

PEPPERDINE
School of Law



2018–2019
Student Code of Conduct

Each student is responsible for knowing and adhering to the University's Student Code of Conduct and its related policies. While the Code and related policies provide students an effective set of guidelines for personal conduct, the University retains the right to instate additional policies or to modify existing ones as needs may dictate. The most updated Code and related policies can be found online at pepperdine.edu/studentcodeofconduct.

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Student Code of Conduct

Introduction

Each student is responsible for knowing and adhering to the University's Student Code of Conduct (Code) and its related policies. While the Code and related policies provide students an effective set of guidelines for personal conduct, the University retains the right to instate additional policies or to modify existing ones as needs may dictate. The most updated Code and related policies can be found online at pepperdine.edu/studentcodeofconduct.

Any questions regarding interpretation of this Code should be referred to the Office of Community Standards. The Code is reviewed every year and student input is welcome. We gratefully acknowledge the use and adaptation of model codes of student conduct published by peer institutions, the National Association of College and University Attorneys in *Student Disciplinary Issues: A Legal Compendium and Student Handbook Policies*, and Ed Stoner and John Lowery, "Model Student Code of Conduct."

General Conduct Expectations

In keeping with Pepperdine University's Christian mission and its heritage in Churches of Christ, all members of the University community are encouraged to respect the teachings of Jesus and historic, biblical Christianity. It is expected that all students will adhere to biblical teaching regarding moral and ethical practices. Engaging in or promoting conduct or lifestyles inconsistent with biblical teaching is not permitted. It is expected that students will maintain the highest standards of personal honor, morality, and integrity. The University reserves the right to refuse admittance to, or dismiss any person who violates these principles.

Off-Campus Activities

Off-campus rights and freedoms of students involve the responsibility to display conduct and behavior that reflect favorably on them, the University, and the community. Although the University is not responsible or liable for student off-campus events or behavior, it does reserve the right to take disciplinary action in response to behavior off campus that violates University expectations and policies or adversely affects the University community and/or the pursuit of its objectives. Students living off campus are expected to be a positive influence in their community and follow all applicable laws, ordinances, and homeowners' association regulations.

Reporting Misconduct

Anyone may report a violation of the Student Code of Conduct by contacting the Office of Community Standards at (310) 506-4471 or the Department of Public Safety at (310) 506-4462. Normally, the person reporting the violation will be asked to submit a written report. The report should be a brief written statement citing the section of the code allegedly violated and providing

a summary of the facts deemed to constitute a violation. Reports should be submitted as soon as possible after the event takes place. The University reserves the right to take action against an individual for violating the Code regardless of how much time has passed since the incident.

Anonymous reports may be made through the Pepperdine “LiveSafe” mobile app or on the anonymous Wave Tip line by calling voice mail at (310) 506-7634.

Additional information about reporting sexual misconduct can be found in the [sexual misconduct policy](#).

Sources of Information

Information about a student’s misconduct may come from a variety of sources including, but not limited to, reports from faculty, staff, students, departments (e.g., Housing and Residence Life, Department of Public Safety), law enforcement agencies, or community members. Other sources of information may include, but is not limited to electronic communications, photographs, social media, and audio or video recordings.

Social Media Privacy

The University complies with all local, state, and federal laws governing social media privacy. Although the law prohibits the University from asking students, prospective students, or student groups to disclose a username or password for accessing personal social media, requesting access to personal social media, or divulging any personal social media to or in the presence of a University employee or representative, the University may lawfully require disclosure, access or view personal social media if necessary to investigate and take disciplinary action against any student, prospective student, or student group utilizing social media in ways that are unlawful, violate the Student Code of Conduct, or pose a threat to the safety of the campus community.

Definition of Student

Pepperdine University may exercise authority over any matriculated undergraduate or graduate student who is enrolled full- or part-time; has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment; or is on an approved educational leave or other approved leave status. This includes the period before classes begin, while the student is attending classes, between academic sessions or on leave.

Authority and Responsibility for Student Discipline

The University’s dean of students is responsible for the overall coordination of rules and regulations regarding student discipline for misconduct and serves as the final appeal for student disciplinary decisions. The associate dean of students for community standards (hereafter “associate dean”) is primarily responsible for the operational details of the disciplinary process. The associate dean will review reports of misconduct and may conduct an

investigation. The Department of Public Safety works in cooperation with the Office of Community Standards in the conducting of investigations. If the associate dean considers a report to indicate probable violation of the Student Code of Conduct, the incident will be heard through either an administrative hearing with a staff member or a hearing with the Student Disciplinary Committee. When appropriate, some University policy violations may be addressed by other disciplinary bodies including, but not limited to, the committees or boards that review academic misconduct.

Jurisdiction of the Code of Conduct

The Student Code of Conduct applies to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives. Each student is responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code applies to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The associate dean will decide whether the Code will be applied to conduct occurring off campus, on a case by case basis, in his or her sole discretion.

Violation of Law and University Discipline

University disciplinary proceedings may be instituted against a student charged with violation of a law. Disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

Interim Restriction

In certain circumstances, the vice president for student affairs or the University's dean of students or a designee may impose a University or residence hall restriction: a) to ensure the safety and well-being of members of the University community or preservation of University property; or b) if the student poses a definite threat of disruption of, or interference with, the normal operations of the University. During the interim restriction, the student may be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the vice president for student affairs or dean of students or designee deems appropriate. The interim restriction does not replace the regular disciplinary process, which will proceed on the normal schedule, up to and through a Student Disciplinary Committee hearing and subsequent appeal, if required.

Misconduct Subject to Disciplinary Action

The following examples of misconduct are not exhaustive but are intended to give students an

idea of the types of behaviors that may result in disciplinary action:

1. Violation or attempted violation of published University policies, rules, or regulations.
This includes, for example:
 - [Alcohol and Other Drugs](#)
 - [Animals](#)
 - [Computer and Network Usage](#)
 - [Discrimination and Harassment](#)
 - [Hazing](#)
 - [Housing and Residence Life](#) (e.g., Visitation)
 - [Sexual Misconduct](#)
 - [Smoking](#)
 - [Vehicles](#)
2. Violation of Federal, State, or local law on or off campus.
3. Dishonesty in any form, including but not limited to, knowingly furnishing false information, forgery, plagiarism, alteration, or misuse of documents, records, or identification cards.
4. Academic dishonesty, including but not limited to plagiarism, cheating, fabrication, facilitating academic dishonesty.
5. Manufacture, sale, distribution, promotion, possession or attempt to obtain false identification.
6. Failure to comply with written or verbal directives of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so. This includes avoiding or resisting documentation by a University official, including student resident advisors.
7. Failure to possess at all times a valid student identification card and/or failure to surrender ID card to a University official upon request.
8. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public service functions on- or off-campus, or other authorized non-University activities when the activity occurs on University premises. This includes disruptive behavior that unreasonably interferes with, hinders, obstructs or prevents other students to freely participate in University instruction, programs, or services.
9. Soliciting, advertising, or inviting a reporter to campus without prior approval from the appropriate University office.

10. Actions or communications, whether they are online or in-person, that constitute disrespect, harassment, retaliation, the use or threat of physical violence, intimidation, stalking or hate violence directed toward a member of the Pepperdine faculty, staff, student body, toward a visitor to the campus or toward a member of the community.
11. Any unauthorized use of electronic or other devices to make an audio, video, digital, or still image of any person without his/her prior knowledge, or without his/her effective consent.
12. Activities that may cause damage or constitute a safety or health hazard or interfere with the educational process. Such activities include, but are not limited to, entering or exiting buildings through the windows; throwing, projecting, or dropping items that may cause injury or damage; and pranks that create safety and health hazards for others and/or cause damage to University or personal property.
13. Exhibition, possession, distribution or viewing of material or representations deemed to be obscene or contrary to the moral standards and/or mission of the University, including but not limited to pornography.
14. Lewd behavior, nudity, or indecent exposure of any kind.
15. Gambling is not allowed on campus or at University-sponsored activities.
16. Participation in a student organization that has lost University recognition.
17. Possession and/or use of all types of weapons, including but not limited to, firearms, air and spear guns, knives, martial arts weapons, bows and arrows, swords, paint/pellet guns, toys that replicate or could be mistaken for real guns, explosives of any type, ammunition, and dangerous chemicals. All individuals in possession of self-defense items, including pepper spray, must comply with applicable California State law regarding training and permit to use.
18. Unauthorized possession, duplication or use of keys or entry device to any University premises or unauthorized entry into or use of University premises.
19. Attempted or actual theft of and/or damage to University property, property of a member of the University community, or other personal or public property on or off campus. This regulation covers the unauthorized appropriation or "borrowing" of property for personal use or the possession of stolen property.
20. Vandalism, disrespect, destruction, defacement, or unauthorized decoration (e.g., chalking) of University property.
21. Failure to uphold the [University's Code of Ethics](#) when engaging with the business community and other external stakeholders as part of field projects or other engagements that require participation from external organizations and their

representatives; including, but not limited to: failure to treat all others with dignity and respect; failure to observe and respect the confidentiality rights of all members of the business community (organizations and individuals); failure to avoid conflicts of interest; demonstrating a lack of professional conduct or maturity; failure to maintain honesty and transparency regarding project scope, expectations, or deliverables; or failure to comply with legal and professional obligations.

