduct occur within Tulane's Education Program or Activity? This must be answered in three parts:
  - a. Does Tulane have substantial control over the Respondent? And,
  - b. Does Tulane have substantial control over the context in which the conduct is reported to have occurred; or did the conduct occur in a building owned or controlled by a student organization that is officially recognized by Tulane? And,
  - c. Is the Complainant currently participating or attempting to participate in a Tulane Education Program or Activity?
2. Did the reported conduct occur in the United States?
3. Would the facts set forth by the report, if substantiated, constitute a violation of Sexual Harassment as defined by the Title IX regulations (34 C.F.R. part 106) and in Section III of this Appendix?

Based on the answers to these questions, the University Sexual Misconduct Response and Title IX Coordinator will make a determination about scope and process. This is a threshold determination regarding scope and jurisdiction, which will determine appropriate next steps as follows:

- If the answer to these three questions is yes, and a Formal Complaint is filed, then Tulane will follow the formal Grievance Procedure required by the Title IX regulations (34 C.F.R. part 106) for Sexual Harassment matters. The Title IX Grievance Process includes, among other measures, a hearing with cross-examination by each party's advisors. The hearing will allow the participants to simultaneously see and hear each other but may be conducted remotely through videoconferencing technology.
- If the answer to any of these three questions is no, and a Formal Complaint has been filed, then Tulane must dismiss the allegations in the Formal Complaint related to Sexual Harassment as defined in the Title IX regulations in Section III of the Appendix, while also retaining the discretion to proceed according to processes outlined in other Tulane policies (such as the Code of Student Conduct, for investigation and adjudication of Sexual Misconduct other than Federal Regulation Sexual Harassment; or the Equal Opportunity Policies, for investigation and adjudication of sex discrimination that implicates Title VII).

The University Sexual Misconduct Response and Title IX Coordinator or designee will provide written notice of the determination as to scope and jurisdiction to the Complainant, refer that individual to the appropriate resources, including local law enforcement resources as applicable, and provide reasonably available Supportive Measures.

In the event a Respondent is charged with a violation of an applicable conduct code that is related to the report of Sexual Harassment, Student Conduct may also investigate and resolve the related conduct charge through the Title IX Grievance Procedure jointly (i.e., if there is an allegation of conduct that violates Title VI and Title IX) or separate the two and use their proscribed individual processes but without sharing information between the two systems. If the Respondent is charged with a violation of the Code that is unrelated to the alleged violation of Federal Regulation Sexual Harassment, Student Conduct shall coordinate its investigation and resolution as appropriate with any such investigation or resolution under the Code.

### **Appeals of the Dismissal of Formal Complaints**

If a Complainant or Respondent would like to appeal the University Sexual Misconduct Response and Title IX Coordinator's decision to dismiss a Formal Complaint, they may submit an appeal to the Senior Vice President for Academic Affairs and Provost or their designee within one week of receiving the dismissal. The other party will be notified about the filing of the appeal and will then have one week to provide information for consideration of the appeal. The Provost will return a decision on the appeal within one week.









## **Title IX Grievance Procedure: Investigation, Hearing, Outcomes, Appeal**

The investigation of Federal Regulation Sexual Harassment matters is dictated by the May 2020 Amendments to the Title IX Federal Regulations (34 C.F.R. part 106) and rests on the process described in the Code as well as the additional procedural requirements outlined here. The University is committed to providing a prompt and impartial investigation and adjudication of all Formal Complaints alleging violations of this policy. During the Grievance Process, both parties (Complainant and Respondent) have equal rights to participate.

### **Presumptions of Good Faith and Non-Responsibility**

The University presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith. Further, Tulane makes no determinations as to the outcome of an allegation until the completion of an investigation; this includes a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

In all proceedings under this policy, including at the hearing, the Complainant, the Respondent, and the witnesses and other individuals sharing information are expected to provide truthful information.

### **Advisors**

Throughout the Grievance Process, each party may have an Advisor of their choice; parties may change their Advisor at any time during the Grievance Process. An Advisor is an individual chosen by a Complainant or a Respondent to provide guidance during the grievance process. An Advisor may be a member or non-member of the University community and may be an attorney.

The role of the Advisor is narrow in scope: the Advisor may attend any interview or meeting connected with the Grievance Process, but the Advisor may not actively participate in interviews and may not serve as a proxy for the party, including in communications to the University. The Advisor may attend the hearing and may conduct cross-examination of the other party and any witnesses at the hearing; otherwise, the Advisor may not actively participate in the hearing.

If a party does not have an Advisor present at the hearing to conduct cross examination, the University will without fee or charge assign to that party an Advisor selected by the University (who may be, but is not required to be an attorney) to conduct cross-examination of the other party and/or any witnesses.

Any individual who serves as an Advisor is expected to make themselves available for meetings and interviews throughout the investigation process, as well as the hearing, as scheduled by the University. The University (including any official acting on behalf of the University such as an investigator or a hearing panelist) has the right at all times to determine what constitutes appropriate behavior on the part of an Advisor and to take appropriate steps to ensure compliance with this policy.

### **Procedural Review**

A Procedural Review is an informational meeting where the Director of Student Conduct or member of OIE overviews Tulane's investigation and adjudication procedures.

A Procedural Review can happen before or after a Formal Complaint has been filed. Having a Procedural Review does not initiate the conduct process unless a Complainant expressly states they want to initiate that process; in Title IX matters, the conduct process cannot be initiated without a signed Formal Complaint. While a Complainant can file a Formal Complaint without having a Procedural Review first, it is strongly encouraged. Complainants will be given the information to file a Formal Complaint following their Procedural Review. If a Formal Complaint is filed before a Procedural Review, one will be scheduled promptly. Respondents will be contacted for a Procedural Review following the notice of investigation.

Procedural Reviews are available for all conduct cases, not just Federal Regulation Sexual Harassment, and for Complainants and Respondents. During the Procedural Review, parties will learn about the conduct investigation process in detail, including all rights, privileges and responsibilities. Parties will also learn and review the available Supportive Measures in place to help students navigate this process. Parties will also learn details about communication and timeline. Parties will receive a written summary of the meeting for their reference. Advisors may also join students in this meeting.





## Informal Resolution Process

Subject to the consent of the parties and the approval of the University Sexual Misconduct Response and Title IX Coordinator, the University permits informal resolution processes in cases in which a formal complaint has been filed with the University Sexual Misconduct Response and Title IX Coordinator. Subject to approval by the University Sexual Misconduct Response and Title IX Coordinator, the informal resolution process is available in matters involving a student Complainant and a student Respondent, as well as in matters involving a faculty/staff Complainant and a faculty/staff Respondent. The informal resolution process is not available in matters involving a student and an employee.

The informal resolution process is a voluntary, remedies-based process designed to provide parties with an option to resolve disputes with other students in a forum that is separate and distinct from the University's formal grievance processes under the Federal Regulation Sexual Harassment policy. The purpose of the informal resolution process is to address the conduct which has been reported by the Complainant and place the parties in a position to pursue their academic and non-academic interests in a safe, respectful, and productive educational and working environment. Under this process, there will be no disciplinary action taken against a Respondent, and the resolution will not appear on the Respondent's disciplinary record.

The University may facilitate the informal resolution process prior to conducting a hearing. Before the informal resolution process is used, both parties must provide voluntary, written consent to the informal resolution process and must receive written notice disclosing: the allegations, the requirements of the informal resolution process (including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations), and any outcomes resulting from participating in the informal resolution process (including the records that will be maintained or could be shared). At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Federal Regulation Sexual Harassment grievance process with respect to the formal complaint.

The University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of Federal Regulation Sexual Harassment. Similarly, the University will not require, encourage, or discourage the parties from participating in the informal resolution process.

## Investigation

Following the receipt and review of the formal complaint by the University Sexual Misconduct Response and Title IX Coordinator, and it being determined that the matter properly falls under this Federal Regulation Sexual Harassment policy, the parties will be informed in writing of the initiation of the investigation. The written information shall include:

- The identities of the parties, if known.
- A concise summary of the alleged conduct at issue (including when and where it occurred, if known).
- Notice of the allegations potentially constituting Federal Regulation Sexual Harassment.
- A statement that the Respondent is presumed not responsible and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement informing the parties that they may have an Advisor of their choice, who may be, but is not required to be, an attorney.
- A statement informing the parties that they may request to inspect and review evidence.
- A statement informing the parties that knowingly making false statements or knowingly submitting false information during the grievance process may constitute a violation of University policy.
- Information regarding the applicable grievance procedures, including the informal resolution process.


If, during the investigation, additional information is disclosed that may also constitute prohibited conduct under this policy, the Respondent and Complainant will be informed in writing that such additional information will be included in the grievance process.

This investigation process will continue forward as explained absent the parties agreeing to use an informal resolution.

## Collection of Evidence

The investigators will collect information from each party. While the Complainant and the Respondent are not restricted





from gathering and presenting relevant evidence, the investigators are responsible for gathering relevant evidence to the extent reasonably possible. However, each party will be given an equal opportunity to suggest witnesses; provide other relevant information, such as documents, communications, photographs, and other evidence; and suggest questions to be posed to the other party or witnesses. Parties and witnesses are expected to provide all available relevant evidence to the investigators during the investigation. If a party or witness fails to provide available relevant evidence during the investigation, such evidence may, at the discretion of the Hearing Chair, be excluded from consideration at the hearing. While parties are not restricted from presenting information attesting to the parties' character, such evidence generally is not considered relevant.

Investigators will draft a complete investigative report, outlining material facts (those in dispute and not in dispute); collecting all Respondent, Complainant, and relevant witness and impact statements; asking any needed follow up questions; and collecting and organizing all relevant evidence. The investigator will evaluate all relevant evidence – including both inculpatory and exculpatory evidence. This report will be reviewed by the Director of Student Conduct and the University Sexual Misconduct Response and Title IX Coordinator for compliance and consistency purposes.

Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

### **Relevance of Evidence**

Tulane will objectively evaluate all relevant evidence (inculpatory and exculpatory) but retains discretion with respect to how persuasive the hearing chair finds particular evidence to be. Relevant evidence is of consequence to the matter at hand, tending to make a fact more or less probable than it would be without the evidence. Additionally, the Hearing Chair cannot rely on statements of a party or witness who has not submitted to cross-examination at the live hearing.

As previously discussed in the Code, there are protections similar to “rape shield” protections in criminal laws which deem questions and evidence about a Complainant's prior sexual history to be irrelevant with two limited exceptions:

- 1) if offered to prove that someone other than the Respondent committed the alleged sexual harassment; or
- 2) if the question or evidence concerns sexual behavior between the Complainant and the Respondent and is offered to prove consent.

### **Hearing Process**


The report will then be turned over to a separate Hearing Chair for the Federal Regulation Sexual Harassment Grievance Procedures for adjudication. Please note that the assignment of the Hearing Chair is at Tulane's sole discretion, and the Hearing Chair may include (but is not required to be) an outside attorney who is not an employee of Tulane. The Hearing Chair may gather additional information, including speaking with any identified party.

The Hearing Chair will then preside over a live hearing, in which Advisors of both the Respondent and Complainant may cross-examine any individual that has made a statement or provided evidence, including all witnesses, the Respondent or the Complainant. Each party must be represented by an Advisor. If the Complainant or Respondent does not have an Advisor, the University will provide one. If the student's chosen Advisor does not appear, the University will appoint an Advisor to provide cross-examination of the evidence on the student's behalf. The Hearing Chair will determine if a question or evidence is relevant or admissible. The Hearing Chair may question witnesses, the Respondent and Complainant. At no time will Advisors answer on behalf of their students.

The Hearing Chair will have absolute discretion with respect to administering the hearing. The Hearing Chair will decide whether evidence and witnesses are relevant or irrelevant, with the understanding that the introduction of relevant evidence and witnesses will always be permitted. The Hearing Chair will be responsible for maintaining an orderly, fair, and respectful hearing and will have broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual, including a party, witness, or Advisor.

While the hearing is not intended to be a repeat of the investigation, the parties will be provided with an equal opportunity for their Advisors to conduct cross examination of the other party and/or of relevant witnesses. A typical hearing may include brief opening remarks by the Hearing Chair; questions posed by the Hearing Chair to one or both of the parties; questions posed by the Hearing Chair to any relevant witnesses; and cross-examination by either party's Advisor of the other party and relevant witnesses.





The parties' Advisors will have the opportunity to cross examine the other party (and witnesses, if any). Such cross examination must be conducted directly, orally, and in real time by the party's Advisor and never by a party personally. Only relevant cross examination questions may be asked of a party or witness. Before a party or witness answers a cross-examination question that has been posed by a party's Advisor, the Hearing Chair must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If the Complainant, the Respondent, or a witness informs the University that they will not attend the hearing (or will refuse to be cross-examined), the hearing may proceed, as determined by the University Sexual Misconduct Response and Title IX Coordinator. The Hearing Panel may not, however: (a) rely on any statement or information provided by that non-participating individual in reaching a determination regarding responsibility; or (b) draw any adverse inference in reaching a determination regarding responsibility based solely on the individual's absence from the hearing (or their refusal to be cross-examined).

Other University administrators may attend the hearing at the request of, or with the prior approval of, the Hearing Chair, but the parties will be notified in advance of anyone else who will be in attendance.

The Hearing Chair will make a finding of responsible or not responsible for all charges and provide a rationale for each finding. The Hearing Chair will make an independent decision based on a thorough review of all relevant evidence collected. The Hearing Chair shall write a written determination, which will contain: (1) the allegations potentially constituting Federal Regulation Sexual Harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination (including any notifications to the parties, interviews with parties and witnesses, site visits (if any), methods used to gather other information, and the hearing); (3) findings of fact supporting the determination; (4) conclusions regarding the application of this policy to the facts; (5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether a policy violation occurred), any disciplinary sanctions imposed by the Sanction Officer if there has been a finding of responsibility, and whether any remedies designed to restore or preserve equal access to the University's education program or activity or working environment will be implemented; and (6) relevant appeal information for the parties.