22. Misuse of the disciplinary procedures, including but not limited to:

- a. Failure to respond to the notification letter(s) or any other correspondences issued by a disciplinary body or University official.
- b. Falsification, distortion, or misrepresentation of information before a disciplinary body.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Institution of a disciplinary proceeding knowingly without cause.
- e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system.
- f. Attempting to influence the impartiality of a member of a disciplinary body prior to, and/or during the course of, the disciplinary proceeding.
- g. Harassment (verbal or physical) and/or intimidation of a member of a disciplinary body prior to, during, and/or after a disciplinary proceeding.
- h. Failure to comply with the sanction(s) imposed by a disciplinary body.

Last updated on July 31, 2018

Student Disciplinary Procedures

Philosophy of Student Discipline

The disciplinary process is based on the assumption that disciplinary procedures, when required, should be an educational process. Disciplinary sanctions are imposed to help students develop individual responsibility and encourage self-discipline, to foster a respect for the rights of others, and to protect the rights, freedoms, and safety of members of the University community. Students who demonstrate an unwillingness or inability to follow the Student Code of Conduct will be treated in the same manner as one who has failed academically.

An institution of higher learning is authorized by law to establish and administer codes of conduct and to suspend, expel or dismiss students whose actions negatively impact the campus community. The University reserves this right.

Student disciplinary proceedings are not analogous to criminal court proceedings. No particular model of procedural due process is required. However, the procedures should be structured in order to facilitate a reliable determination of the truth and to provide fundamental fairness. Procedures can be very informal in cases where suspension, expulsion, or dismissal are not a probable sanction; more procedural formality should be observed in serious disciplinary cases. In all situations, fairness requires that students be informed of the nature of the alleged violation(s) and be given a fair opportunity to respond to them.

In cases where suspension, expulsion, or dismissal are a possible sanction, students will have the opportunity to meet with a Student Disciplinary Committee before any decisions are made regarding whether a violation of the Student Code of Code occurred and what, if any, sanctions are appropriate if a student is found responsible for violating the Code. In cases where the alleged violation is less serious, the matter may be resolved through the issuance of a warning letter or an administrative hearing.

Administrative Hearings

When the alleged violation of the Student Code of Conduct is of a less serious nature and the misconduct would not result in suspension, expulsion, or dismissal, a student may be notified to attend an administrative hearing with a University staff member (normally the associate dean or a resident director) to discuss the incident and any steps that must be taken or sanction imposed to resolve the matter. Before the administrative hearing, the student will be sent a notification letter briefly summarizing the behavior that allegedly violates the Student Code of Conduct, along with the date and time of the hearing. The administrative hearing will be followed by an official letter summarizing the decision.

Sanctions imposed as a result of an administrative hearing cannot be appealed. Sanctions imposed by the Student Disciplinary Committee may be appealed; therefore, students who are summoned to an administrative hearing may request instead to meet with the Student Disciplinary Committee if they want an appeal option.

Student Disciplinary Committee Hearings

If, after reviewing a report of misconduct, the associate dean determines that the incident is deemed sufficiently serious, the incident will be submitted for hearing by the Student Disciplinary Committee. The Student Disciplinary Committee will include a quorum of one student, one faculty member, and one staff member. The associate dean (or designee) will chair the committee but is not a voting member unless there is a tie vote.

Before meeting with the Student Disciplinary Committee, the student will be provided in writing with a summary of the behavior that allegedly violates particular provisions of the Student Code of Conduct. The notice will also include the date and time of the hearing, not less than five or more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling hearings may be extended at the discretion of the associate dean.

Hearings are not required to adhere to formal rules of procedure or technical rules of evidence followed by courts of law. Hearings will be conducted according to the following guidelines:

1. All procedural questions are subject to the final decision of the associate dean or designee.
2. The hearing will normally be conducted in private. Admission of any person to the hearing will be at the discretion of the associate dean. The associate dean may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the reporting party, accused student, and/or other witness during the hearing by providing separate facilities, and/or by permitting participation by telephone, video conferencing, written statement, or other means, where and as determined in the sole judgment of the associate dean to be appropriate.
3. Accused students may be assisted at hearings by an advisor. The advisor must be a current student, faculty, or staff member of the University who was not involved in the incident. The advisor cannot speak for the accused student. The role of the advisor is to accompany the student and advise him or her privately during the hearing process.
4. Hearings will be chaired by the associate dean or designee, and will proceed in the following manner:
 - a. Reading of the charges.

- b. The student's denial or admission of the alleged violation(s). If the student admits to the alleged violation(s), then the committee may dismiss the student and deliberate on the appropriate sanctions.
 - c. Presentation of information and/or witnesses supporting the alleged violation(s).
 - d. Presentation of information and/or witnesses by the student charged that rebuts the alleged violation(s).
 - e. Closing statement by the accused student.
5. The chair and the accused student may call witnesses. Witnesses may only be present while giving testimony. Accused students must present a list of witnesses and purposes of their statements to the chair at least 24 hours in advance of the scheduled hearing. It is the responsibility of the person who calls the witness to request and confirm the witness's participation in the hearing. The chair may, at his or her sole discretion, exclude any witness from attending the hearing if the witness's testimony is duplicative or irrelevant.
6. A list of witnesses called by the University should be presented to the accused student 24 hours before the hearing.
7. Pertinent records, exhibits and written statements may be accepted as information for consideration by the committee at the discretion of the chair. This information must be submitted to the chair at least 24 hours before the hearing. The committee may or may not consider any documents received after the 24-hour deadline subject to the discretion of the associate dean.
8. If, during the course of the hearing, additional policy violations are discovered, the accused student will be notified of the new alleged policy violation(s) and will be granted additional time, if needed, to prepare a defense of the new alleged violation(s). The accused student may waive the additional time and the hearing can proceed with the new alleged violation(s) taken under consideration by the committee. A record will be made in the hearing notes of additional alleged violation(s) and whether or not the student desires additional preparation time.
9. Information about the misconduct of other students shared at the hearing may be used as the basis for disciplinary action.
10. The committee's determination will be made on the basis of the preponderance of the evidence standard (whether it is more likely than not that the accused student violated the Student Code of Conduct).

11. After the hearing, the committee will determine by majority vote whether the student has violated each section of the Student Code of Conduct that the student was notified of allegedly violating.
12. If the student is found to have violated the Student Code of Conduct, the committee will then make a recommendation to the associate dean (or designee) on the appropriate sanctions.
13. The associate dean will notify the student in writing of the committee's decision and the sanctions issued, if any.
14. There will be a single written record of the hearing, which normally consists of the statement of alleged misconduct, a summary of the information presented in the hearing, a summary of the statement of the accused, statement of the decision, and the sanctions issued, if any. The hearing will not be transcribed or otherwise recorded.
15. If the accused student fails to appear at the hearing, the committee may make a decision based on the available information. If the associate dean determines that good cause exists for the accused student not appearing at the hearing, a new date may be set for the hearing.

Sanctions

Violation of University policies for personal conduct may result in the imposition of one or more of the sanctions listed below. Sanctions that may be imposed are not limited to those listed. In certain limited situations, University officials may impose a sanction but suspend or postpone its actual implementation. Failure to comply with the sanction(s) imposed by a disciplinary body may result in further disciplinary action, including, but not limited to, a registration hold, placement on, or extension of, University probation, suspension, expulsion, or permanent dismissal.

Sanctions affecting the conduct of students are based on general principles of fair treatment. While attempting to be consistent in its disciplinary decisions, the University also seeks to be fair and sensitive to the facts and circumstances of each individual case. Disciplinary action may involve, but is not limited to, one or a combination of the sanctions listed below:

- **Warning:** Oral or written notice to the student that the student is violating or has violated the Student Code of Conduct and that continuation or repetition of misconduct may result in a more severe sanction.
- **University Probation:** A status which indicates that a student's relationship with the University is tenuous. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found in violation of any University regulations. Probation may also result in the loss of privileges, depending on the policies of various University departments and organizations. For example, a student

becomes ineligible to hold some leadership positions when placed on probation. Also, if a student is placed on University probation, the student becomes ineligible for International Programs during the probation period. Ineligibility includes applying, remaining in the queue, or attending a program.