If there is a finding of responsibility, the Hearing Chair will consider the scope of the case, impact on students and community and prior history when assigning sanctions. The Hearing Chair will also decide if remedies are appropriate in order to restore or preserve equal access to their education at Tulane. Such remedies may include the same individualized services described as "Supportive Measures;" however, unlike Supportive Measures, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. All sanctions must be approved by the Director of Student Conduct and remedies approved by the University Sexual Misconduct Response and Title IX Coordinator. Upon completion, cases will be turned over to the Office of Student Conduct and the Title IX Office and any other appropriate administrators for sanction and remedy implementation.

A Respondent in these cases may acknowledge responsibility at any time and accept sanctions imposed by the Office of Student Conduct. A Complainant may withdraw the complaint at any time. Either of these occurrences would cease any investigation.


If there is a finding of responsibility, the decision maker will consider the scope of the case, impact on students and community and prior history when assigning sanctions. The decision maker will also decide if remedies are appropriate in order to restore or preserve equal access to their education at Tulane. Sanctions for a finding of responsibility for these cases ranges from a warning to expulsion and may also include a variety of educational sanctions. Supportive Measures cannot be used as sanctions.

### **Appeals for Student Respondents**

The process for appeal is articulated along with the process for all other appeals of the conduct process as explained in applicable policies.

Any student or organization found to have transgressed any rules in the Tulane Code has a right to appeal the determination of the finding and/or consequences delivered for, and only for, specific reasons set forth below. Ordinarily, a student or organization has ten (10) days to file an appeal from the delivery of written notice of final outcome from an





investigator, conduct officer in an administrative hearing, or the chairperson of a student hearing panel. A student or organization may petition the Director of Student Conduct for modification of this time frame.

For appeals submitted by an individual student, the appellate panel will consist of three members. Panel members will be drawn from the appeal panel pool, which will consist of Tulane faculty, staff, and students who have been trained in the process. Students will not serve on panels in matters relating to Title IX cases. For appeals submitted by a student organization, the appellate panel will have the same structure as that of the Student Hearing Panel. In this situation, individuals who served on the original hearing panel will not be allowed to serve on the appellate panel for the same case.

The grounds for appeal are:

1. Procedural Error

Material deviation from procedures that substantially impacted determinations of responsibility or sanctions applied;

2. New and Substantial Evidence

New and substantial evidence appeared that could have not reasonably been discovered before the determination of responsibility was made. In matters involving discrimination against a protected class, the time frame for an appeal based on newly discovered information may be extended at the discretion of the Office of Institutional Equity and/or Title IX Coordinator where the evidence could not reasonably have been discovered within the time frames of the investigation and compelling justification exists for its consideration. If the appellate panel determines an appeal is warranted on this basis, the matter will be remanded for rehearing. After rehearing, the appellate panel will consider whether the newly discovered information was fully and properly considered, but the appellate panel will not re-hear the matter as if for the first time. If the appellate panel does believe that newly discovered information was fully and properly considered, after so ordering, the appellate panel may take appropriate action, including dismissing a matter or ordering that the matter be reconsidered by the gatekeepers for further action under the Code;

3. Disproportionate Sanctions

Where sanctions are grossly disproportionate to the findings of responsibility;

4. Bias or conflict of interest (Title IX cases only)


Any individual or organization may appeal any outcome, for the above referenced reasons, in an administrative hearing, student hearing panel, or investigation in which they were a Complainant or Respondent. Dissatisfaction with the results of a hearing is not itself a valid basis for appeal. Appeals are also not an occasion to engage in contempt of the conduct process, administrators, or students who participated in Code process.

The appeal must consist of a plain, concise, and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. The appeal must be sent to the Director of Student Conduct via email. The Director of Student Conduct will acknowledge receipt of the written appeal in writing. The appropriate gatekeepers—depending on the process used and issues raised—will then assess the written appeal to determine whether the appeal is timely filed and, if so, whether the appeal is properly framed based on the permissible grounds. If the gatekeepers determine that the appeal does not properly fit within one of the specific grounds for appeal, the appeal will be denied. If the appeal is properly filed, the appellate panel may offer impacted individuals the opportunity to review the written appeal and offer their perspectives to the appellate panel. If multiple individuals appeal, the appeal documents from each party will be considered together in one appeal process. In all appeals, the appellate panel will presume that decisions were made reasonably and appropriately, unless there is compelling information to the contrary. Appeals are not intended to be a rehearing of the matter. Most appeals consist of a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. The appellate panel may speak to the investigator, the student hearing panel chair, the conduct officer who conducted an administrative hearing, or any impacted individuals, as appropriate.

Depending on the nature of the requested appeal(s), the appellate panel may, by majority vote:

- Affirm the determination of transgressions or consequences in whole or in part;
- Alter the determination of transgressions or consequences in whole or in part;
- Return the matter to the conduct officer or hearing panel with instructions to reconvene to cure a procedural





error or reconsider the consequences delivered, or otherwise act in accordance with 2. above. No situation will ever be remanded for reconsideration more than once.

The appellate panel will transmit via email a written decision generally within ten (10) business days from the date of the appeal. Appeal decisions are final with the exception of matters that are remanded for further consideration, which may be subject to appeal following the remand.

### **Appeals for Faculty and Staff Respondents**

Appeals regarding the outcome of complaints shall be resolved as follows:

- Appeals against Students shall be resolved under the Code of Student Conduct.
- Appeals against Faculty shall be resolved by applicable University policies as maintained in the Faculty Handbook and in the Bylaws of the University Senate.
- Appeals against all others, which may include (though are not limited to) Staff, Administrators, Librarians, Post-Doctoral Candidates, Resident Assistants, Graduate Teaching Assistants, other Student-employees and faculty on appointments of less than a year or on the first year of appointment, will proceed pursuant to the process outlined herein.

A Complainant or Respondent may seek to appeal the findings and outcome of a matter that was Formally Investigated pursuant to this policy and resulted in a written determination. A request for appeal must be filed, in writing, to the Manager of the Office of Institutional Equity (1555 Poydras Street, Suite 964, New Orleans, LA 70112, [oroie@tulane.edu](mailto:oroie@tulane.edu)) no later than 5:00 p.m. on the tenth business day following the date of the Office of Institutional Equity's written notice of the outcome of the investigation.

Appeals will be considered only where the request demonstrates one of the following enumerated grounds for appeal:


- 1) Procedural errors that significantly impact the outcome. This means demonstrated material deviation from procedures causing the findings and determination about responsibility, or the sanctions imposed, to be substantially impacted.
- 2) New and Substantial evidence. The party requesting appeal must produce germane, new, and substantial evidence that could not have been reasonably discovered before a determination about responsibility was made, and such new evidence objectively and significantly impacts the outcome about whether this policy was violated.
- 3) Grounds for appeal as articulated in Appendix B for Federal Regulation Sexual Harassment matters.

Once an appeal has been received, the non-appealing party will be provided with a copy of the appealing party's written statement and may submit a written response to the Office of Institutional Equity within ten (10) business days of receipt of the appealing party's written statement. The non-appealing party's statement will be provided to the appealing party. No further appeal submissions from the parties shall be permitted. The appeal shall be reviewed by the Associate Vice President of Human Resources. In exceptional circumstances, as determined by the Office of Institutional Equity or the Office of General Counsel, an appeal may be reviewed by an outside, neutral third-party. In consultation with the Office of Institutional Equity and/or the Office of General Counsel (and in Title IX matters, the University Sexual Misconduct Response and Title IX Coordinator), a party designated to review a matter may delegate the review of an appeal to a designee. In all cases, a party designated to review an appeal will delegate review in any matter in which they cannot serve as an impartial reviewer.

**Appeal Timeline:** The decision on an appeal will be issued as expeditiously as possible, usually within 45 days, though this may vary based on the scope of the appeal or unforeseen circumstances. A written decision, including the reason for the appeal's resolution, will be provided to the party requesting appeal and the Office of Institutional Equity within five (5) working days following completion of the appellate review. If appropriate, the Office of Institutional Equity will promptly communicate any changes to the original findings or sanctions to other involved parties.

**Standard of Review:** Appellate review is not a de novo hearing. Rather, review is based on the evidence from the investigation and findings or sanctions may be modified upon a finding of "manifest error" (i.e., that the decision or sanction was clearly or obviously wrong) based on the above-listed grounds (i.e., procedural error, new and substantial evidence). The Appellate Reviewer may review the full case, and will have access to all information that was available in the investigation, including aspects beyond the investigation as outlined in the request for appeal, but the review will not make independent credibility





determinations relative to individuals involved in the underlying investigation. If the Appellate Reviewer does not find that the enumerated grounds for appeal are present in the request for appeal, the original outcome will be upheld. If the Appellate Reviewer finds that any of the grounds for appeal are present in the request for appeal, the Appellate Reviewer may amend the outcome, may issue a new outcome, or may refer the matter back to the investigator for further consideration. A final outcome on an appeal is not subject to further appeal. In the event sanctions were imposed as part of the original finding, it shall be in the discretion of the Appellate Reviewer whether the sanctions shall be implemented or stayed pending resolution of an appeal. Review of sanctions will apply an “arbitrary or capricious” standard about whether the remedial recommendations were not the product of a reasonable judgment. The Appellate Reviewer will have the authority to adapt the sanction imposed or change the sanction to a lesser or more severe sanction.

In Title IX cases, appeals may be submitted on the following bases: (1) procedural irregularity that affected the outcome of the matter; (2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made which could affect the outcome of the matter; (3) the University Sexual Misconduct Response and Title IX Coordinator or the University’s staff, investigator(s), or any Hearing Chair had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and/or (4) the sanctions (or recommended sanctions) are not commensurate with the violation.

### ***All Other Sexual Misconduct Involving Student Respondents***

The Tulane University Code of Student Conduct (the Code) describes the procedures followed when a violation is reported to the Office of Student Conduct. These reports are often received through the University’s online reporting system <https://tulane.edu/concerns>, filed by Resident Advisors, TUPD officers, general members of the Tulane community, or non-affiliates.

The Tulane University Code of Student Conduct outlines the process and the rights of both the Complainant (the person bringing the complaint) and the Respondent (the student alleged to have violated the Code). Student victims have the right to participate as a Complainant, to participate as a witness or not to participate at all. In cases in which a student victim requests that no action be taken, the University’s Sexual Misconduct Response Team reviews the case to assess the ongoing risk to the campus community. Interim measures may be imposed at this time.

In cases that move forward, the Office of Student Conduct uses an investigative model to process the complaint in a fair, impartial and unbiased manner. In each case a neutral investigator is assigned to do the investigation. These individuals are typically staff members from the Office of Student Conduct. The investigator meets with involved parties, including witnesses, to prepare an investigation report.

The investigation report is sent to both parties simultaneously for comment and review to ensure that relevant information has been gathered and considered. The investigator will make a determination of responsibility and then decide, if the Respondent is found responsible, what the appropriate sanction is and issues that via report. In all proceedings, the preponderance of the evidence is the appropriate evidentiary standard.

At the conclusion of the formal process, both parties will be notified of the outcome in writing, simultaneously. Both parties will also be informed of the process for appealing that finding. Each party has the right to appeal the finding and sanction to a hearing board consisting of three faculty and/or staff members who have received Title IX training. Any change in finding will be sent to both parties simultaneously.

### ***All Other Faculty & Staff Sexual Misconduct***

The Tulane University Equal Opportunity & Anti-Discrimination Policies (EO Policies) describes the procedures followed when an allegation of sexual harassment, sexual assault, intimate partner violence, or stalking committed by an employee is reported. The Office of Institutional Equity (OIE) investigates reports against staff with respect to whether a policy violation occurred. Regarding complaints made against faculty, the Office of Institutional Equity works with the relevant school grievance committee to investigate reports of sexual harassment, sexual assault, intimate partner violence, and stalking involving faculty and make factual findings. A preponderance of the evidence standard is applied with respect to whether a policy violation occurred. This process is described in more detail at <https://hr.tulane.edu/institutional-equity>.









## COMPLAINT PROCEDURES

The Office of Institutional Equity investigates complaints that allege an Employee or Third-Party may have violated Tulane's Equal Opportunity/Anti-Discrimination Policy. As previously noted in Section IV, complaints against Students, including Title IX complaints, will be processed as outlined in Tulane's Code of Student Conduct. Complaints against faculty will be processed in accordance with Tulane's Faculty Handbook and the Bylaws of the University Senate. Complaints against all others will be processed in accordance with the Staff Handbook. All others may include (though are not limited to) Staff, Administrators, Librarians, Post-Doctoral Candidates, Resident Assistants, Graduate Teaching Assistants, other Student-employees and faculty on appointments of less than a year or on the first year of appointment. Title IX Complaints against faculty and all others will be processed in accordance with the Amendment to this Policy, found in Appendix B. The complaint procedures are intended to ensure the rights of the Parties and accord equity and due process.

### Form of Complaint:

Complaints of discrimination, harassment, and/or retaliation should be put into writing. If you require reasonable accommodation in filing a complaint, or putting it into writing, the Office of Institutional Equity can assist with this. Anonymous complaints will be accepted and investigated to the extent possible. Complaint forms are available at the Office of Institutional Equity (504) 862-8083, or may be filed online at <http://tulane.edu/concerns>.