- **Loss of Privileges:** Such loss may include, but is not limited to, financial assistance, eligibility to represent the University officially on athletic teams or performing groups, or use of specific University facilities, computer systems, equipment, or services.
- **Fines:** Payment of charges for violation of regulations. These charges will be added to a student's account.
- **Restitution:** Compensation for loss, damage or injury. Failure to pay such charges may result in additional sanctions (including, but not limited to, denial of re-enrollment or refusal to release official transcripts and records).
- **Educational Sanctions:** Mandatory work hours, reading/writing assignment, drug or alcohol assessment/treatment, seminar attendance, or other discretionary sanctions as deemed appropriate.
- **Dismissal from University Housing:** Loss of privilege to live in University housing. *In accordance with University housing policy, students required to live on campus who are dismissed from University housing may be dismissed from Pepperdine University. Any student dismissed from the residential community prior to the end of the contractual period may be responsible for any remaining monetary charges, as well as ineligible for reimbursement for any charges already paid.*
- **Suspension:** Temporary separation of the student from Pepperdine University for a definite period of time, after which the student is eligible to return without re-applying through the Office of Admission, unless the student is absent for two or more academic years, which does require re-application and readmission by the Office of Admission, as is the case for all students. Conditions for readmission may be specified.
- **Expulsion:** Temporary separation of the student from Pepperdine University for a definite period of time, but not less than two semesters, after which the student must re-apply through the Office of Admission and be granted acceptance before becoming eligible for re-enrollment at the University. Conditions for readmission may be specified, but the student is not guaranteed readmission.
- **Dismissal:** Permanent separation of the student from Pepperdine University. The student is dismissed from the University and is ineligible to re-enroll at the University at any time in the future.
- **Revocation of Admission and/or Degree:** Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University

standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- **Withholding Degree:** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

If a violation occurs just prior to a student's scheduled graduation, sanctions may be imposed even if all academic requirements are completed. Sanctions may include, but are not limited to, community service, research or reflective paper, restitution, loss of privilege to participate in the graduation ceremony, deferment of degree, and a transcript hold. The University may withhold issuing a degree until all sanctions are fulfilled. In the rare case of a serious violation (e.g., sexual assault, DUI, illegal drug sales), the University may permanently withhold a degree.

When students are dismissed, expelled, or suspended for disciplinary reasons, there will be no refund of tuition or room charges for the semester and all financial assistance for subsequent semesters will be reviewed and is subject to cancellation.

Standard Sanctions

Standard sanctions are consistent University responses to specific violations of the Student Code of Conduct. Although sanctions are not assigned until a student's case is heard, these sanctions constitute the minimum consequences a student may expect. We hope that prior notice of these standard sanctions will encourage students to avoid behaviors that lead to serious consequences. The standard sanctions are rarely modified. However, the presence of substantial mitigating or other appropriate circumstances may result in the reduction or escalation of a standard sanction.

Standard sanctions do not apply when:

1. A student engages in multiple violations in a single incident;
2. A student has a disciplinary history, regardless of whether past violations are related to the current violation;
3. An incident presents unusually serious circumstances, risks to persons or property, or other complex concerns.

In these situations, the appropriate sanctions are determined on a case-by-case basis in light of all the circumstances. Generally, these situations result in sanctions in excess of the standard sanction.

Standard sanctions apply only to those offenses described on the following table. Other types of incidents are handled on a case-by-case basis.

Table of Standard Sanctions

Category	First Violation	Second Violation	Third Violation
Housing and Residence Life Visitation	Warning; or University probation if visitation occurs significantly over visitation time or evidence that person of opposite gender has spent the night.	University probation or removal from residential community or suspension	Removal from residential community or suspension
Consumption or possession of alcoholic beverages or possession of empty containers of alcohol on campus	University probation, alcohol assessment and education programs	Suspension	To Be Determined (TBD)
Underage consumption of alcohol (on or off campus)	University probation, alcohol assessment and education programs	Suspension	TBD
Drunkenness (on or off campus)	University probation, alcohol assessment and education programs	Suspension	TBD
Driving a motor vehicle while under the influence of alcohol or a controlled substance (on or off campus)	Suspension, completion of alcohol/drug assessment and/or education programs; possible dismissal when injury involved	Dismissal	N/A
Attempt to obtain, use, or possess marijuana, other illegal drugs, or drug paraphernalia (on or off campus)	Suspension, drug assessment and education programs and reflective paper on drug abuse	TBD	TBD
Hosting or in any way assisting or promoting a gathering that includes drunkenness, drug use, or underage drinking (on or off campus)	Suspension; possible dismissal when injury involved	Dismissal	N/A

Forfeiture of Financial Assistance

Every student who has accepted a scholarship, loan, fellowship, grant-in-aid, or any other financial assistance by the University or the state is deemed to have agreed to observe the rules and regulations of the University. The University shall review the record of each recipient of financial assistance who has been placed on University disciplinary probation, is suspended, expelled, or dismissed from the University, or arrested and convicted as a result of a violation of University policy. In such cases students who have accordingly violated the Student Code of

Conduct may forfeit their financial assistance. For further information regarding this policy, please contact the Office of Financial Assistance.

Expectations for Student Organizations

Student groups and organizations may be charged with violations of this Student Code of Conduct. A student group or organization may be held collectively responsible when violations of this code occur either during an event sponsored by the organization or when four or more members are in attendance at the event in question. Individual members of the student organization may also face disciplinary action through the normal disciplinary process. Sanctions that may be imposed upon groups or organizations include but are not limited to deactivation, warning, reprimand, probation, fines, loss of privileges, restitution, and other educational sanctions. Deactivation includes loss of all privileges, including University recognition, for a specified period of time.

Expectations for Student Leaders

As role models to other students and ambassadors for Pepperdine University, student leaders are expected to embody the institution's highest ideals, values, and aspirations, and to uphold its community standards. Therefore, students placed on University probation may lose privileges, including their ability to apply, campaign, or hold leadership positions for the time they are on probation.

Appeal Process

The University has implemented procedures for student appeals with the intent of assuring fundamental fairness. Students who believe they were not treated fairly in the disciplinary process can submit a written appeal to the University dean of students (hereafter, "dean"). The appeal letter must be submitted within seven calendar days of the issuance of the sanction.

The written appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome of the decision or an appeal for mercy is not an appropriate basis for an appeal. The written appeal must specifically address at least one of the following criteria:

1. Insufficient information to support the decision.
2. New information and/or facts that were not known to the person appealing at the time of the original hearing that is relevant and sufficient to alter the initial decision and/or sanction.
3. Procedural irregularity from the Disciplinary Procedures that significantly and substantively undermined the student's ability to present a defense. The appealing party must specifically reference the relevant provisions of the "Disciplinary Procedures" section above that he or she believes the committee and/or chair should have followed.

4. Bias or conflict of interest by a committee member or investigator. The appealing party must state the basis for this belief and provide any supporting evidence.
5. Inappropriateness of the sanction for the violation of the Student Code of Conduct.

Generally the appellate process does not require a hearing, nor does it require the dean to make personal contact with the student or the Student Disciplinary Committee. The dean may, but is not required to, convene an ad hoc appeal committee to assist in making a recommendation to the dean regarding the appeal. The dean shall not be bound by the committee's recommendation.

The dean may affirm, reverse, or modify the sanction. The dean may also return the case to the associate dean or Student Disciplinary Committee chair for further consideration. The dean's decision shall be final and effective immediately (or as otherwise designated by the dean).

Disciplinary Records

Other than University dismissal or permanent withholding of a degree, disciplinary sanctions will not be made part of the student's permanent academic record, but will become part of the student's disciplinary record. Cases involving the imposition of sanctions other than University expulsion or dismissal or withholding of a degree will be expunged from the student's record seven years after graduation.

If a Pepperdine student is under the age of 21, the University may disclose to a parent or legal guardian of the student information regarding any violation of any Federal, State, or local law, or any rule or policy of the University governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's educational records.

Federal law permits the release of information from a student's records to his or her parents if the student is a dependent for federal income tax purposes unless the student has submitted credible evidence of non-dependency. Parents requesting information may be granted access upon submission to the University of a signed statement or other evidence of Federal Income Tax Dependency. Therefore, the University may, in its sole discretion, disclose personally identifiable information to parents who claim a student as a federal income tax dependent. In implementing the discretionary policy, it shall be the University's objective to safeguard the privacy of students while recognizing the supporting parents' legitimate needs for information about their tax dependent son's or daughter's behavior.