### Content of Complaint:

Anyone who has information about someone being discriminated, harassed, or retaliated against in violation of this policy, or who believes that they have been discriminated, harassed, or retaliated against in violation of this policy should promptly file a complaint with the following information, if known: 1) Name and contact information of the Complainant or injured party; 2) Brief description of the offending behavior, including times, places, people involved; 3) Names or identifying information about the Respondent and anyone with relevant information about the alleged discrimination, harassment, and/or retaliation

## INVESTIGATION PROCESS

**Overview:** It is not necessary for a Complainant to first confront the harasser prior to instituting a complaint under this policy.


**Privacy:** The person charged with investigating the complaint will only discuss the complaint or the underlying behavior with those involved in the case who have a need to know the information, including, but not limited to, the Complainant, the Respondent, and applicable supervisors.

**Objectivity:** The Complainant and Respondent are entitled to an investigation conducted by an impartial investigator. Thus, if the person charged with overseeing or investigating a complaint is implicated in the complaint or has any personal issue that would cause a conflict of interest, the person with the conflict shall recuse themselves from the proceeding. If a conflict of interest exists, the Office of Institutional Equity may designate an impartial third-party to conduct the investigation and make findings.

**Standard of Review:** Formal Resolution of Complaints will be investigated and reviewed based upon the preponderance of evidence standard. Preponderance of the evidence means that it is more likely than not that a policy violation occurred.

**Initial Inquiry:** The Office of Institutional Equity has the authority to investigate a concern, provided evidence is available to support an effective investigation. When the Office of Institutional Equity receives a report of discrimination, harassment, and/or retaliation, the Office of Institutional Equity (or their designee) will begin an initial inquiry as soon as practicable—generally within seven working days, absent extenuating circumstances. The Office of Institutional Equity will review the complaint and attempt to gather information as appropriate. The inquiry often begins with an attempt to gain additional information from the Complainant, preferably through an in-person meeting. Further action by the Office of Institutional Equity will depend upon a number of factors, including but not limited to: (1) whether the identity of the Complainant and/or Respondent (the accused) is known; (2) whether the Complainant is willing to participate in an investigation; (3) whether the Complainant requests anonymity or confidentiality; (4) whether the Complainant or Respondent is affiliated with Tulane; and (5) whether Tulane has a legal obligation to proceed with an investigation based on the





nature of the conduct alleged—regardless of the Complainant’s wishes. If a Respondent is no longer affiliated with the University, Tulane will provide reasonably appropriate remedial measures to the extent feasible; assist the Complainant in identifying external reporting options; and take reasonable steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

**Complaints against Students:** Students are bound by the principles outlined in this policy. However, complaints against students shall be resolved under the Code of Student Conduct.

**Complaints against Faculty:** Faculty are bound by the principles outlined in this policy. However, complaints against Faculty shall be resolved by the process set forth in the Faculty Handbook and the Bylaws of the University Senate. Specifically, the Faculty Senate Committee on Equal Opportunity and Anti-Discrimination shall hear grievances against faculty alleging violations of Tulane University’s Equal Opportunity and Anti-Discrimination policies that cannot be resolved informally. The committee does not have jurisdiction over grievances against faculty on appointments of less than a year or on the first year of appointment.


**Complaints against Staff and All Others:** Staff and all others are bound by this policy. Complaints against staff and all others will be processed in accordance with this policy and the Staff Handbook. All others may include (though are not limited to) individuals not governed by the processes set out in the Code of Student Conduct Faculty Handbook and the Bylaws of the University Senate, such as Administrators, Librarians, Post-Doctoral Candidates, Resident Assistants, Graduate Teaching Assistants, other Student-employees and faculty on appointments of less than a year or on the first year of appointment.

**Complaints Involving Federal Regulation Sexual Harassment:** Complaints involving Sexual Harassment that meets the definition provided by the Title IX(20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex) will be processed in accordance with Appendix B of this policy. Investigation

**Timeline:** Investigations will commence as soon as practicable following the Initial Inquiry process detailed above. Investigations will be conducted as expeditiously as possible and are usually completed within a reasonable period, typically 60 days, though this may vary based on the availability of parties and witnesses, breaks in the academic calendar, scope of the investigation, or unforeseen or exigent circumstances. If additional time is needed to conduct a thorough investigation, the Office of Institutional Equity may, at its discretion, extend the time for completing the investigation as reasonably necessary. The Office of Institutional Equity will notify the Complainant and Respondent of any extensions. The Complainant, Respondent, and appropriate supervisors will receive regular updates on the status of the investigation.

**Complaint Withdrawal:** Prior to the conclusion of an investigation, the Complainant may request to withdraw their complaint by contacting the Office of Institutional Equity in writing at [oiie@tulane.edu](mailto:oiie@tulane.edu). The Office of Institutional Equity weighs the wishes of the Complainant heavily when deciding whether to pursue a Formal Investigation. In some cases, the Office of Institutional Equity may determine, given the nature of the allegation(s) and information presented, that Tulane has an obligation to proceed with a Formal Investigation. Sometimes a Complainant does not want to pursue a Formal Investigation or there is not enough information to proceed with a Formal Investigation. In such instances, the Office of Institutional Equity may proceed with Informal Resolution. Informal resolution may be requested by a party at any time. Informal Resolution does not result in findings of responsibility or sanctions. It is not required that parties use Informal Resolution. Anyone who believes that they have been subject to discrimination may immediately pursue Formal Investigation and Resolution. Informal Resolution may be an appropriate choice when the alleged conduct is not of a serious or repetitive nature, and disciplinary action is not required to remedy the situation. Depending on the nature and severity of the complaint and the wishes of the person(s) alleging discrimination, harassment, and/or retaliation, Informal Resolution may include, but is not limited to, the following or other appropriate actions: 1) Advising the Complainant about how to communicate the unwelcome nature of the behavior to the alleged harasser; 2) A facilitated conversation between the Complainant and Respondent to work out an agreed upon resolution; 3) A recommendation for mediation between the Complainant and the Respondent. Mediation is an informal meeting, facilitated by the Conflict Resolution Specialist, to help the Complainant and Respondent explore possible ways to reach a resolution; 4) A verbal or written warning to cease current behavior or a cease contact directive; 5) Training and/or an educational conversation with the Respondent; and/or 6) Distributing a copy of this policy to Respondent’s department. Informal Resolutions will be completed within a reasonable amount of time from receipt of a request to proceed under the Informal Process. Students are also encouraged to seek advice or counseling from the Office of Student Conduct,





(504) 865-5516, and/or the Office of Student Resources and Support Services, (504) 314-2160, to decide whether or not they will pursue a Formal Complaint. Informal Resolution may not be appropriate in certain circumstances and the Office of Institutional Equity retains the right to determine that a complaint is not appropriate for Informal Resolution. For instance, Informal Resolution may not be appropriate in cases involving allegations of sexual assault, even on a voluntary basis. In addition, complaints brought by students against employees involving Sexual Harassment as defined by the May 2020 Title IX regulations cannot be resolved informally. While dealing informally with a problem of discrimination, harassment, or retaliation may be preferable to the Complainant, Tulane's Formal Investigation Process must be followed for Tulane to impose any discipline on the Respondent.

### **Formal Investigation & Resolution of Complaints**


Tulane will proceed with a formal investigation and resolution when deemed appropriate by the Office of Institutional Equity. With regard to faculty, the formal investigation and resolution process outlined in the Faculty Handbook shall apply. As to all others covered by this policy, the formal investigation and resolution process is set forth as follows: During a formal investigation, the Complainant will have the opportunity to describe their allegations, as well as present supporting witnesses or other evidence. Complaints of discrimination, harassment, and/or retaliation must be put into writing. Upon request, Complainants will be provided a written copy of their allegations. The Respondent will have the opportunity to receive written notice of each allegation, respond to each allegation, present their evidence supporting their position, and propose relevant witnesses. The investigator will review evidence presented and will, as determined appropriate, meet with additional witnesses identified as having relevant information. In some instances, the investigator may identify and communicate with witnesses who were not identified by the Complainant or Respondent. Investigation meetings are not recorded by Tulane and may not be recorded by any participant. Parties and witnesses may take notes during investigation meetings. All parties involved in the investigation are expected to maintain privacy, cooperate, and provide truthful information throughout the investigation process. If a reasonable accommodation in filing a complaint is needed, please contact the Office of Institutional Equity at (504) 862-8083 or [oiie@tulane.edu](mailto:oiie@tulane.edu).

**Support Person:** As specified in Appendix B, Title IX matters require Advisors. For non-Title IX matters involving sex discrimination (or as otherwise expressly permitted by other Tulane Policies) Complainants and Respondents may be accompanied by one Support Person throughout the investigation, provided the involvement of this Support Person does not result in an undue delay of the process. A Support Person acts as an advisor and may be an attorney but cannot be someone who is a witness or party in the matter (or a related matter). It is the responsibility of each party to coordinate scheduling with their Support Person for any meetings. A Support Person is someone who can accompany and support a Complainant or Respondent throughout an investigation but may not otherwise participate in an investigation or on anyone's behalf. A Support Person may not speak, write, or otherwise communicate on behalf of the Complainant or Respondent with an investigator, or those affiliated with the investigation, including an appeal of an investigation. A Support Person may not engage in advocacy or behavior that harasses, abuses, or intimidates others, including parties, witnesses, or individuals involved in resolving the complaint. Any Support Person who does not abide by these guidelines may be excluded from the process.

**Closing the Case:** The Office of Institutional Equity will review all relevant information obtained during the Formal Investigation. After its review, the Office of Institutional Equity may decide to close the case when: (1) there is insufficient information to move forward; (2) the Complainant refuses to cooperate or pursue; or (3) when the alleged misconduct, even if substantiated, does not result in a violation of this policy. The Office of Institutional Equity may reopen a matter if additional information later becomes available, or a Complainant who was unwilling to participate in an investigation changes their mind.

**Written Determination:** At the conclusion of a Formal Investigation, the Office of Institutional Equity will issue the Complainant and Respondent a final written determination in the form of a Notice of Outcome or Closing Letter, no more than ten (10) working days or as promptly as possible after a decision has been reached. This written determination will state whether, based on the investigation, there was a finding of a violation of this policy. Closing letters will contain enough information to provide notice to the parties of the allegations, review process determination, and for Title IX matters provide sufficient information so a party has an opportunity to form a reasoned appeal argument if they so choose.





**Violations:** Upon a finding of a violation of this policy, the Office of Institutional Equity (or the designated fact finder) may make recommendations for further action, including sanctions, to the appropriate supervisor and division head for the Respondent and/or those able to implement appropriate corrective action. Appropriate recommendations are designed to stop the prohibited conduct, prevent its reoccurrence, and address any adverse effects caused by the violation. The supervisor or division head will be responsible for deciding upon and imposing disciplinary action as soon as reasonably possible, generally within a month after receiving the final determination and recommendation of the Office of Institutional Equity. The supervisor or division head shall notify the Office of Institutional Equity of the sanction imposed. Tulane's ability to take appropriate corrective action against a Third-Party will be determined by the nature of the relationship of the Third-Party to the University. The Office of Institutional Equity (or its designee) will determine the appropriate manner of resolution consistent with Tulane's commitment to a prompt and equitable process, as well as University obligations, federal law, federal guidance, and this policy.

**Sanctions:** The Office of Institutional Equity does not have independent authority to impose sanctions.

- Sanctions against Students shall be imposed under the Code of Student Conduct.
- Sanctions against Faculty shall be imposed by applicable University policies as maintained in the Faculty Handbook and in the Bylaws of the University Senate.
- Sanctions against all others shall be imposed under the Staff Handbook.

All others may include (though are not limited to) Staff, Administrators, Librarians, Post-Doctoral Candidates, Resident Assistants, Graduate Teaching Assistants, other Student-employees and faculty on appointments of less than a year or on the first year of appointment. Sanctions imposed on individuals who have violated this policy will be commensurate with the severity and/or frequency of the conduct and shall be adequate and sufficient to prevent such conduct in the future. Sanctions may include, but are not limited to, an apology to the Complainant; a verbal or written reprimand; a requirement to attend remedial discrimination and harassment training; appropriate workplace restrictions; no contact orders; denial of a merit pay increase or other benefit; denial of promotion; or reassignment, demotion, suspension, or separation from the University.

### **Burden of Proof & Standard of Evidence**

In all campus disciplinary proceedings, the standard of proof that is applied is a preponderance of the evidence (i.e., more likely than not that the allegation or allegations occurred). The rules of evidence that apply in a court of law do not apply during campus disciplinary proceedings.

### **Possible Sanctions**

Following the determination of responsibility or violation, the University has a range of sanctions available for consideration. The variety of sanction differs based on the individual's status at Tulane. Below are sanctions that may be considered in cases when the Respondent has been found responsible or in-violation of the University Policy:

#### **Students**

- Expulsion from the University
- Term-specified suspension from the University
- Deferred suspension from the University
- Administrative directives for no contact
- Restriction from portions of campus
- Change in housing assignment
- Change in course assignment
- Mandated psychological evaluation and/or counseling
- Mandated education

#### **Faculty/Staff**

- Employee termination from the University
- Unpaid suspension
- Restrictions from all or portions of campus



- Change in working facility
- Mandated education
- Written reprimand in personnel file
- Removal from classroom teaching
- Tenure revocation
- Withhold salary increase (from one to several years)
- Removal of endowed chair
- Removal of emeritus status
- Removal of graduate school status
- Termination of research project funding
- Removal from administrative position

### **Additional Information on Disciplinary Proceedings**

Disciplinary proceedings will be prompt, fair and impartial, from the initial investigation to the final result. Proceedings will be completed within reasonably prompt timeframes. If an extension is needed for good cause, the Complainant and the Respondent will receive written notice explaining the delay and the reason for the delay.

The disciplinary proceedings will be conducted in a manner that is consistent to Tulane's policy and transparent to the Complainant and Respondent. Timely notices of meetings will be given at which the Complainant or Respondent, or both, may be present. Tulane will provide timely and equal access to the Complainant, the Respondent, and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.

The disciplinary proceedings will be conducted by officials who do not have a conflict of interest or bias for or against the Complainant or the Respondent

For purposes of this policy, an Advisor means any individual who provides the Complainant or Respondent support, guidance, or advice. A proceeding under this policy means all activities related to a non-criminal resolution of a disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. A proceeding does not include communications and meetings between officials and victims concerning supportive measures, accommodations, or protective measures to be provided to a victim.

Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within Tulane University. The result includes any sanctions imposed by Tulane University. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

Compliance with the above policy and procedures does not constitute a violation of FERPA.

The institution will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Assistance for Victims – Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services in the institution and in the community;



- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action.

### **Accommodations and Protective Measures Available for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Southeastern will provide notification to students and employees about accommodations available to them, including academic, living, transportation, and working situations. The notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, or transportation situations regardless of whether the victim chooses to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours or locations. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. Issuance of a full, partial, or modified bar notice to the respondent may also be appropriate.

### **Prohibition on Retaliation**

Tulane University prohibits any retaliation, intimidation, threat, coercion, or otherwise discriminate act by any University official, employee, staff or faculty member, or student against any individual for exercising their rights or responsibilities under this policy.

### **Notification of Victims of Crimes of Violence**

In accordance with the Higher Education Opportunity Act (HEOA), the College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **How to File a Disciplinary Complaint**

All reports of dating violence, domestic violence, sexual assault, and stalking can be made to the Title IX Office by calling 504-865-5611, by emailing [titleix@tulane.edu](mailto:titleix@tulane.edu), or by visiting Jones Hall suite 308 during business hours. Reports can also be filed online at any time at <https://tulane.edu/concerns>. These online reports are monitored regularly by staff in Student Affairs. Formal complaints against students can be reported to the Office of Student Conduct (OSC) by visiting LBC Go2 during business hours, emailing [conduct@tulane.edu](mailto:conduct@tulane.edu), or calling 504-314-2184. Formal complaints against faculty, staff, or third-party affiliates can be reported to the Office of Institutional Equity (OIE) by visiting 1555 Poydras St., Suite 964, during business hours, calling 504-862-8083, or emailing [oie@tulane.edu](mailto:oie@tulane.edu).

### **Risk Reduction**

Recognizing abusers are solely responsible for their abuse and no victim of a crime is to blame for the perpetration of the crime, the following are some strategies to reduce risks commonly related to sexual assault or harassment (adapted from **Rape, Abuse, & Incest National Network**, [www.rainn.org](http://www.rainn.org)). Tips for potential victims include:

- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to recognize a threatening situation and avoid it.
- **Make sure your cell phone is with you** and charged and that you have cab money and/or an on-demand driver app loaded.





- **Try to avoid becoming isolated** with someone you don't trust or someone you don't know.
- **Attend social gatherings with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (on campus dial 985-549- 2222 for UPD or call 911 if off campus.)
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, common open containers.
- **Familiarize yourself with the resources on campus** that are available to support victims of sexual violence.
- **If you need to get out of an uncomfortable or scary situation,** here are some things that you can try:
  - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - **Have a code word** with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - **Lie.** If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
  - **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
  - **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

#### **Tips for bystanders include:**

- **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- **Don't let your friends make decisions that would hurt someone else.** Part of looking out for your friends is intervening when you see them doing something that could be potentially harmful to themselves or another person. If your friend is making someone uncomfortable, violating someone's consent, or acting in another harmful way, use a bystander intervention strategy to step in.
- **If you suspect you or a friend has been drugged,** contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- **Intervene if you see a situation of potential harm.** Tulane's One Wave bystander intervention training seeks to equip our community with the knowledge, skills, and confidence to intervene in situations that involve, or have the potential to involve sexual assault. The 3 Ds of bystander intervention are:
  - **Direct:** If you see a concerning behavior and are comfortable intervening, deal with it directly by interacting with one of the people involved.
  - **Delegate:** When you recognize a high-risk situation and you either feel uncomfortable saying something or you feel



like someone else is better suited to handle it, delegating the responsibility is an option. This approach allows for a shared sense of responsibility among community members; you don't have to intervene alone. Sometimes you are not the right person to intervene, but finding someone who can is important.

- **Distract:** The focus of this approach is diversion. If you see a high-risk situation, thinking of a way to divert the attention of the people in the situation may be the most effective option to eliminate potential harm.

**Tips for potential perpetrators include:**

- **Always obtain affirmative verbal consent** for any sexual activity you engage in.
- **Check in with your partner** if at any point during a sexual interaction you become unsure of your partner's wishes or your partner becomes uncomfortable or non-responsive.
- **Understand coercion and how it violates consent.** Coercion is the use of an unreasonable amount of pressure to gain sexual access. When a person makes clear their decisions to not participate in sexual activity, continued pressure can be coercive. Affirmative consent cannot be gained through coercion.
- **Learn the signs of incapacitation,** which include but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, lack of awareness of circumstances or surroundings, or inability to perform other physical or cognitive tasks without assistance. Someone who is incapacitated cannot consent to sexual activity.

**Sex Offender Registration and Access to Related Information**

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides for the registration and tracking of sex offenders. Institutions of higher education are required to issue a statement advising the campus community of where to obtain law enforcement agency information provided by a state concerning registered sex offenders. The law also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

Members of the public may request community notification flyers for information concerning sexually violent predators in a particular community by visiting the Chief Law Enforcement Officer of that community. A listing of registered sex offenders is available on the state of Louisiana's website for registered sex offenders at <http://www.lsp.org/socpr/default.html>. The links to the sex offenders registry for Louisiana is on the Tulane University Police Department website at <https://publicsafety.tulane.edu>.





## CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

### Missing Student Notification Policy and Procedures

In accordance with the Higher Education Opportunity Act (HEOA), the College must develop and implement certain procedures to be followed when on-campus residential students are determined to be missing for 24 hours.

Tulane has adopted a missing student notification policy for students residing in university owned and controlled (leased or rented) residential facilities as well as privately owned fraternity houses officially recognized by the University (this includes residential facilities in both the on-campus and non-campus Clery geography categories). In addition to registering a general emergency contact, all students residing in student housing facilities must annually register confidential contact information for a person to be notified by the University in the event the student is reported as missing. Tulane will ensure that all students are able to update their contact information whenever needed. These procedures and registration process are communicated to students when registering for housing at the beginning of each academic year. The contact information will be confidential, accessible only by authorized campus officials and law enforcement, and may not be disclosed outside a missing person investigation. Tulane will notify that individual no later than 24 hours after the student is determined to be missing.

### Provisions

It will be made clear to all students annually, that each residential student of the University has the option to designate an individual to be contacted by Tulane University administration no later than 24 hours after the time that Tulane University determines the student is missing. Tulane University provides each student with the means and opportunity to register their confidential Missing Student contact information by logging into the Gibson online portal and filling out the Address and Contact Information form. This information is only accessible to University employees who are authorized campus officials, and this information will not be disclosed to others with the exception to law enforcement personnel in the furtherance of a missing student investigation.

In accordance with the Tulane University's Missing Student Policy, it should be noted that Tulane University notifies each student who is under 18 years of age (and not an emancipated individual) that Tulane University is required to contact the student's parents or guardian in addition to the person identified as the missing student contact person. This contact will be made no later than 24 hours after the time that the student is determined to be missing.

In accordance with Tulane University procedures, it should be noted that Tulane University will inform each residential student that Tulane University will notify the appropriate local law enforcement agency, when a student has gone missing, unless the local law enforcement agency was the entity that made the determination that the student was missing. This notification will be made no later than 24 hours after the time that the student is determined missing, and


If the campus law enforcement personnel have been notified that a student has gone missing and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours, Tulane University staff will initiate emergency contact procedures as outlined in Tulane University's policy and protocol.

Below are Tulane University's missing student investigative procedures.

- Include communication procedures for official notification of appropriate individuals at Tulane University that a student has been missing for more than 24 hours.
- If a student is missing for more than 24 hours, an official is required to submit a Missing Person immediately to the University police.
- If through investigation of an official report, the University police determines a student has been missing for more than 24 hours, they will:
  - Notify the local police.
  - Contact those individuals provided by the student, as their Missing Student contact person.

If a student is under 18 years of age, and not an emancipated individual, immediately contact the custodial parent(s) or legal guardian(s) of the student, in addition to the student's Missing Student contact person.





All community members are encouraged to report community members missing as soon as possible, but no later than 24 hours after that individual has been missing

### **Daily Crime and Fire Log**

TUPD combines its Daily Crime Log and Fire Log into one public document. TUPD makes the Daily Crime and Fire Logs for the most recent 60-day period open to public inspection during normal business hours (typically Monday through Friday, from 8am to 5pm, except holidays) at the uptown and downtown TUPD stations, Tulane University's Elmwood Campus, and the National Primate Research Center. Any portion of these crime and fire logs that are older than 60 days are made available for public inspection within two business days of a request. All confirmed fires occurring within or on any and all on-campus residential facilities will also be included in the Daily Crime and Fire Log. The information in the crime and fire log typically includes the incident number, crime classification or nature of the fire, date reported, date occurred, general location of the crime or fire, and disposition of each reported crime or fire. Faculty, staff, and students are encouraged to review these logs periodically to become more familiar with the types and locations of criminal incidents and fires that may impact the campus community. The names of crime victims will not be listed on the Daily Crime and Fire Log.

Unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim, newly reported crimes/incidents within the university's Clery geography/TUPD patrol jurisdiction and updated information regarding previously reported crimes are entered onto the Daily Crime and Fire Log within two business days of when it is reported to TUPD.

In addition to being available for in-person viewing, the Daily Crime and Fire log are available on the TUPD website: <https://publicsafety.tulane.edu/daily-crime-log>.

### **Crime Prevention and Safety Awareness Programs**

In an effort to promote safety awareness, the TUPD maintains a strong working relationship with the community. This relationship includes offering a variety of safety and security programs and services and crime prevention programming. TUPD officers maintain regular communication with the Division of Student Affairs, that includes the Office of Student Resources and Support Services, Housing and Residential Life and Campus Health, to share information and strategies in the best interests of students and the community.

Below are some of the programs and services offered at Tulane University.

#### **New Student Online Wellness Courses**

- All students who are new to Tulane (first year and transfer students) are required to complete a series of online health promotion courses.
- Alcohol and Other Drugs is an interactive learning experience that equips students with the skills to support healthy decisions for themselves and their peers, reducing adverse outcomes associated with alcohol and other drug misuse.
- Sexual Misconduct Prevention is a comprehensive simulation that equips college students with the skills to navigate difficult situations related to sexual misconduct, leading to a safer and more connected campus.
- Mental Health is an interactive learning experience for students that equips them with the skills to support their emotional health and that of their peers. The course introduces positive coping strategies and prepares students to recognize signs of distress, effectively communicate their concerns, and take action to find additional support.
- Additionally, Campus Health will offer an optional fourth course, Sexual Health for Students and Sexual Literacy for Students.

#### **The Sexual Health for Students and Sexual Literacy for Students**

The Sexual Health for Students and Sexual Literacy for Students offers Tulane students an opportunity to develop their own concept of healthy sexuality. The curriculum achieves this by providing medically accurate, queer-inclusive, and sex positive comprehensive sexual health education through interactive modules. Topics covered in the modules include: consent and healthy relationships; adolescent development; sexual and reproductive anatomy and physiology; gender identity and expression; sexual identity and orientation; interpersonal and sexual violence; contraception, pregnancy, and reproduction; and HIV and other STDs/STIs. This program is sponsored by The Well for Health Promotion, a department within Campus Health.





## **Carnival Kickoff**

Carnival Kickoff is an annual collaboration among campus partners to provide a large outreach event to promote safety during Mardi Gras. The program includes information on responsible drinking, protective factors, harm reduction strategies, transportation during Mardi Gras, residence hall policy, and alcohol policy. This program is sponsored by the Well for Health Promotion.

## **Mardi Gras Safety**

The Mardi Gras Safety program provides Tulane students with the information and skills necessary for promoting safer choices during Mardi Gras and other festivals. This program provides tips for safe transportation during Mardi Gras, delivers concrete steps students can take to intervene and prevent violence; offers harm reduction strategies to reduce negative consequences related to alcohol misuse; explains how to respond to alcohol overdose or a medical emergency. This program is sponsored by the Well for Health Promotion.

## **Shifting the Paradigm**

During the annual Shifting the Paradigm event, Tulane University is invited to assemble for an honest conversation about the impact of sexual violence on our community. The event will feature data from various departments, a presidential address on the topic, and a keynote address.

## **Sexual Assault Awareness Month**

Every April, Tulane honors Sexual Assault Awareness Month with a variety of events that focus on violence prevention and aim to create a safer Tulane. This is sponsored by Tulane's Division of Student Affairs and Tulane's Title IX Office.

## **One Wave**

One Wave is Tulane's bystander intervention initiative. It offers social marketing, 60-minute trainings and 4-hour trainings to faculty, staff and students, so they are prepared to intervene to prevent harm in high-risk situations.

## **All In: Understanding and Preventing Sexual Violence at Tulane**

All In: Understanding and Preventing Sexual Violence at Tulane is a peer led workshops for all incoming students that explores what sexual violence is, how to prevent it, and what to do if a friend or peer is a victim of it.