Furthermore, the University may disclose the final results of a disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of any crime of violence, or a non-forcible sex offense (including, but not limited to, incest; or statutory rape, which in California is defined as engaging in sexual intercourse with an individual under 18 years old who

was not the defendant's spouse at the time of the intercourse), if the institution determines as a result of that disciplinary proceeding that the student committed a violation of the University's rules or policies with respect to such crime or offense.

The disclosure of the final results include only the name of the student, the violation committed (i.e., the University rule or policy that was violated and any essential findings supporting the University's conclusion that the violation was committed), and any sanction imposed by the University against the student (i.e., a description of the disciplinary action taken, the date of its imposition and its duration). The University also may disclose the final results before all internal reviews and appeals have been exhausted. The name of any other student, including a victim or witness, may not be disclosed without the prior written consent of that other student.

The final results of a disciplinary proceeding may be disclosed to the victim regardless of whether the University concluded that the alleged perpetrator committed a violation of a University rule or policy. The final results of a disciplinary proceeding may be disclosed to the public when a student is alleged to have been a perpetrator of a crime of violence or non-forcible sex offense, and actually committed a violation of the University's rules or policies with respect to that allegation. See the [Student Records Policy](#) for additional information.

Last Updated: July 24, 2018

Contact: Office of Community Standards

Alcohol and Other Drugs

Philosophy

Pepperdine University seeks to foster an alcohol- and drug-free environment in which to work, live, learn, and grow. As a Christian University, we approach alcohol and other drug abuse with a combination of compassion, encouragement, directness, and concerned firmness. An aspect of this caring approach is the consistent enforcement of the regulations regarding alcohol and other drugs contained within this policy. The purpose of this policy is to ensure a safe environment that is consistent with the mission of the University and its goal to foster an alcohol- and drug-free environment. The following information is presented in compliance with the Drug-Free Schools and Communities Act of 1989.

Good Samaritan Policy

The University recognizes that there may be alcohol or other drug-related medical or safety emergencies in which the potential for disciplinary action could be a deterrent to students who want to seek assistance for themselves or others. The Good Samaritan policy is designed to enable dangerously intoxicated or impaired students, or their guests, to receive the professional medical treatment they need. When a student aids an intoxicated or impaired individual by contacting a professional for medical assistance, neither the individual needing assistance nor the individual reporting the emergency will be subject to disciplinary action. Please see the full [Good Samaritan policy](#) for additional information.

Prevention and Education

Pepperdine seeks to prevent alcohol and other drug-related problems by educating students about the personal and social consequences associated with the abuse of drugs. Educational programs are offered on an ongoing basis and are coordinated through the Counseling Center. Resident advisors in the residence halls receive alcohol and drug awareness training in order to serve the needs of the residential community. Prevention strategies also include efforts to change inappropriate community norms regarding alcohol and other drug use and to alter environmental factors that support inappropriate use. Finally, the University partners with the community and parents/guardians of students to help prevent abuse.

Assistance in Overcoming Alcohol and Other Drug Abuse

For students who seek help for substance abuse problems, complete confidentiality will be observed to the limit of the law. Insofar as federal and state statutes and professional ethical standards permit, no professional on the Pepperdine health and counseling staffs will in any way notify the administration of the name of a student who seeks help for a substance abuse problem without prior written permission from that student, and no records will be forwarded to the administration regarding the services or the problem. Confidential counseling and treatment

are available to students through the Student Health and Counseling Centers or by referral to appropriate agencies off-campus. Please contact the Counseling Center at 506-4210 for more information.

Regulations and Sanctions Regarding Alcohol and Other Drugs

Students are responsible for adhering to Federal, State, and local law, and to the University's policy on alcohol and other drugs. When violations of law or policy come to the attention of University officials, students may be referred for criminal prosecution and University sanctions may be imposed. Harm to persons or damage to either private or University property arising from the actions of intoxicated individuals on the premises of the University will be the full and sole responsibility of such individuals.

1. The consumption or possession of alcoholic beverages or possession of empty containers is prohibited on University property or at any University-sponsored event or activity, regardless of the student's age.
2. On campus, it is a violation to be in the presence of alcohol, alcohol containers, controlled substances, or drug-related paraphernalia.
3. Off campus, it is a violation to drink underage. It is also a violation to misrepresent one's age for the purposes of purchasing or consuming alcohol. This includes the manufacture, sale, distribution, promotion, possession, or attempt to obtain false identification (on or off campus). Possessing a fake ID may result in University probation on the first offense.
4. Drunkenness, on or off campus, is not consistent with the moral standards of the University and may result, minimally, in University probation on the first offense and suspension on the second offense. Drunkenness is defined as a blood alcohol content of .08% or more and/or as offensive, disruptive, destructive, hazardous, and/or vulgar conduct during or following the consumption of alcoholic beverages.
5. The refusal by a student to take or fully cooperate with a breathalyzer, field sobriety, or drug test may be considered as admission of being under the influence.
6. Operating a motor vehicle, on or off campus, while under the influence of alcohol or a controlled substance is a serious threat to oneself and the community and may result in immediate suspension, expulsion, or dismissal. Anyone who injures another person as a result of driving under the influence may be permanently dismissed.
7. The attempt to obtain, use, possess, distribute, or sell, any potentially harmful or illegal drug (e.g., prescription drugs, marijuana, cocaine) or drug-related paraphernalia (including hookahs) is strictly prohibited. Anyone involved in the sale or distribution of drugs on or off campus may be dismissed immediately.
8. The possession or presence of any amount of a controlled substance is prohibited on or off campus. This includes but is not limited to the presence of marijuana smoke or odor, small "roaches," or residue found in baggies, pipes, or other paraphernalia. The possession or use of medicinal or recreational marijuana in any form is prohibited on or off campus. The possession or presence of marijuana or other controlled substances may result, minimally, in suspension.

9. Possession or use of any herb or drug used for hallucination or intoxication.
10. Promoting the consumption of drugs or alcoholic beverages may not be undertaken within the confines of University properties or through University-sponsored or approved publications or events.
11. Any student (regardless of age) or student organization found supplying, possessing, or consuming alcohol or other drugs at University-sponsored off-campus events will be subject to disciplinary action.
12. Any student leader (including, but not limited to, Orientation Leaders, RAs, and Student Service Officers) who promotes or supplies alcohol or other controlled substances may be immediately suspended, expelled, or dismissed from the University. Examples of promoting alcohol/controlled substances include advertising parties either verbally or with flyers and inviting or driving underage students to parties where alcohol is present.
13. Hosting or in any way assisting or promoting a gathering (on or off campus) that includes drunkenness or drug use or underage drinking, whether intended or not, may result in suspension or dismissal. Those living at the location where the party is held may be held responsible as hosts regardless of who provides the alcohol.
14. Any student who encourages another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will is subject to dismissal.
15. Any student who sexually assaults or attempts to sexually assault another person who is incapacitated due to alcohol or other drugs is subject to immediate permanent dismissal.

Health Risks

The use and abuse of alcohol and other drugs can cause a number of problematic changes in behavior and physiology. Alcohol, especially in high doses or combined with medications or other drugs, can lead to violent behaviors including acquaintance rape, vandalism, fights, incidents of drinking and driving, injury, and other medical emergencies. If you discover someone who is excessively intoxicated, unconscious or in need of emergency assistance, please dial 506-4441 on-campus, or 911 off-campus. Doing so may save someone's life.

Moderate to high doses of alcohol may cause marked impairments in higher mental functions, severely altering a person's ability to learn and recall information. Research has shown that using alcohol or other drugs negatively affects academic performance.

The risk of having an automobile accident increases after consuming even relatively small quantities of alcohol. Low doses may significantly impair judgment, coordination, abstract mental functioning, and the ability to complete complex tasks.

Repeated use of alcohol and other drugs can lead to physical and/or emotional dependence. Alcohol or substance dependence occurs when a person continues their use despite recurrent social, interpersonal, and/or legal consequences. There is strong evidence based on medical research that alcohol and other drug abuse contributes significantly to heart disease and cancer

as well as permanent damage of vital organs such as the brain and liver. There is clear evidence of serious negative effects on babies due to the use of illicit drugs and alcohol by the mother during pregnancy.

The use of Cannabis (Marijuana, Hashish) may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Its effect can last more for more than 4-6 hours after being used. Contrary to popular belief, marijuana is both physically and emotionally addictive.