## **TULANE UNIVERSITY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS**


In accordance with the federal Drug-Free Workplace Act of 1988, the federal Drug-Free Schools and Communities Act (DFSCA) of 1989, and Louisiana state policies on Alcohol and Other Drugs, Tulane prohibits the unlawful or unauthorized possession, use, sale, manufacture, distribution, or dispensation of alcohol and other drugs by employees and students in the workplace, on University property, or as part of any campus activity. Employee or student violators are subject to disciplinary action, up to and including termination of employment and expulsion.

The Tulane University Police Department is responsible for enforcing the laws of the State of Louisiana, including laws relative to the possession, use, and sale of alcoholic beverages. This includes the enforcement of state underage drinking laws and federal and state drug laws. In addition to any law enforcement action taken, student violations of the policies and guidelines pertaining to alcohol and drugs specified in the Student Code of Conduct are referred to the Office for Student Advocacy and Accountability for assessment. Students found responsible for violations will face sanctions appropriate to the degree of the violation. Sanctions will increase in severity for repeated violations. Student sanctions include, but are not limited to, fines, education, referrals for counseling, community service, probation, residence hall separation, or suspension or expulsion from the University.

Louisiana law states persons under 21 years of age who attempt to purchase, purchases, consumes, possesses, or who knowingly and intentionally transports any alcohol, liquor, or malt beverages is guilty of an offense. Misrepresentation of age to a licensed dealer or other persons who sell or furnish intoxicating liquors constitutes an offense. A person also commits an offense for selling or providing alcoholic beverages to a person under 21 years of age.

There are serious legal and financial consequences for impaired driving, including driving while intoxicated (alcohol intoxication) or driving while impaired by other drugs. Drivers under the age of 21 with a blood alcohol concentration (BAC) of .02 grams per cent (g%) or higher and drivers 21 years of age and older with a blood alcohol concentration (BAC) of .08 grams per cent (g%) or higher are presumed to be impaired and may be charged criminally. Louisiana and





the City of New Orleans also have open container and noise ordinances.

The use of narcotics and controlled substances without a prescription on University property, as elsewhere, is illegal. Illegal possession, use, and/or sale of drugs or narcotics by students, employees, or guests constitutes unacceptable and illegal conduct. The University Police Department is responsible for enforcing the laws of the State of Louisiana, including laws relative to the possession, use, and sale of narcotics and controlled substances. When students are receiving Federal Title IV financial aid (including Federal Pell Grants and Federal Direct Student Loans), it is their responsibility to inform the Financial Aid Office within five days of any criminal illegal drug statute conviction.

Students and employees also agree to abide by the conditions of the drug-free workplace certifications.

### **Drug Free Schools and Communities Act (DFSCA) Compliance**

Tulane University's Drug and Alcohol Abuse Prevention Program (DAAPP) is emailed to all employees and all students at the beginning of both the fall and spring academic semesters. Information related to alcohol and drug policies, standards of conduct, applicable disciplinary sanctions, health risks, counseling and treatment, processes, goals, and objectives can be found on this online and within the DAAPP. The biennial report, developed in accordance with the Drug Free Schools and Communities Act (DFSCA) of 1989, can also be obtained by contacting the Clery Act Coordinator, as outlined above.

### **DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS**

Tulane University provides a number of drug and alcohol abuse education programs including:

#### **DEA Drug Take Back Day**

TUPD monitors stations on each campus to collect prescription medications that are then picked up and disposed of by the Drug Enforcement Administration. This program is sponsored by DEA and TUPD.

#### **Brief Alcohol Screening and Intervention for College Students (BASICS)**

Brief Alcohol Screening and Intervention for College Students (BASICS) is an individually administered prevention program for college students who drink alcohol and are at risk for alcohol-related problems. Following a harm reduction approach, BASICS aims to motivate students to reduce alcohol use in order to decrease the negative consequences of drinking. Students are mandated to the program for violating the alcohol policy or receiving medical care from an alcohol overdose, or students can self-refer. This program is sponsored by The Well for Health Promotion.

#### **Workshops**


The Well for Health Promotion offers a variety of workshops for first years, Greek students and graduates that focus on harm reduction and alcohol poisoning prevention.

- **The Buzz** – Originally developed at the University of Arizona's Campus Health Services, "The Buzz" is an alcohol education presentation that uses interactive activities and myth busting facts to facilitate a conversation about alcohol use on college campuses. This presentation involves trivia and a wide variety of games to provide useful information about alcohol in a playful and relaxed manner. *Specifics: presented by TUPHEs, available virtually and in-person.*
- **Narco Knowledge** – A 50-minute presentation about illegal drugs, misuse of Rx drugs, and mixing alcohol and drugs. Discussion points include alcohol and drugs; harmful combinations; non-medical use of prescriptions. *Specifics: one hour; presented by professional staff or peer health educators, available virtually and in-person.*
- **Risky Business** – This small-group, interactive workshop is meant to facilitate a conversation about group norms related to alcohol and other health behavior. Based on real-time responses, participants engage in a conversation based on what members want from their experience and how members can support one another. *Specifics: <65 people; one hour; presented by professional staff.*

#### **Health Communication**

The Well develops content for and distributes health communication outreach events, digital bulletin boards, social media, posters, and the Stall Street Journal covering a wide range of health topics, including substance abuse prevention. These health communication methods promote substance abuse prevention services and resources on campus, as well as offer education on strategies for risk reduction and bystander intervention in high-risk situations involving





alcohol. Substance abuse prevention messages take priority at the beginning of the year and during known high-risk events in New Orleans including Mardi Gras and Voodoo Music Festival.

### **eCheck Up to Go**

The Alcohol eCHECKUP TO GO for Colleges & Universities is a personalized, evidence-based, online prevention intervention. With regard to substance use, the personal feedback, used in conjunction with counseling, or as a stand-alone intervention, includes information that has been shown to be particularly motivating to high school and college-aged young adults:

- Quantity and Frequency of Use
- Amount Consumed
- Normative Comparisons
- Physical Health Information
- Amount and Percent of Income Spent
- Negative Consequences Feedback
- Explanation, Advice, and Local Referral Information

### **Drug and Alcohol Use Rehabilitation and Re-Entry Programs:**

#### ***Tulane Recovery Community: Established January 2020;***

Tulane University is committed to supporting students who are in recovery from substance use disorders and/or who identify as having a problematic relationship with alcohol and/or other substances. The Tulane Recovery Community's (TRC) mission is to support individualized recovery on campus by providing recovery-based programs that foster academic achievement, connection, and engagement.

Program Features:

- Weekly Recovery Support Meetings
- Dedicated Staff Member for support
- Community connection by promoting social and peer support
- Navigating barriers to a successful academic progression
- Normalizing recovery identity on campus
- Education, resources, and training to students, families, faculty, and staff
- Sober social activities on and off campus
- Connection to campus support services

Future Programming:

- Recovery Community Center
- Addition weekly support groups
- Substance Free/Recovery Housing

### **Drug & Alcohol Outpatient Therapy:**


Tulane has created a dedicated counseling position, AOD (Alcohol and Other Drugs) therapist, embedded in the Counseling Center, to support students on an outpatient level of care who have identified issues with alcohol and other drugs, and or meet the criteria for a Substance Use Disorder (SUD).

### **Referrals for higher levels of care**

For students with a SUD, whose severity necessitates a higher level of medical care; referrals to appropriate facilities locally and regionally are coordinated as needed. These referrals may come from a medical provider in the student health center, care coordinator from the Counseling Center, staff within the Tulane Recovery Community, and or Case Management and Victim Support Services.

Tulane University is committed to cultivating an environment that focuses on learning, service to the community, and personal development. The Tulane Alcohol and Drug policy is intended to further the mission of the University. Tulane University recognizes that each member of our community is responsible for their actions. At the same time, the





health and well-being of our community is a shared responsibility. Each year, excessive alcohol and drug use impacts college students, as well as college communities and families.

**Alcohol-Related Health Impacts (NIAA, 2019):**

An estimated 95,000 people (approximately 68,000 men and 27,000 women) die from alcohol-related causes annually, making alcohol the third-leading preventable cause of death in the United States.

**Consequences of Underage Alcohol Use (NIAAA, 2020):**

Research indicates that alcohol use during the teenage years can interfere with normal adolescent brain development and increase the risk of developing AUD. In addition, underage drinking contributes to a range of acute consequences, such as injuries, sexual assaults, alcohol overdoses, and deaths—including those from motor vehicle crashes.

**Prevalence of Alcohol Use:**

**Prevalence of Drinking:** According to the 2019 NSDUH, 47.1 percent of adults ages 18 to 22 drank alcohol in the past month. Within this age group, 52.5 percent of full-time college students ages 18 to 22 and 44.0 percent of other persons of the same age drank alcohol in the past month.

**Prevalence of Binge Drinking:** According to the 2019 NSDUH, 29.6 percent of adults ages 18 to 22 reported binge drinking in the past month. Within this age group, 33.0 percent of full-time college students ages 18 to 22 and 27.7 percent of other persons of the same age reported binge drinking in the past month.

**Prevalence of Heavy Drinking:** According to the 2019 NSDUH, 7.0 percent of adults ages 18 to 22 and 8.2 percent of full-time college students ages 18 to 22 and 6.4 percent of other persons of the same age reported heavy alcohol use in the past month.

Alcohol is a factor in the deaths of thousands of people ages 18 to 22 every year in the United States. The most recent NIAAA statistics estimate that this includes 1,519 college students ages 18 to 24 who die from alcohol-related unintentional injuries, including motor vehicle crashes.

**Policy**

Tulane University adheres to the provisions of the Drug Free Schools and Communities Act, Part 86. The University annually distributes to students, staff, and faculty information that includes the University Alcohol and Drug Policies, counseling and assistance programs, University and legal sanctions, health risks, and uses and effects of controlled substances.

Tulane University encourages moderation in the use of alcohol for members of the community who are of legal age and choose to drink. The University believes that choosing not to drink is as socially acceptable as choosing to drink.

This policy and all related policies and protocols can be found online at <https://campushealth.tulane.edu/alcohol/policies-rules-response>.

**I. Policy Statement**

**Alcohol Philosophy**

Every member of the Tulane community is expected to make responsible choices regarding alcohol and other drugs. The misuse or abuse of these substances can result in detrimental consequences for individuals and those around them. At Tulane, we expect our community members to cultivate a healthy and safe educational environment that supports each student to reach their full academic potential.

Tulane University approaches alcohol and other drug use with the following beliefs in mind:

- We value the health and well-being of every member of our community and respect an individual's choice to legally consume alcohol or to abstain from alcohol use.
- All members of our community have a responsibility to foster an environment where responsible choices regarding alcohol and other drugs are the norm.
- An individual's choices and behaviors impact our community; Tulanians are accountable for their actions if they compromise the health and safety of themselves or others.
- We support individuals who are struggling with alcohol or other drug misuse, abuse, or addiction through intervention, education and treatment.





## II. Reason for Policy

Tulane University must comply with and uphold all federal, state and local laws that regulate or prohibit possession, use or distribution of alcoholic beverages or illicit drugs. In addition, Tulane has policies and procedures to ensure the misuse or abuse of these substances is not tolerated. Finally, Tulane University has the obligation to follow up with any student involved in an alcohol and drug related policy violation or medical emergency.

The following is a summary of certain Louisiana laws regarding the purchase, possession and use of alcoholic beverages:

- It is unlawful to falsify a driver's license or other identification document to obtain or attempt to obtain any alcoholic beverages or to permit someone else to use one's driver's license or other identification document to obtain or attempt to obtain any alcoholic beverages or for the purposes of entering a premise licensed to sell alcohol. La. Rev. Stat. 333
- It is unlawful for any person under the age of 21 to purchase or publicly possess any alcoholic beverages. La. Rev. Stat. 14.93.12. Public possession means "possession of any alcoholic beverage for any reason, including consumption, on any street, highway, waterway or in any public place or any place open to the public including a club which is de facto open to the public." La. Revs. Stat. 14.93.10.
- It is unlawful for any person, other than a parent, spouse or legal guardian, to purchase on behalf of a person under 21 any alcoholic beverages. La. Rev. Stat. 14.98.6.
- It is unlawful to sell alcoholic beverages to any person under 21. La. Rev. Stat. 14.93.11.
- It is unlawful for a person under 21 to drive under the influence when the operator's blood alcohol concentration is .02 or more. La. Rev. Stat. 14.98.6.
- It is unlawful to operate a vehicle while intoxicated when the operator's blood alcohol concentration is .08 percent or more when 21 years of age or older. La. Rev. Stat. 14.98.
- The unauthorized possession, use or distribution of controlled substances or illegal drugs is unlawful.

## III. Departments and/or Individuals Affected by Policy

This policy applies to all Tulane students, Recognized Student Organizations and groups, faculty and staff regardless of the school or campus of which they are a member. This policy applies at all University Sponsored or Related Events, whether on or off-campus, and on all Tulane University campus locations, including Uptown, Downtown, The Primate Center, Hebert Center, Elmwood, Maple Street and University affiliated housing. This policy does not apply to informal, off-campus events; the University uses a reasonable person standard to determine if an event should be covered by this policy.

## IV. Definitions

**University Recognized Student Organization:** A recognized student organization (RSO) is an autonomous student organization that is formally recognized by the University. A RSO is formed by currently enrolled students sharing a common goal or interest that have completed the RSO recognition process and agree to adhere to all University policies and procedures.


**Administrative Permission:** RSO administrative permission is granted through the Event Registration Process managed by the Division of Student Affairs. Departmental Program or Events administrative permission is granted through Campus Services.