Hallucinogens (LSD, Ecstasy, and PCP) cause hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects can occur, including ongoing loss of concentration and memory. Frequent use can cause permanent loss of some mental functions.

Cocaine and Crack are highly addictive drugs. The immediate effects of cocaine include dilated pupils, elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, and even death. These drugs cause a temporary feeling of power, impairing judgment and decision-making.

Amphetamines (Crystal, Speed, Crank, and Meth) are highly addictive stimulants, which can cause one to "rush" around and appear stimulated. Amphetamines can cause rapid or irregular heartbeat, loss of coordination, collapse, and even death. Continued stimulant abuse can lead to mood swings, irritability, depression, sleeplessness, and even altered personality and paranoia.

Heroin causes the body to have diminished pain reactions and is highly addictive both physically and emotionally. It can cause disinterest in relationships, personal productivity, and workplace safety. The use of heroin can result in coma and death. Commonly used intravenously, heroin use is associated with a wide range of physical health problems (i.e., AIDS, hepatitis).

Prescription drugs (i.e. antidepressants, pain suppressants, stimulants, and tranquilizers) are safe only if taken as prescribed under the supervision of a licensed physician. If abused, they can lead to sluggishness or hyperactivity, impaired reflexes, liver and kidney damage, addiction, and nervous system damage.

Parental Notification

Pepperdine University has long recognized its special relationship with the parents and families of its students. Even after students leave home for college, parents often play a central role in their character development, so Pepperdine works in partnership with parents in helping students make the transition to responsible adulthood.

The University also recognizes that students have specific privacy rights. FERPA, the Family Educational Rights and Privacy Act of 1974, is a Federal law that controls the confidentiality of, and access to, student education records. The Higher Education Amendments of 1998 permit educational institutions to notify parents if a student, under the age of 21 at the time of notification, commits a disciplinary violation involving alcohol or a controlled substance. See Pepperdine's Student Records Policy for additional information about FERPA and educational records. A full copy may be obtained by contacting the Registrar's Office.

The purpose of Pepperdine's parental notification policy is to promote the holistic development of students and to foster an alcohol- and drug-free campus community. Among several interventions that may be used to further this purpose, parents or guardians of students under the age of 21 may be notified in the case of a violation of University alcohol or other drug policies. Notification begins with:

- A. The first time a student is charged with violating the University policy under one of following circumstances:
 - 1. Caused serious harm to oneself or another while under the influence of alcohol or other drugs or was transported to a medical facility and treated because of alcohol or other drug use.
 - 2. Caused significant damage or disruption while under the influence of alcohol or other drugs.
 - 3. Operated a vehicle under the influence of alcohol or other drugs.
 - 4. Was arrested or taken into custody by law enforcement officers while under the influence of alcohol or other drugs or is charged with violating a federal, state, or local law related to alcohol or other drug use.
 - 5. Because of previous violations (not related to alcohol or other drugs), the current alcohol or other drug violation might result in the student being placed on suspension or a more severe sanction.
 - 6. Hosted or in any way assisted or promoted a gathering that included underage drinking or drunkenness.

- B. The first time a student is charged with violating the University policy regarding the attempt to obtain or the use, possession, sale, or distribution of any narcotic or other controlled substance not lawfully prescribed by a health care provider.

- C. The second time a student is charged with violating the University policy regarding:
 - 1. The consumption, possession, sale, or distribution of alcoholic beverages.
 - 2. Being in the presence of alcohol, alcohol containers, controlled substances, or drug-related paraphernalia on University property.

Normally, a parent or guardian will be notified in writing by the associate dean of student affairs for community standards before the disciplinary hearing. Before notifying the parents or guardians, every effort will be made to inform the student and attempt to have the student make

the first contact. This is consistent with the general philosophy that supports students developing independence and personal accountability. However, in some situations consultation with the student or first contact by the student may not be possible or appropriate and in such cases the University is not required to alert the student when it has notified his/her parent or legal guardian. In other situations, after consulting with the student, the associate dean may determine that notifying the parents/guardians may be harmful to the student and in such cases the University is not obligated to make notification.

This policy does not preclude the University's contacting parents or guardians for other policy violations that may endanger the health and well being of a student or other individuals in the community. Also, the University may release information related to student educational records to parents who claim the student as a dependent for tax purposes.

Review of University Program and Policy

Biennially, the University will review its alcohol and other drugs prevention program and this policy to determine the program's and policy's effectiveness, to implement changes if needed, and to ensure that the University's disciplinary sanctions are consistently enforced.

Last Updated: July 24, 2018

Policy Contact: [Community Standards](#)

Animals

Introduction

The University recognizes that wild animals may frequent or select the Malibu campus grounds as their habitat and that owners of domestic animals may occasionally bring their pets to certain public areas of the Malibu campus. This policy is intended to protect the Pepperdine community from hazards associated with or caused by wild and domestic animals, and to optimize the safety and health of faculty, staff, students, and visitors.

Exceptions may be made to this policy on a case-by-case basis as required by applicable law. This policy does not apply to animals related to instructional and/or research activity. Violations of this policy may result in disciplinary action.

Definitions

The following definitions apply for the purposes of this policy:

- **Wild animals** are non-domesticated animals living in their natural habitat.
- **Pets** are animals sufficiently tame to live with a family and are kept and cared for as companions.
- **Service animals** are animals that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting and protecting a person who is having a seizure, among others. Service animals are working animals, not pets.
- **Support/comfort animals** are animals that provide emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike service animals, support/comfort animals are not required to be trained to perform work or tasks.

Wild Animals

Community members are expected to take reasonable precautions when encountering wild animals and may not feed or otherwise disturb them.

Community members should immediately notify the Department of Public Safety to report wild animals on campus that pose any threat. Please reference the Emergency Preparedness Guide for additional information on wildlife.

Pets

Members of the Pepperdine community and visitors to the campus are generally permitted to bring their pets to public outdoor areas of the Malibu campus. Pets are only allowed outdoors; they are prohibited from all University buildings, athletic fields, The Fick Walk, Military Honor Garden, Biggers Family Courtyard, and Heroes Garden. Students and guests are not permitted to have pets in the residence halls. Pet guidelines for Malibu campus faculty and staff residences may be found in HOA rules and regulations. All pets must be controlled by a leash, tether, or harness that does not exceed six feet in length. Pets may not be tethered to a tree or structure or left unattended for any period of time. Unless otherwise permitted, pets are prohibited from all outdoor University events. Owners must immediately clean up after their animals and ensure the animals' behavior does not cause a nuisance or harm to individuals or University property. Owners are responsible for any damage or injury caused by their pets, as well as appropriately caring for their pets. The University is not liable for harm to pets while on campus. Any pet brought to public outdoor areas of the Malibu campus must be licensed and inoculated in accordance with Los Angeles County regulations, with the burden of proof on the owner.

Pets are not allowed at any other campus locations, including graduate campuses, the Washington, DC campus, or any international campuses. Additional animal policies are determined by the building lease agreement.

Violations may be resolved informally. Further questions, assistance in enforcing this policy, or reports of an animal that poses a threat or is otherwise disruptive may be directed to the Department of Public Safety.

Any individual bitten by an animal on campus should immediately contact the Department of Public Safety.

Service Animals

Pepperdine provides equal access and reasonable accommodation for individuals with disabilities to participate in any program, service, or opportunity provided by the University, and complies with applicable laws related to service animals.

Concerns about whether an animal is a pet or service animal should be reported to the Department of Public Safety. Service animals are permitted to accompany people with disabilities in all areas of campus where community members and visitors are allowed to go. Exclusions of service animals are determined on an individualized basis and when one or more of the following conditions exists:

- The service animal is disruptive and not effectively controlled
- The service animal is not housebroken

- The presence of the service animal would fundamentally change the nature of the job, service, or activity
- The service animal's presence, behavior, or actions pose an unreasonable or direct threat to property and/or the health and safety of others (including inappropriate hygiene and cleanliness)
- The service animal may be in danger
- The service animal's presence may compromise the integrity of certain research

The University is not responsible for the care or supervision of service animals. Individuals are responsible for:

- Complying with licensing requirements of Los Angeles County, as appropriate for the animal, with a copy of the license submitted to the Department of Public Safety and the Office of Student Accessibility (for students) or Human Resources (for employees)
- Following their veterinarian's care recommendations and vaccinations for the animal, with a copy of the health record submitted to the Department of Public Safety and the Office of Student Accessibility (for students) or Human Resources (for employees)
- The cost of any property damage or cost of extra cleaning due to the animal
- The control and reasonable behavior of the service animal at all times
- The service animal's appropriate hygiene and cleanliness
- The immediate clean-up and proper disposal of all animal waste

Service animals in training are allowed on campus in accordance with the above guidelines for service animals. Faculty, staff, and students should not bring service animals in training to the classroom, residence halls, or workplace.