**Common Source:** A common source of alcohol is the equivalent of more than one 12-pack (12 12-ounce bottles or cans) of beer or malt liquor, more than 1.5 liters of wine, more than 750ml of liquor, or any combination of alcoholic beverages with a total amount that exceeds the maximum allowed quantities listed above. Kegs, vats, party balls, beer balls and boxed wine are also considered common sources.

**Third-Party Vendor:** A third-party vendor is an individual or entity that is properly licensed by the appropriate local and state authority to serve alcohol that is contracted to serve alcohol at any University Sponsored or Related Event, whether on or off-campus, and at any event at which alcohol will be served on University property.

**Sober Event Monitor:** A Sober Event Monitor maintains a safe social environment for all persons in attendance at social events. All Sober Event Monitors should have completed the current University required training, comply with the Tulane University Alcohol and Drug Policy and related protocols, and must be at least 21 years of age.





Event Host: An Event Host is defined as the organization, department, or individual sponsoring the event. All hosts should comply with the Tulane University Alcohol and Drug Policy and related protocols.

University Sponsored or Related Events: For purposes of this policy, a University Sponsored or Related Event is an event that will be attended by students, faculty or staff members that meets one or more of the following criteria- (1) is registered with the University; (2) is affiliated or hosted by a Recognized Student Organization, department, unit, organization or activities that relate to the education, research and community service missions of the University or to the goals or objectives of the department, unit or organization of affiliation. All athletic related events are also included.

## **V. Roles and Responsibilities**


The following offices collaborate to implement the Alcohol and Other Drug Policy: Tulane University Police Department (TUPD), Campus Health, Office of Student Conduct, Office of Fraternity and Sorority Programs, Office of Student Programs, and Housing and Residence Life.

## **VI. Policy Details**

The unauthorized possession, sale, or distribution of controlled substances or illegal drugs is unlawful. In addition to Louisiana law, Tulane's policies regarding the use of alcohol are:

- Individuals under 21 years of age may not consume, be served, possess, or be provided alcohol anywhere on campus, at University Sponsored or Related Events, or in any manner inconsistent with Louisiana law.
- Alcohol may only be served at University Sponsored or Related Events, whether on or off-campus, with Administrative Permission. The vendor serving alcohol at the event is responsible for identifying those individuals at the event who can legally consume alcohol. Service shall not be provided to any individual without clear evidence of legal age.
- Faculty, staff and students of any age and their guests may not possess open containers of alcohol or consume alcohol related beverages in public areas (such as lobbies, hallways, stairwells, balconies, walkways, patios/picnic areas, lounges or quads) except at a University Sponsored or Related Event that received Administrative Permission that specifically provides that open containers will be permitted.
- Drinking games and devices intended to accelerate the consumption of alcohol (including but not limited to funnels or beer bongs) are not permitted on Tulane Property or at any University Sponsored or Related Events, including Tailgating or athletic events. Common Sources are not permitted.
- The service of alcohol on University Property or within University facilities must comply with the Exclusive Sponsorship and Nonexclusive Provider Agreement Contract.
- The University forbids the purchase, sale and delivery of alcoholic beverages without Administrative Permission.
- Students are prohibited from the unlawful manufacture, distribution, sale, possession or use of controlled substances both on and off-campus. Faculty and staff are prohibited from the unlawful manufacture, distribution, sale, possession or use of controlled substances in the workplace.
- All Tulane staff and faculty are also subject to the alcohol and other drug policies contained in this and their respective employee guidelines.
- Students may not brew or distill alcoholic beverages in the residence halls.
- Publications of any type and in any media, including the Hullabaloo, New Wave, and other newspapers, pamphlets, flyers, websites, etc., that receive some or all of their funding from University sources (including student activity fee) must not accept or contain commercial advertising or other materials regarding alcohol. Alcohol manufacturers, distributors or drinking establishments may not advertise in or on University property, including but not limited to residence halls, recreation centers, kiosks or academic buildings. Similarly, University-Recognized Student Organizations shall not promote alcoholic beverage manufacturers, distributors or drinking establishments other than to announce a University event location.
- University funds may not be used for any portion of an event at which alcohol may be served to or consumed by minors or to purchase alcohol for any event hosted by an undergraduate Student Organization. Use of University funds for alcohol must be consistent with University procurement guidelines.
- If a Recognized Undergraduate Student Organization co-sponsors an event with a graduate or professional





Recognized Student Organization, or if undergraduates are invited or present at an event, the policies governing undergraduate events must be followed.

When students are found responsible for a violation of the drug or alcohol policy, they can face a range of sanctions. The status sanctions include warning, Disciplinary Probation, Suspension or Expulsion, depending on the severity of the case and student's prior history. Educational and Wellness sanctions include on-line drug and alcohol education courses, policy reviews, research essays, reflection essays, community service, fines, substance abuse assessment and treatment compliance, and drug and alcohol testing.

When the university receives a report of an alleged drug or alcohol violation for a student, those complaints are routed through the Office of Student Conduct and are adjudicated by a trained hearing officer. The various paths a case may take are outlined in the Code of Student Conduct. Reports come from a variety of sources, including Resident Assistant and Resident Director reports, university and local law enforcement reports, or reports from students and other stakeholders.

### **Medical Amnesty Protocol (MAP)**

Tulane University has the obligation to follow up with any student involved in an alcohol and drug related medical emergency. The potential for student conduct action by the University against the student in need of medical attention and/or the student reporting the incident may act as a barrier to students getting the medical attention they need. To remove this barrier and increase the likelihood that students will get any required medical attention, the University has developed a Medical Amnesty Program.

The Medical Amnesty Program (MAP) represents the University's commitment to increasing the likelihood that community members will call Tulane Emergency Medical Services (TEMS) or New Orleans Emergency Medical Services when TEMS is not on-duty, for medical assistance when faced with an alcohol or other drug-related emergency. Every student, as part of the Tulane University community, has a responsibility for care. In alcohol or drug-related incidents, the primary concern of the University is the well-being, health, and safety of students.

### **VII. Policy Procedures**

This policy and procedure will be reviewed annually by Campus Health, within the Division of Student Affairs.

### **VIII. Sanctions**

Faculty and staff members who violate this policy shall be referred to the appropriate unit administrator. Students and University-Recognized Student Organizations shall be referred to the Office of Student Conduct. University sanctions will depend upon the past record of the violator and the severity of the violation.

### **IX. History**

The Tulane Alcohol and Other Drug policy is developed in an alignment with Edgar Part 86. EDGAR is the federal requirement for Colleges and Universities to have alcohol policies. The last policy update was completed Spring 2014 and implemented Fall 2014.

### **X. Forms/Tools/Resources**

RSO Event Planning and Registration Guide – <https://orgsync.com/28726/files/1494281/show>

Event Registration – <https://campusservices.tulane.edu/departments/event-management/planning-an-event/registration>

### **XI. Related Information**

Related Policies and Protocols: Sober Event Monitor, Event Registration, Medical Amnesty Program, Code of Student Conduct, Community Living Standards, Parental Notification, EDGAR









## ANNUAL DISCLOSURE OF CRIME STATISTICS

The following information provides context for the crime statistics reported as part of compliance with the Clery Act. The Tulane University Police Department is primarily responsible for preparing the Annual Security and Fire Safety Report. This responsibility is specifically designated to the Clery Act Coordinator or designee. The University Police collects the crime statistics disclosed in the charts through several methods. The Department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that the University Police maintains, the statistics below also include crimes that are reported to various campus security authorities, as defined in this report. The Office of Student Conduct, Case Management and Victim Services, Title IX Office and Human Resources Department are key offices from which drug, liquor, and weapon offense referral data is obtained along with sexual offenses and potential reports of other Clery crimes.

Final report preparation is coordinated by the Clery Act Coordinator with Human Resources, Student Affairs, Housing and Residential Life, Campus Health, Emergency Preparedness, the Title IX Coordinator, the TUPD, Facility Services, among others.

A written request for statistical information is made at least on an annual basis to all Campus Security Authorities or CSAs (as defined by federal law). CSAs are also informed in writing and/or through training to report crimes to TUPD in a timely manner so those crimes can be evaluated for timely warning purposes. A Campus Security Authority or CSA is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:

- A campus police department or a campus security department of an institution
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into an institutional property)
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An "official" is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

However, under Tulane's Equal Opportunity and Anti-Discrimination Policy, all faculty, staff, and employees are considered Campus Security Authorities. This does not include exempt employees such as counseling and pastoral staff.

Statistical information is not requested from, nor is it provided by, Professional Counselors of the Counseling Center or Pastoral Counselors who are performing that function and role as their employment with the university. Professional Counselors and Pastoral Counselors are not required by law to provide statistics for this compliance document.

Counseling and Pastoral Professionals, as defined by the Federal law, who act in such capacities, have been advised that, while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged, when they deem it appropriate, to inform the persons they are counseling of their ability to report any crimes to TUPD for inclusion in the annual statistics.


Additionally, TUPD makes a reasonable and good faith effort to request and retrieve statistics from all local law enforcement agencies with jurisdiction over the University's identified Clery geography. Reportable Clery crime data received from agencies who responded to these requests are included in the following tables. Not all of these agencies responded to requests for crime statistics and some responses were not clear enough to determine if the agency handled any Clery reportable crimes within Southeastern's reporting geography.

All statistics are gathered, compiled, and reported to the campus community via this report, entitled the "Annual Security and Fire Safety Report," which is published by TUPD no later than October 1st of each year. TUPD submits the annual crime statistics published in this brochure via a web-based reporting system to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

### Notice of Availability of the Annual Security and Fire Safety Report

TUPD sends an email to every enrolled student and current employee on an annual basis informing them of the





availability of the Annual Security and Fire Safety Report. Additionally, notification letters (via campus mail) are sent to individual campus departments. The email and letter include a brief summary of the contents of this report.

### **Specific Information about Classifying Crime Statistics**

The statistics in this report are published in accordance with the definitions and many of the standards and guidelines used by the FBI Uniform Crime Reporting (UCR) Handbook, National Incident-Based Reporting System (NIBRS), relevant Federal law (the Clery Act), and applicable State law.

### **Clery Act Reporting**

For Clery Act reporting purposes, the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons Law violations, the statistics indicate the number of people arrested by law enforcement or referred to the Office of Student Rights and Responsibilities or Human Resources for possible disciplinary action for violations of those specific laws.

Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of their bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime. For Clery Act Purposes, Hate Crimes include any of the following offenses that are motivated by the offender's bias: Murder and Non-negligent Manslaughter, Sexual Offenses (rape, fondling, incest and statutory rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

Campus SaVE was signed into law on March 7, 2013, as part of the reauthorization of the Violence Against Women Act (VAWA); it covers students and staff of institutions of higher education and amends the Jeanne Clery Act to include new reporting requirements for Domestic Violence, Dating Violence, and Stalking and additional policy statements and training requirements.

### **Geography Definitions from the Clery Act**

**On-Campus** defined as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).


**Non-Campus Building or Property** defined as: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

The **Non-Campus geography** definition includes buildings or properties under temporary control during institutionally sponsored short-stay-away domestic or international trips for students of more than one night, or buildings or properties under temporary control during institutionally sponsored domestic or international trips for students to repeated locations.

For example, students in the debate club take a trip to Washington, D.C. and stay at the same hotel every year. In this example, the institution must include in their Clery Act crime statistics any Clery Act crimes that occur in the rooms used by the students and any common areas used to access those rooms; including the lobby, elevator and staircases.

**Public Property** defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is





within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities. Tulane University crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries.

**On-campus Student Housing Facility** *defined as:* Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is a considered a subset of the On-Campus category.

**Reasonably Contiguous** *is defined in as:* Any building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the “campus.”

### **Reportable Clery Crime Definitions**

The following definitions are to be used for reporting the crimes listed in the Clery Act, in accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) Program.

The definitions of murder/non-manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations are from the “Summary Reporting System (SRS) User Manual” from the FBI’s UCR Program.

The definitions of fondling, incest, and statutory rape are excerpted from the “National Incident-Based Reporting System (NIBRS) User Manual” from the FBI’s UCR Program.

The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI’s UCR Program.

### **Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI’s UCR Program**

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

**Criminal Homicide—Manslaughter by Negligence:** The killing of another person through gross negligence.

**Criminal Homicide—Murder and Nonnegligent Manslaughter:** The willful (nonnegligent) killing of one human being by another.

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

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)


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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

**Weapons: Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture,





distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Unfounded Crime Reports:** According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

***Crime Definitions from the National Incident-Based Reporting System (NIBRS) User Manual from the FBI’s UCR Program 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.

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

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

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

***Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI’s UCR Program***

**Hate Crimes:** any of the above offenses, and any other crime involving bodily injury, reported to local police agencies or campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias, or the perpetrator perceived the person to be in one of the protected group categories. Additionally, on August 14, 2008, the Clery Act was amended to include larceny/simple assault, intimidation, and destruction/damage/vandalism (except arson) as reportable categories of hate crimes. These new reporting categories are only reported if motivated by bias as determined by one of the designated bias categories. The types of bias categories include: race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, and disability.

**Hate Crime Definitions:** To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

**Bias:** a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, or ethnicity/national origin.

**Bias Crime:** a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.


**Note:** Even if the offender was mistaken in their perception that the victim was a member of the group the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

**Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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





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

**Unfounded Crime Reports:** According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases thus remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either: False or Baseless.