If students are allergic to service animals on campus, they are encouraged to contact the Office of Student Accessibility to assist in resolving the issue. If faculty and staff are allergic to service animals on campus, they are encouraged to contact their supervisor and Human Resources to assist in resolving the issue. The Office of Student Accessibility and Human Resources will attempt to reasonably accommodate all parties.

Students should register their service animals with the Office of Student Accessibility. Employees may request the assistance of a service animal as a reasonable accommodation for their disability; such requests must be handled through Human Resources.

In the event of a dispute about an accommodation related to a service animal or an animal restriction, students are encouraged to attempt to resolve the issue with the Office of Student Accessibility. Students may also file a complaint in accordance with the University's [ADA Compliance Procedures](#). Faculty and staff are encouraged to attempt to resolve disputes with their supervisor and Human Resources. Employees may also file a complaint in accordance with section 29 of the University Policy Manual.

Support/Comfort Animals

Support animals are not considered service animals under this policy or applicable law. Support animals are not permitted in University buildings, athletic fields, or designated gardens and must follow the guidelines for pets on campus. Support animals may be allowed in on-campus student residences when registered with and approved by the Office of Student Accessibility.

Last Updated: July 19, 2018

Policy Contacts: [Human Resources](#), or [Community Standards](#)

Computer and Network Responsible Usage

Purpose

Pepperdine University provides access to computing and network resources in order to support its instruction, research, and service missions; administrative functions; and student and campus life activities. All such use shall be ethical and consistent with the University's mission. Any other uses, including uses that jeopardize the integrity of the Pepperdine network, the privacy or safety of other users, or that are otherwise illegal, are prohibited.

Applicability

This policy applies to all users of University computing and network resources, whether affiliated with Pepperdine or not, and to all uses of those resources, whether on campus or from remote locations.

Conditions for Use

Users of Pepperdine University computer and network resources must:

- Follow all applicable federal, state or local laws.
- Follow all relevant University rules, regulations, policies and procedures, including the IT use policies and procedures published for specific systems.
- Actively maintain the security of personally-owned and University-assigned computers.
- Report privacy, security or policy violations to the Information Security office.

Prohibitions

Users of Pepperdine University computer and network resources must not:

- Utilize any identity or account not specifically assigned to the user.
- Hinder, monitor or intercept another user's network traffic.
- Disclose, destroy or capture personal, confidential or restricted data.
- Use resources for commercial purposes or personal financial gain.
- Use resources for unauthorized access of any system or network.

Peer-to-Peer and File Sharing Notice

Users must not engage in the unauthorized copying, distributing, altering, maintaining or transmitting of copyrighted materials, information, software, music or other media.

Security and Privacy

Users' University computer and network passwords must conform to IT's published complexity and length requirements, and must not be shared with any other person, used in non-University

accounts, or otherwise disclosed. Passwords must be changed immediately if disclosed or compromised.

The University employs various measures to protect the security of its information resources. Users should be aware that their uses of University computer and network resources are not private. While the University does not routinely monitor individual usage, the normal operation and maintenance of the University's computing resources require backup, logging of activity, the monitoring of general and individual usage patterns, and other such activities that are necessary for information security and the rendition of service. In addition, the University reserves the right to review, monitor and/or capture any content residing on, or transmitted over, its computers or network at its sole discretion. The University reserves the right to limit access to its computers or network, and to remove or limit access to material residing on its computers or network.

The most current version of the Computer and Network Responsible Use Policy and any technical requirements and guidelines related to this policy are published at community.pepperdine.edu/it/security/policies/.

Last Reviewed: August 2016

Policy Contact: [Information Technology](#)

Discrimination and Harassment

Note: this policy is for student complaints about discrimination and harassment by other Pepperdine students. Student complaints about discrimination and harassment by Pepperdine faculty/staff should be reported to the dean's office of the student's school. Please see the school's "Non-Academic Student Grievance Procedure" for more information.

Purpose

Pepperdine University affirms that all members of our community are created in the image of God and therefore should be treated with dignity and respect. Our University Code of Ethics states that we do not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law. Further, we respect the inherent worth of each member of the community and do not engage in any forms of harassment. We follow the profound truth found in the Golden Rule, "In everything do to others as you would have them do to you" (Matthew 7:12).

Policy

Because of our commitment to honoring the dignity and respect of every individual, discrimination and harassment (and any related retaliation), as defined below, is prohibited and will result in disciplinary action, up to and including dismissal from the University. This policy applies to all University students, including any matriculated undergraduate or graduate student who is enrolled full- or part-time; has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment; or is on an approved educational leave or other approved leave status. This includes the period before classes begin, while the student is attending classes, between academic sessions or on leave. This policy applies even if the student withdraws from school while a disciplinary matter is pending. This policy applies to student conduct that occurs both on and off campus. This policy does not apply to sexual misconduct. For information regarding sexual misconduct, please see the Sexual Misconduct Policy.

Speech that constitutes a protected exercise of a student's rights under California's Leonard Law will not be deemed a violation of this policy. However, some speech that may be protected by the Leonard Law is nonetheless inconsistent with the Golden Rule, and students are encouraged to live by this higher standard rooted in our Christian faith and heritage.

The University encourages students to immediately bring any concerning behavior to the University's attention even if such behavior does not constitute discrimination, harassment, or retaliation as defined below.

Definitions

Discrimination

Unlawful discrimination occurs when an individual is treated less favorably with respect to the administration of the University's educational programs and activities, admissions, financial aid, or on-campus housing, based upon that individual's membership in a class protected by applicable law.

Harassment

Harassment is defined as conduct that is so severe and/or pervasive, and objectively offensive, that its effect, whether or not intended, impairs a person's ability to participate in the University's educational programs and activities or their living environment. Objectively offensive conduct means that it must be offensive both to the recipient of the conduct and to a "reasonable person" in the recipient's circumstances. Examples of harassment include, but are not limited to:

1. Some students hang a noose from the ceiling of an African-American student's room.
2. Over the course of the semester, a gay student is repeatedly called names (including anti-gay slurs like "fag" and "homo") both to his face and on social networking sites.
3. After a student discloses that he receives an accommodation for his learning disability, another student calls him a "retard" every time he walks into the classroom.
4. Someone spray paints "terrorist" on a Muslim student's car.
5. A student draws a swastika on a Jewish student's message board.

Retaliation

Retaliation is any form of sanction or adverse treatment against a person because that person has asserted a good faith complaint of discrimination or harassment, or assists in providing information regarding a complaint of discrimination or harassment. Retaliation may consist of intentional disparagement, harassment, negative remarks, or other treatment that creates a hostile environment.

Reporting Discrimination, Harassment, and Retaliation

Students who feel that they have been subjected to discrimination, harassment, and/or retaliation by other students should contact the Office of Community Standards. Students accused of harassment, discrimination and/or retaliation will be subject to the disciplinary proceedings set forth in the Student Code of Conduct.

Student complaints against faculty or staff members are subject to the "Non-Academic Student Grievance Procedure." Students should contact the Office of the Dean of their school

Confidential reports may be made by contacting a counselor at the Student Counseling Center located at TCC 270 or at (310) 506-4210. Confidential reports can also be made by contacting University Chaplain Sara Barton, at TCC 106A or at (310) 506-4275.

Anonymous reports may be made on the anonymous Wave Tip line by calling voice mail at (310) 506-7634 or on the LiveSafe app. For any campus emergency, call (310) 506-4441.

Last Updated: July 24, 2018

Policy Contact: [Community Standards](#)

Good Samaritan Policy

Purpose

Pepperdine's primary concern is the health and safety of our students. Students are encouraged to do the right thing and "Step Up" whenever they see someone in need of medical assistance. Our Good Samaritan policy is intended to remove potential barriers to seeking assistance, such as concerns regarding disciplinary action by the University.

Policy

Students who seek medical assistance for themselves or others will not receive disciplinary sanctions for violations of the Student Code of Conduct that occurred at or near the time of the incident. Instead, the students involved may be assigned alcohol or other drug education and assessment programs, to be determined on a case by case basis with the intention of providing support and preventing future occurrences.

This policy is applicable to:

- the student(s) requesting medical assistance for another person
- the student requesting medical assistance for oneself
- the student(s) for whom medical assistance was provided

To qualify for this policy, students requesting medical assistance must "Call. Stay. Cooperate."