### ***Domestic Violence, Dating Violence, and Stalking Additions from the 2014 VAWA Negotiated Rulemaking Final Consensus Language***

The Federal definition (from VAWA) of **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 from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

The Federal definition (from VAWA) of **Dating Violence:** the term “dating violence” means violence committed by a person:

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:
    - the length of the relationship;
    - the type of relationship;
    - the frequency of interaction between the persons involved in the relationship
- 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

The Federal definition (from VAWA) of **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 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

**Reasonable Person:** means a reasonable person under similar circumstances and with similar identities to the victim

**Substantial Emotional Distress:** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling









## TULANE UPTOWN

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
CRIMINAL HOMICIDE						
Murder and Nonnegligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	1	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
SEX OFFENSES						
Rape	2019	12	11	1	0	0
Fondling	2019	7	5	1	0	0
Incest	2019	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
Rape	2020	13	11	0	0	0
Fondling	2020	3	3	0	0	0
Incest	2020	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
Rape	2021	24	21	2	0	0
Fondling	2021	17	16	0	0	0
Incest	2021	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
Robbery	2019	1	0	0	0	1
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	8	3	1	1	0
Burglary	2019	5	1	0	0	0
	2020	17	14	0	0	0
	2021	9	5	0	0	0
Motor Vehicle Theft	2019	5	0	1	0	0
	2020	1	0	0	0	0
	2021	1	0	0	2	0
Arson	2019	2	2	0	0	0
	2020	1	0	0	0	0
	2021	0	0	0	0	0





## TULANE UPTOWN

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
ADDITIONAL OFFENSES						
Dating Violence	2019	7	6	0	0	0
	2020	4	4	1	0	0
	2021	7	5	0	0	0
Domestic Violence	2019	1	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2019	23	6	1	0	0
	2020	4	2	1	0	0
	2021	20	4	0	0	0

Other Offenses	Year	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		On Campus	Student Housing	Noncampus Building or Property	Public Property	On Campus	Student Housing	Noncampus Building or Property	Public Property
Liquor Law Violations	2019	4	0	0	12	2	2	0	0
	2020	3	0	0	10	17	9	0	2
	2021	0	0	0	0	0	0	2	0
Drug Abuse Violations	2019	20	11	0	5	98	97	0	0
	2020	13	5	0	2	33	28	0	0
	2021	1	0	0	0	6	5	2	0
Weapons Law Violations	2019	0	0	0	0	2	1	0	0
	2020	1	0	0	0	0	0	0	0
	2021	3	0	0	0	3	2	0	0

## HATE CRIME STATISTICS UPTOWN

Hate Crime statistics are crimes where the offender was motivated to commit the offense because of a bias against the victim based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

There was one (1) hate crime – *Criminal damage to property based on religion* (On Campus (Student Housing)) – reported on the Uptown Campus in 2019.

There were no (0) hate crimes reported on the Uptown Campus in 2020.

There were no (0) hate crimes reported on the Uptown Campus in 2021.





## TULANE DOWNTOWN

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
CRIMINAL HOMICIDE						
Murder and Nonnegligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
SEX OFFENSES						
Rape	2019	0	0	0	0	0
Fondling	2019	2	0	0	0	0
Incest	2019	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
Rape	2020	0	0	0	0	0
Fondling	2020	0	0	0	0	0
Incest	2020	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
Rape	2021	0	0	0	0	0
Fondling	2021	0	0	0	1	0
Incest	2021	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
Robbery	2019	1	0	0	1	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2019	3	0	0	2	0
	2020	1	0	0	1	0
	2021	0	0	0	1	0
Burglary	2019	6	1	2	0	0
	2020	2	0	0	0	1
	2021	4	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0	0
	2020	1	0	0	0	0
	2021	0	0	0	0	0
Arson	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0





## TULANE DOWNTOWN

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
ADDITIONAL OFFENSES						
Dating Violence	2019	0	0	0	0	0
	2020	0	0	0	1	0
	2021	1	1	0	0	1
Domestic Violence	2019	1	0	0	0	0
	2020	1	0	0	0	0
	2021	1	1	0	0	0
Stalking	2019	1	0	0	0	0
	2020	0	0	0	0	0
	2021	2	1	0	0	0

Other Offenses	Year	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		On Campus	Student Housing	Noncampus Building or Property	Public Property	On Campus	Student Housing	Noncampus Building or Property	Public Property
Liquor Law Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	1	0	0	0	0
	2021	1	0	0	0	0	0	0	0
Drug Abuse Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
Weapons Law Violations	2019	0	0	0	0	0	0	0	0
	2020	2	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0

## HATE CRIME STATISTICS DOWNTOWN

Hate Crime statistics are crimes where the offender was motivated to commit the offense because of a bias against the victim based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

There was one (1) hate crime - Criminal Damage to property based on religion (On Campus) – reported on the DMD Campus in 2019.

There were two (2) hate crimes - Aggravated Assault based on national origin (Public Property), Criminal Damage to Property based on ethnicity (On Campus) - reported on the DMD Campus in 2020.

There were no (0) reported hate crimes on the Downtown campus in 2021



## THE TULANE UNIVERSITY ELMWOOD CAMPUS

The Elmwood Campus was opened in August 1997 in Jefferson Parish, Louisiana. The Elmwood Campus, located at 800 E. Commerce Road, Ste. 100, offers BA, BS, MLA, MPS and Associates degrees, as well as post-baccalaureate courses and certificates of completion. For more information on these programs, visit <http://www.scs.tulane.edu>. More than 81 faculty and staff work at the Elmwood Campus with about 1,275 enrolled students.

The 800 E. Commerce Road facility is owned by Tulane University. It is a three-story building with 20,000 square feet per floor. The third floor is currently unoccupied. Various operations offices occupy the second floor. The School of Continuing Studies occupies 80 percent of the first floor. The School of Continuing Studies has five computer labs, ten classrooms, and nine administrative offices. The remaining space is a common space used as a lobby, waiting, and break areas. The Elmwood Campus does not have any on-campus residence facilities.

### Law Enforcement

Tulane University does not have police personnel on site at this location. Any crime that occurs at this location should be reported to the Jefferson Parish Sheriff's Office (911). Tulane University Elmwood Campus administration maintains a working relationship with state and local agencies responsible for emergency services and law enforcement. The Tulane University Elmwood Campus has an on-site unarmed security guard service located in/on the Elmwood Campus. The security service hours are [Monday–Thursday, 4 p.m.–9 p.m., and Saturday, 8:30 a.m.–2 p.m.] The security guard service is available only during the academic semesters. The security guard has a dedicated desk and walks the interior and exterior campus throughout the shift.

### Reporting Crimes and Other Emergencies

If an incident of a criminal act, a crime in progress or an emergency arises, call 911 immediately, and the Jefferson Parish Sheriff's Office will respond.

### Access to the Campus

The Tulane University Elmwood Campus building and grounds are available to students, staff, faculty, and their guests or to University guests or contractors with reason to enter for activities that are officially approved. Access to the building is also controlled by card access, allowing certain faculty and staff members entrance after hours. Students do not have access to the building after hours.

#### Hours of operation each semester are:

Monday–Thursday: 9 a.m.–9 p.m.

Friday: 9 a.m.–5 p.m.

Saturday: 9 a.m.–1:30 p.m.

Sunday: Closed

#### When classes are not in session:

Monday–Thursday: 9 a.m.–5:30 p.m.

Friday: 9 a.m.–5 p.m.

Saturday–Sunday: Closed

**Holiday hours or schedule changes will be posted at the building in advance.**

### Maintenance of the Campus

The facility and landscaping are maintained to minimize conditions that might pose a danger. Malfunctioning lights and other unsafe conditions should be reported to the building manager at 504-862-8692. The building manager's office is located on the second floor of the building.

### Tulane University Elmwood Campus Community Education

While no crime prevention programs are offered at this campus, students, faculty, and staff are encouraged to contact the University Police Department (504-865-5381) for information about existing programs offered at Tulane University's Uptown Campus. Crime Alerts are posted in the event of a serious incident that may pose a threat to the campus community and are posted on the Student Information Bulletin Board in Suite 100. Printed copies of the Crime Log are maintained in the director's office located in Suite 100 and are available during normal business hours..





## **Fire Evacuation Procedures**

The fire alarms alert you to a potential hazard—please heed their warning. Use the nearest fire exit to leave the building immediately. Familiarize yourself with the exits in the building.

### **Summary**

The policy of the Tulane University Elmwood Campus is to provide easy access to authorized individuals. That access must be consistent with your safety, and the security of your property and that of the University. Questions, suggestions, or problems regarding these matters should be directed to 504-865-5333.

All other security-related policies and procedures described in the main University campus (uptown New Orleans) Annual Security Report apply to this campus. The information from those sections is not repeated here because it applies to all Tulane University students, including those taking classes at the Elmwood Campus.

The Elmwood Campus is a non-campus property of the main campus and its stats are included with the main campus' statistics.





## ELMWOOD

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
CRIMINAL HOMICIDE						
Murder and Nonnegligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
SEX OFFENSES						
Rape	2019	0	0	0	0	0
Fondling	2019	0	0	0	0	0
Incest	2019	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
Rape	2020	0	0	0	0	0
Fondling	2020	0	0	0	0	0
Incest	2020	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
Rape	2021	0	0	0	0	0
Fondling	2021	0	0	0	0	0
Incest	2021	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
Robbery	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	1	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0





## ELMWOOD

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
ADDITIONAL OFFENSES						
Dating Violence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0

Other Offenses	Year	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		On Campus	Student Housing	Noncampus Building or Property	Public Property	On Campus	Student Housing	Noncampus Building or Property	Public Property
Liquor Law Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
Drug Abuse Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
Weapons Law Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0

## HATE CRIME STATISTICS ELMWOOD

Hate Crime statistics are crimes where the offender was motivated to commit the offense because of a bias against the victim based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

There were no (0) hate crimes reported on the Elmwood Campus in 2019, 2020, or 2021.





## THE TULANE NATIONAL PRIMATE RESEARCH CENTER

The Tulane National Primate Research Center (TNPRC) is situated on 500 acres of land in Covington, Louisiana, approximately forty miles north of New Orleans on the North Shore of Lake Pontchartrain. TNPRC opened in 1964 as the Delta Regional Primate Center. Today, the Tulane center is part of a network of seven national primate centers across the country, each of which is largely funded by the National Institutes of Health. The centers provide facilities and support for scientists who wish to do work on nonhuman primates.

The center operates as its own entity within Tulane University, but it is affiliated with Tulane's health science schools, including the medical school. It has become a premier infectious disease research facility and one of the largest employers in St. Tammany Parish with over three hundred employees and an economic impact estimated at \$70.1 million a year.

The Tulane National Primate Research Center is comprised of four divisions: Comparative Pathology, Microbiology, Immunology, and Veterinary Medicine. Tulane National Primate Research Center also offers training and educational opportunities ranging from summer undergraduate fellowships through postdoctoral training, as well as research opportunities for visiting scientists. The opportunities for veterinary students and veterinarians interested in a research career are particularly diverse and include short-term clinical externships and summer fellowships for veterinary students, laboratory animal medicine and pathology residency programs, and a NIH-funded T32 Institutional Training Program in Experimental Medicine and Pathology. The latter two programs are collaborations with the Louisiana State University School of Veterinary Medicine (LSU SVM). In addition, the TNPRC and LSU SVM are partners in a NIH-funded Center of Biomedical Research Excellence (COBRE) program which provides additional mentored research training to facilitate the academic development and independent funding of junior faculty. Also, the Graduate Program in Biomedical Sciences (BMS) is an interdisciplinary, interdepartmental and intercampus program comprised of faculty actively engaged in biomedical research. The participants are from the Tulane School of Medicine, School of Science and Engineering, School of Public Health and Tropical Medicine, and the TNPRC.

### Law Enforcement

Tulane University has TUPD officers onsite 24/7 at the TNPRC.

### Reporting Crimes and Other Emergencies

If an incident of a criminal act, a crime in progress or an emergency arises, call 911 immediately and the Covington Police Department will respond.

### Access to the Campus

The TNPRC buildings and grounds are available to employees and students of the center, as well as any invited guests or contractors with reason to enter for activities that are officially approved. Access to the building is controlled via individual keys and individual alarm system passcodes that provide the staff entrance after hours. Students do not have access to the building after hours.

**Holiday hours or schedule changes will be posted at the building in advance.**

### Maintenance of the Campus

The facility and landscaping are maintained to minimize conditions that might pose a danger. Malfunctioning lights and other unsafe conditions should be reported to the center at 985-892-2040.

### TNPRC Campus Community Education

There are Rape Aggression Defense (RAD) and Active Shooter Training programs offered at this campus. Crime Alerts are posted in the event of a serious incident that may pose a threat to the campus community and distributed to community members through text and email alerts.

### Fire Evacuation Procedures

The fire alarms alert you to a potential hazard—please heed their warning. Use the nearest fire exit to leave the building immediately. Familiarize yourself with the exits in the building.





## Summary

The policy of the Tulane National Primate Research Center is to provide easy access to authorized individuals. That access must be consistent with your safety, and the security of your property and that of the University. Questions, suggestions, or problems regarding these matters should be directed to the center's director, Jay Rappaport, PhD, at 985-871-6201. All other security-related policies and procedures described in the main University campus (uptown New Orleans) Annual Security report apply to this campus. The information from those sections is not repeated here because it applies to all University students, including those taking classes at the TNPRC Campus.