- **Call:** if you are on campus, contact a University official (e.g., resident advisor, Public Safety); if you are off campus, call 911 or contact any appropriate official (e.g., event staff manager, police officer); and
- **Stay:** stay and monitor the student's condition until medical assistance arrives; and
- **Cooperate:** cooperate and be honest throughout the incident and any follow-up investigation.

The following are not covered by the Good Samaritan policy:

- This policy does not cover the following violations: dishonesty, hazing, causing or threatening physical harm, theft, property damage, possession with the intent to distribute drugs.
- This policy does not apply to a student who is charged with sexual misconduct (e.g., a student accused of sexual assault cannot be covered by the Good Samaritan policy).
- This policy does not apply if a University or other official responds to the student needing assistance before a student calls for assistance.

Application to Sexual Misconduct:

This policy applies to students who report sexual misconduct (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking) or participate as a witness in sexual misconduct investigations, or who seek assistance for themselves or another by contacting an appropriate official (e.g., Title IX Coordinator for Students, resident advisor, Public Safety officer, or calling 911). In these cases, the University will not pursue disciplinary action for a violation by the student of the Student Code of Conduct occurring at or near the time of the incident.

Application to Student Organizations:

In circumstances where a student organization is found responsible for hosting an event where medical assistance is sought by anyone in attendance for a member or guest, this Good Samaritan action will be viewed as a mitigating factor in determining the appropriate sanction for the student organization. Conversely, failure to call will be considered an aggravating factor in any disciplinary action against the organization. Members of an organization hosting an event are expected to promptly call for assistance if they become aware of an emergency.

Application to Hosts of Parties:

Students found responsible for hosting a party (or in any way assisting or promoting a gathering that includes drunkenness or drug use or underage drinking) on or off campus normally results in suspension. However, if any of the hosts act as a Good Samaritan, then no disciplinary action will be taken against the hosts. If medical assistance is sought by someone else in attendance, this Good Samaritan action by the attendee will be viewed as a mitigating factor in determining the appropriate sanction for the hosts. Conversely, failure to call will be considered an aggravating factor if the hosts become aware of an emergency and do not promptly call for assistance.

Actions by the Office of Community Standards:

- The Good Samaritan policy is applied after an incident has been reviewed by the Office of Community Standards. University officials (e.g., DPS, resident advisors) responding to an incident on campus will follow all normal protocols on the scene, including documentation of the incident.
- The associate dean of students for community standards (or designee) will determine if the Good Samaritan policy applies to an incident. If it is not applied and the student is charged with a violation, the student may request a hearing with the Student Disciplinary Committee (SDC) to review whether the Good Samaritan policy should apply. If the SDC determines it does not apply, the student may appeal the decision to the University's dean of students through the normal appeal process.
- The Office of Community Standards will waive the normal fee for alcohol and other drug educational assignments whenever the Good Samaritan policy applies.
- Failure to complete the educational assignments or treatment recommendations may result in disciplinary action.

Frequently Asked Questions about the Good Samaritan Policy

Does the policy apply both on and off campus?

Yes. On campus, students should contact Public Safety or another University official (e.g., resident director or resident advisor). Off campus, students should notify an appropriate official (e.g., call 911 or, if at an event, contact a professional event staff member).

Do I have to call Public Safety or notify the University for the Good Samaritan policy to apply?

It depends on whether you are on or off campus. If you are on campus, you must contact a University official (e.g., resident advisor, Public Safety). If you are off campus, call 911 or you may contact any appropriate official (e.g., professional event staff manager, law enforcement police officer), and it is not required to notify the University for the Good Samaritan policy to apply. However, students are encouraged to notify a University official as well so that proper follow-up care can be provided and so that there is a clear record of the Good Samaritan action taken.

Will I get in trouble if I am underage and have been drinking if I call for somebody else?

No. University disciplinary sanctions (e.g., University probation, suspension) will not be assigned to the reporting student(s) for alcohol or drug violations related to the incident even if the student is under 21. The incident will still be documented, and educational programs may be required in place of disciplinary sanctions for both the caller and person needing assistance.

Can the policy be used for multiple people?

Yes. The policy can be applied to multiple people in one incident. Even if one person contacts 911 or a University official, the policy will cover other students who are assisting the person needing help. Also, the policy can apply to multiple people who need medical assistance during the same incident.

Will the policy cover other party attendees?

Yes. If Pepperdine becomes aware of party attendees who violated the Student Code of Conduct (e.g., drunkenness or underage drinking) because of the call for medical assistance, then these students will be covered by the Good Samaritan policy. See the "Application to Hosts of Parties" section for expectations about their responsibilities.

Can I call on myself?

Yes. The Good Samaritan policy applies to students who report their own medical emergency. The student will still be required to meet with a University official to discuss the situation. Students who self report may be required to complete an educational program and/or an alcohol or other drug assessment and any recommended follow-up treatment in lieu of any disciplinary

action. The normal fee for the educational program will be waived.

Can the policy be applied to more than just incidents involving alcohol and other drugs?

Yes. The policy can be applied to victims of physical violence and complainants or witnesses of sexual misconduct. See the “Application to Sexual Misconduct” section for more information.

Will parents be notified?

It depends. University officials will use the protocols in place for communicating with a student’s emergency contacts should a student be transported to the hospital.

Is there a limit to how many times Good Samaritan can apply to me?

No. Our goal is to encourage students to not hesitate in seeking appropriate medical assistance regardless of a student’s disciplinary history or whether they’ve been covered by the Good Samaritan policy in the past.

Will the Good Samaritan incident be reported as part of my disciplinary record?

No. The incident does not become recorded on the student’s official disciplinary record in the Office of Community Standards. A record will exist in the Office of Community Standards that the incident occurred, but it is not reportable as disciplinary action to outside employers, agencies, or noted on a transcript.

How do I aid a friend who I feel is in need of medical attention?

The best option when you feel somebody is in need of medical attention is to seek help. Remember the three steps for Good Samaritans: Call. Stay. Cooperate. After you call for help, do not leave the individual alone. Ask for help from others if necessary and follow these pieces of advice:

- DO: Turn the person on their side to prevent choking in case the person vomits.
- DO: Be prepared to tell emergency personnel as much information as possible, including the amount and type of alcohol/substances consumed.
- DO NOT: Leave the person alone.
- DO NOT: Leave the person on their back.
- DO NOT: Try to make the person vomit.
- DO NOT: Try to get the person to eat or drink anything, even water at this point.
- DO NOT: Put the person in a cold shower/bath (this could cause shock to the body).

Myths About the Alcohol and/or Good Samaritan Policy

- **Myth:** It is a violation of the alcohol policy to be in the presence of alcohol on or off campus.
- **Fact:** It is only a violation to be in the presence of alcohol on campus. Pepperdine is a dry campus and so students are expected to remove themselves from any situation where alcohol or other drugs are being used.

- **Myth:** Sometimes Pepperdine has DUI checkpoints at the entrance to the Malibu campus.
- **Fact:** Pepperdine does not have DUI checkpoints on campus. Sometimes the Sheriff's Department has DUI checkpoints on Malibu Canyon Road or PCH, but these are not coordinated with Pepperdine.

- **Myth:** Students receiving financial assistance will lose their scholarship on the first alcohol violation.
- **Fact:** Pepperdine recognizes that many students receive significant financial assistance and would not be able to attend without it. Therefore, Pepperdine does not remove University financial aid on the first offense. The standard sanction for a first-time alcohol violation is University probation. Students who receive University financial assistance and are placed on University probation for the first time will receive a warning letter that additional violations could result in loss of aid. Students receiving scholarships outside of Pepperdine should check the conditions related to disciplinary action.

- **Myth:** The Good Samaritan policy only works if you call Public Safety.
- **Fact:** If you are on campus, you must contact a University official (e.g., resident advisor, Public Safety). If you are off campus, call 911 or contact any appropriate official (e.g., event staff manager, police officer), and it is not required to notify Public Safety or the University for the Good Samaritan policy to apply. However, students are encouraged to notify a University official as well so that proper follow-up care can be provided and so that there is a clear record of the Good Samaritan action taken.

- **Myth:** In order for the Good Samaritan policy to apply, you have to accompany the student to the hospital in the ambulance.
- **Fact:** Students are expected to call 911 or a University official (such as the resident advisor or Public Safety) and monitor the student's condition until medical assistance arrives. Students must be cooperative and honest throughout the incident and any follow-up investigation.

Illustrative Examples

These examples include hypothetical scenarios and responses to illustrate how the Good Samaritan policy may be applied.