## The Tulane National Primate Research Center

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
CRIMINAL HOMICIDE						
Murder and Nonnegligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
SEX OFFENSES						
Rape	2019	0	0	0	0	0
Fondling	2019	0	0	0	0	0
Incest	2019	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
Rape	2020	0	0	0	0	0
Fondling	2020	0	0	0	0	0
Incest	2020	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
Rape	2021	0	0	0	0	0
Fondling	2021	0	0	0	0	0
Incest	2021	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
Robbery	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	2	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0





### The Tulane National Primate Research Center

Offense	Year	On Campus	Student Housing (subset of On Campus)	Noncampus Building or Property	Public Property	Unfounded
ADDITIONAL OFFENSES						
Dating Violence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0

Other Offenses	Year	ARREST				REFERRED FOR DISCIPLINARY ACTION			
		On Campus	Student Housing	Noncampus Building or Property	Public Property	On Campus	Student Housing	Noncampus Building or Property	Public Property
Liquor Law Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
Drug Abuse Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0
Weapons Law Violations	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0

### HATE CRIME STATISTICS THE TULANE NATIONAL PRIMATE RESEARCH CENTER

Hate Crime statistics are crimes where the offender was motivated to commit the offense because of a bias against the victim based on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

There were no (0) hate crimes reported on the TNPRC campus in 2019, 2020, or 2021.



## ANNUAL FIRE SAFETY REPORT

### Fire Safety Report Overview

The Higher Education Opportunity Act of 2008 (HEOA) requires all academic institutions with on-campus student residential facilities to develop and publish an annual fire safety report. The following report includes the information required by the HEOA, as it relates to the Tulane University campuses.

TUPD publishes this Fire Safety Report as part of its annual Clery Act Compliance document, via this annual report, which contains information with respect to the fire safety practices and standards for Tulane university.

The Fire Safety Report contains the following information.

- Fire statistics for each on-campus student housing facility.
- Description of the fire safety system for each on-campus student housing facility.
- Number of fire drills held during the previous calendar year.
- Institutional policies/rules regarding portable electrical appliances, smoking, and open flames in on-campus student housing facilities.
- Procedures for student housing facility evacuation.
- Policies for fire safety education and training programs provided to students and employees, including procedures students and employees should follow in case of a fire.
- List of the titles or organizations to which fires should be reported.
- Plans for future improvements.

### Definition of Terms (the following terms are defined in CFR 668.49(a)):

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

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

**Fire Drill:** The supervised practice of a mandatory evacuation of a building for a fire.

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

**Fire-related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or dies within one year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This system may include sprinkler systems or other fire extinguishing systems; fire detection devices; standalone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

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

### Fire Safety Amenities in Residential Facilities

**Aron Student Residence** is a four building, three-story student housing complex. It is protected by sprinkler system and fire alarm system. In addition to those systems there are also extinguishers and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Butler House** is an eight-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Décou-Labat Residence** is a four building, four-story student housing complex. It is protected by sprinkler





system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Deming Pavilion** is an eight-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also extinguishers and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Greenbaum House** is a six-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Irby House** is a four-story student housing building. It is protected by a fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Josephine-Louise House** is a three-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Mayer Residence** is a four-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were two fire drills, zero fires and zero fatalities.

**Monroe Hall** is a twelve-story student housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Paterson House** is a three-story student housing building. It is protected by sprinkler system and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Phelps House** is a four-story student housing building. It is protected by a fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Sharp Hall** is a seven-story housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Thirteen15 Gravier** is a twelve-story housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. The building was acquired by Tulane University as a residential facility on January 1, 2022. Therefore, there are no statistics available for 2021.


**Wall Residential College** is a five-story housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Warren House** is a three-story housing building. It is protected by a fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there were zero fire drills, zero fires and zero fatalities.

**Weatherhead Residential College** is a five-story housing building. It is protected by sprinkler system, fire pump, and fire alarm system. In addition to those systems there are also hood suppression systems, extinguishers, and AEDs accessible to the buildings residence. In 2021, there was one fire drill, zero fires and zero fatalities.

For information on fire statistics, please see the table, Fires in Residential Facilities – 2021, which is included in this report. This data has been reported as per Campus, Residential Facilities, Total Fires in Each Building, Date of Notification, Date





of Incident, Time of Incident, Cause of Fire, Number of Injuries that Required Treatment at a Medical Facility, Number of Deaths Related to a Fire, and Value of Property Damage Caused by Fire.

A description of the fire safety systems in each residential facility defined as on-campus student housing facility can be found in the table, Fire Safety Amenities in Residential Facilities – 2020 which is included in this report. The data has been listed by Campus, Residential Facilities, Fire Alarm Monitoring Done by TUPD, Partial Sprinkler System, Full Sprinkler System, Smoke Detection, Fire Extinguishers, Evacuation Plans Posted and Number of Fire Drills Held. TUPD refers to the Tulane University Police Department.

The number of regular, mandatory, supervised fire drills held in 2019, 2020 and 2021 are noted by campus and building name for each residential facility in the table, Fire Safety Amenities in Residential Facilities - 2021. This data can be found under the columns labeled, “Number of Fire Drills Held (in 2019, 2020 and 2021).”

Policies or rules on portable electrical appliances in the residential facilities have been developed by Housing and Residence Life (HRL), applicable for the uptown campus and distributed under HRL Community Living Standards. Students may have the following electrical appliances in their rooms: computer, telephone, hot pot or coffee maker, camera, alarm clock, study lamp (no halogen), iron with auto shut-off, can opener, stereo and television, and University provided microwave and refrigerator. The use of non-approved appliances in residential communities’ rooms is prohibited. These include but are not limited to the following electrical appliances: halogen lamps, octopus lamps, open coil heaters and cooking elements, satellite dishes, grills, hot plate, deep fat fryer, electric griddle, toaster oven, non-University provided microwaves and refrigerators, non-University installed A/C units, and ceiling fans.

Hoverboards (i.e., electronic skateboards) are prohibited inside University facilities, buildings, or on University shuttles as indicated by the Office of Insurance and Risk Management.

As of August 2014, the University has become completely tobacco and smoke free, eliminating all tobacco use on university property. Tobacco use is prohibited in all campus buildings and outside areas. The Tulane University Police Department (TUPD) is responsible for the enforcement of this policy, which can be found at <https://campushealth.tulane.edu/policies/tobacco-smoke-free-campus-policy>. HRL is responsible for enforcing and implementing sanctions to occupants in residence halls to include dormitories and other student residential facilities such as apartments.


With regards to the policy on open flames in student housing facilities, the HRL Community Living Standards prohibit any open flame source or flammable liquid, candles, incense, kerosene lamps, hookahs, and grills inside these locations. Propane gas or tanks are prohibited in the residence halls as per university policy and as per the Louisiana Office of the State Fire Marshal.

Procedures for student housing evacuation in the case of a fire can be found in the HRL Community Living Standards, Emergency Evacuation and Response Procedures – HRL and in the Emergency Action Plans (EAPs). The EAPs have been developed for each building by the Office of Environmental Health and Safety (OEHS). Students should exit a building as soon as a fire alarm sounds. They are to use the nearest exit, report to the designated assembly area outside the building, and remain at least 100 feet from the building. They must not go back into the building until TUPD has indicated the “All Clear” signal. In the case of inclement weather, occupants will be moved indoors. All exits are to remain unobstructed at all times. Occupants must not use the elevators for emergency evacuation. Resident Advisors and other staff members will assist with evacuation.

In the event of a fire, employees and students should also follow the procedures in the Emergency Action Plan (EAP) as developed for each building. They must evacuate their area using the nearest exit and go to the designated assembly area on the exterior of the building. Employees are to report to their supervisor or Departmental Safety Representative (DSR) to confirm that they have safely evacuated the building. Students are to report to their class instructors, supervisors, or Resident Advisors to confirm evacuation. All must remain at least 100 feet from the building. They may reenter the building only after the “All Clear” has been given by Tulane Police. They should not use the elevators for evacuation.

The policies on fire safety education and training programs provided to faculty, staff and students are included as follows: Each semester New and Returning Resident Advisors must attend the HRL Fire Academy. This is an award-winning program required of Resident Advisors and HRL staff to include several training elements. These include a presentation from the New Orleans Fire Department (NOFD), hands on training on the use of portable fire extinguishers and evacuating through





the New Orleans Fire Department Fire Safety House. New Resident Advisors and HRL staff members must attend all elements of this program. Returning staff must attend only the NOFD presentation and fire extinguisher training, but they are invited to attend all portions if they choose to do so. At the time of the HRL Fire Academy, participants are given literature from the National Fire Protection Association (NFPA) on the use of fire extinguishers at Tulane University. Also, each student in the residential facilities at the start of the semester receives fire safety material to include a building guide, list of assembly areas, and other fire safety information developed by Tulane University.

At the Deming Apartments, fire safety information in the form of NFPA pamphlets and other information developed by OEHS are distributed to the tenants. This includes displays in the hallways with fire safety material. A meeting is held each year with the tenants at which time fire safety information is reviewed.

Fire drills are conducted throughout the semester as required by the Louisiana Office of the State Fire Marshal and these are critiqued. Areas for improvement are discussed at the end of each drill with the students and staff who participate in the drills.

Each October OEHS distributes fire safety pamphlets from the NFPA and operates Fire Safety Exhibition booths on the campuses during Fire Prevention Week (FPW). This also includes training on the use of portable fire extinguishers for faculty, staff, students, and visitors.

Each department including HRL is required to select a Departmental Safety Representative (DSR). That person serves as a representative for their department and as liaison with OEHS. These representatives must attend meetings, coordinate inspections of their work areas, and coordinate safety training. Such training involves fire safety.

Also, training on the use of portable fire extinguishers is available to the DSRs. Such training is mandatory annually for staff of TUPD and Facilities Management and Campus Development (FMCD).

Through HRL, fire safety sanction meetings are held as needed with students who violate fire safety rules.

To report a fire, each person must contact the designated number for emergency response by Tulane University Police (504-865-5911). You may also report non-active fires to TUPD for the purpose of statistical records. For further information, please see the EAPs written by OEHS for each building. These are available at the OEHS website.

Portable fire extinguishers have been installed in all of the TUPD vehicles. These extinguishers are available to police officers who serve as First Responders to all fire emergencies. They now have an extinguisher readily available for their use. Also, all TUPD Officers receive annual hands-on training on how to use a portable fire extinguisher.

The following are Plans for Future Improvement in Fire Safety in the residential facilities which are being considered and/or have been initiated: Fire Packs are being developed by the Fire and Safety Workgroup with the assistance of FMCD, HRL, TUPD, and OEHS. These will be placed in each of the residential facilities to include all dormitories and apartments. These will provide building information to the fire department upon their arrival in the case of a fire in a residential facility.

The Fire Log which includes data for fires in the on-campus student housing facilities can be viewed at [http://tulane.edu/police/uptown/reports/fire\\_log.cfm](http://tulane.edu/police/uptown/reports/fire_log.cfm) is maintained by TUPD. Entries or an addition to an entry to the log will be made by TUPD within two business days of receipt of the information on fires in the on-campus student housing facilities.





## FIRE SAFETY AMENITIES IN RESIDENTIAL FACILITIES 2021

Campus	Residential Facilities	Physical Address	Fire Alarm Monitoring Done by TUPD	Fire Sprinkler				Fire Alarm System				Hood Suppression Systems	Fire Extinguishers	Evacuation Plans Posted	AEDs	Fire Drills	Fires	Fatalities
				Full	Partial	Pump	System	Smoke Det.	Duct Det.	Pull Stations	EVAC Devices							
Uptown	Aron Residences	135 Janet Yulman Way	X		X		X	X	X	X	X		X	X	X	0	0	0
Uptown	Barbara Greenbaum House	1229 Broadway St.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Butler House	36 McAlister Dr.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Décou-Labat	120-160 Janet Yulman Way	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Downtown	Denning Apts	204 S. Saratoga St.	X	X		X	X	X	X	X	X		X	X	X	0	0	0
Uptown	Irby House	27 McAlister Dr.	X				X	X	X	X	X	X	X	X	X	0	1	0
Uptown	Josephine Louise Hall	1251 Broadway St.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Mayer Residences	30 McAlister Dr.	X	X		X	X	X	X	X	X	X	X	X	X	2	0	0
Uptown	Monroe Hall	2100 Weinmann Rd.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Paterson House	2400 Weinmann Rd.	X	X			X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Phelps House	33 McAlister Dr.	X				X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Sharp Hall	230 Weinmann Rd.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Downtown	Thirteen15 Gravier	1315 Gravier Street	X	X		X	X	X	X	X	X		X	X	X	N/A	N/A	N/A
Uptown	Wall Residential College	250 Weinmann Rd.	X	X		X	X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Warren	57 Newcomb Pl.	X				X	X	X	X	X	X	X	X	X	0	0	0
Uptown	Weatherhead Hall	65 Newcomb Pl.	X	X		X	X	X	X	X	X	X	X	X	X	1	0	0

Notes:  
Residential facilities refer to on-campus student housing facilities.  
TUPD refers to the Tulane University Police Department.  
A full sprinkler system is one with sprinkler heads throughout the building.  
The fire drills noted are regular, mandatory, supervised fire drills. Non-regular or unscheduled fire drills are not included in this data.





### FIRES IN RESIDENTIAL FACILITIES – 2021

Date of Incident	Time of Incident	Campus	Building	Physical Address	Room	Fire Dept Response	Injuries	Dollar Lost for TU	Reported By	Type of Fire
7/1/2021	2:39 PM	Uptown	Irby Hall	27 McAlister Drive	316	No	No	\$144.00	AMS	Condensation on A/C Unit







## **IMPORTANT PHONE NUMBERS**

### **Tulane University Police Department (Uptown)**

504-865-5911 (emergency)

504-865-5381 (non-emergency)

### **Tulane University Police Department (Downtown)**

504-988-5555 (emergency)

504-865-5381 (non-emergency)

### **New Orleans Police Department**

911

### **Covington Police Department**

911

### **Human Resources**

504-865-5280

### **Student Resources & Support Services**

504-314-2160

### **Title IX Coordinator**

504-865-5611

### **Clery Act Coordinator**

504-988-9898

### **Office of Institutional Equity**

504-862-8083