Zach and Ramon: Call On Campus

Ramon is underage and is drinking alcohol on the beach with some friends. He comes back to campus to find his roommate, Zach, passed out on his bed. Ramon finds the RA who determines that Zach needs medical attention. The RA calls Public Safety who sends EMTs, and they transport Zach to the hospital. The RA documents the incident and notes that Ramon also appeared to be intoxicated.

The Good Samaritan policy applies to both Ramon and Zach because Ramon sought assistance from an RA for Zach. Neither student will receive disciplinary sanctions as a result of this incident. Zach will be required to complete an alcohol assessment at Pepperdine's Counseling Center and must follow any treatment recommendations. Both Zach and Ramon must agree to complete an online alcohol education program, but the normal fee will be waived.

John and Sarah: No Call On Campus

John and Sarah are drinking alcohol with friends at the Lovernich apartments when Sarah begins to show signs of serious intoxication (slurred speech, unsteady on her feet, vomiting). John has also been drinking, but John decides to walk Sarah to her apartment. While walking, a Public Safety officer sees Sarah walking unsteadily and stops her to assess the situation and make sure she is safe. The officer calls 911 for assistance. John and Sarah are documented for consumption of alcohol, and the report is sent to the Office of Community Standards for review.

The Good Samaritan policy does not apply because John did not call 911 himself or seek out a qualified individual (such as an RA or Public Safety) to assess Sarah's condition.

Jean and Friends: No Call Off Campus

Sheriff officers are dispatched to a local bar where the officers observe a group of people being disorderly outside the establishment. An officer observes Jean being held up by two of her friends; Jean is unable to speak coherently and is passing in and out of consciousness. The officer arrests Jean and she is transported to the hospital. Her friends were cited by the officers for underage drinking. They return back to their suite on campus, and the incident is reported to the RAs, who are required to document the situation.

The Good Samaritan policy does not apply to Jean or her two friends because they were not seeking medical assistance for her. Had the friends called 911, Jean and the two friends would receive immunity from disciplinary action.

Jane and Club: Call Off Campus by Non-Club Member

Jane is at an off-campus party hosted by a Pepperdine club. Sometime during the party, Jane passes out. A non-member of the club calls for medical assistance, and Jane is taken to the hospital. Jane's friends later confirm that she had been consuming alcohol at the party, and Jane is 19 years old. During the investigation of the incident, the names of other underage students who attended the party were shared with Public Safety.

Jane will receive immunity from disciplinary action under the Good Samaritan policy, and will complete an alcohol assessment, any recommend treatment, and an alcohol education program. No disciplinary action will be taken against the other underage students named in the report, because Pepperdine only became aware of their violations as a result of the call for medical assistance. They will be required to complete an online alcohol education program, but the normal fee will be waived. The club, which was already on probation, will receive a lesser sanction because someone at the party called for assistance and the officers admitted the club hosted the party; instead of suspending the club, its probation was extended.

Alex and Sorority: Call Off Campus by Sorority Member

Alex attends a sorority formal off campus at a banquet hall. Prior to the formal, he pre-gamed at a kickback arranged by some of the sorority members at their off-campus house. There he learned that they had made arrangements with a bar adjacent to the banquet hall to serve alcohol to those attending the formal, but was told they needed to be discreet since alcohol is not allowed at sorority events. During the formal, Alex made several trips to the bar along with some of the sorority members. While on the dance floor Alex became ill, and before he could make it to the bathroom he threw up and started to lose consciousness. One of the sorority members who drank with Alex at the house and the bar said she would call 911. She told the 911 operator that Alex had a severe case of food poisoning. When the EMTs arrived and inquired about alcohol consumption, the sorority member said all she knew was that suddenly Alex became very ill and so she assumed it was food poisoning since alcohol wasn't served at the formal. Alex was taken to the hospital. Tests showed that he had severe alcohol poisoning. During the follow-up investigation by Public Safety, the sorority member who called 911 shared the same story about food poisoning and said she didn't know anything about Alex consuming alcohol that evening. When the Resident Director visited Alex in the hospital, Alex told him about the alcohol he consumed before and during the formal and shared the names of the sorority members who consumed with him.

Alex will receive immunity from disciplinary action under the Good Samaritan policy, and will complete an alcohol assessment, any recommended treatment, and an alcohol education program. The sorority member who lied to 911, the EMTs, and Public Safety will not receive immunity, because she was not cooperative and her attempts to shield herself and the sorority resulted in the concealment of pertinent information needed for timely medical treatment. No disciplinary action will be taken against the other students named by Alex, because Pepperdine became aware of their violations as a result of the call for medical assistance. The sorority leadership met with the Student Organizations Judicial Board (SOJB) and admitted that the

kickback and arrangements to have alcohol available at the formal were serious sorority violations. The SOJB reduced the normal sanctions, taking into account that medical assistance was called for Alex at the formal.

Liam and Pub: Call at International Programs

Liam and three other Pepperdine students go to a pub within walking distance from the Pepperdine London house. Liam drinks several pints during their short stay. As they begin walking down the street, Liam stumbles, throws up, and his eyes roll to the back of his head and he is unresponsive. One of the students goes back into the pub and asks the bartender to call an ambulance while the others remain with him. Liam is transported to the hospital. The others take a taxi and stay with him until he is discharged. During this time they contact the London program director and RA to let them know what happened and that Liam is okay.

Liam will receive immunity from disciplinary action under the Good Samaritan policy, and will complete an alcohol assessment, any recommended treatment, and an alcohol education program. His friends are commended by the director for doing the right thing and making sure that everyone stays safe. Even though the Good Samaritan policy does not require students off campus to contact Pepperdine officials or to go to the hospital, under these circumstances abroad it was especially helpful to ensure that Liam received care and returned safely to the Pepperdine house.

Last Updated: August 20, 2018

Policy Contact: [Community Standards](#)

Hazing

Purpose

Pepperdine University is committed to the highest standards of academic excellence and Christian values which strengthen lives for purpose, service, and leadership. Hazing is a violation of our Christian teaching that all people are created in the image of God and should be treated with dignity and respect. Therefore, Pepperdine is dedicated to a University community free of hazing.

Policy

Hazing is prohibited by state law and University policy. The University's hazing policy applies to *all* student organizations – including groups governed by the Sports Club Council, Inter-Club Council, Inter-Fraternity Council, Panhellenic Council, National Pan-Hellenic Council, and athletic teams – as well as unrecognized student organizations.

It is unlawful to engage in hazing. See California Penal Code section 245.6 (“Matt’s Law”). Matt’s Law defines hazing as “any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term ‘hazing’ does not include customary athletic events or school-sanctioned events.” Individuals found guilty of hazing may be imprisoned and/or fined. Matt’s law also allows a person against whom the hazing is directed to sue the individuals who participate in the hazing or organizations that authorize, request, command, participate in, or ratify the hazing.

Pepperdine’s Definition of Hazing

Pepperdine defines hazing much more broadly than Matt’s Law. This broader definition is classified into three categories: 1) subtle hazing; 2) harassment hazing, and 3) violent hazing (see descriptions and examples below). Pepperdine prohibits any student or student organization from engaging in, individually or as part of a group, an act which is humiliating, intimidating, or demeaning or potentially endangers or puts at risk the mental health or physical safety of a student for the purpose of or in connection with initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Hazing includes active or passive participation in such acts and occurs regardless of the willingness to participate in the activities.

The following terms are an important part of Pepperdine’s definition of hazing:

Passive Participant

An individual member of the hazing group who stands by and watches the hazing activity perpetrated upon another person and chooses not to do or say anything that would or could change the course of action. The University considers passive participants as much of the problem as active perpetrators, and will consider passive participants to be contributors who help perpetuate hazing culture.

Consent

Even if someone agrees or is otherwise complicit in participating in a potentially dangerous activity, this does not remove the responsibility from the perpetrators (or passive participants). Furthermore, it may not be true consent when considering the pressure and desire to belong to the group. Consequently, the implied or expressed consent of any person toward whom an act of hazing is directed cannot be used as a defense to a charge of hazing.

Examples of Hazing and Prohibited Activities

A complete list of activities that would constitute hazing would not be possible, but hazing can be classified into three categories that would reasonably be expected to affect another person's dignity or well-being. Almost anything that new members are required to do that is not required of more senior members or any other activities devoid of legitimate educational value is likely to constitute hazing. Violating or encouraging others to violate any University policy in the context of new member activities is prohibited (e.g., alcohol consumption).

Subtle Hazing

Subtle hazing typically involves activities that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group or team. Some examples include, but are not limited to:

1. Any activity that is presented as optional but has real or perceived negative consequences for nonparticipation (e.g., not participating Spirit Cup activities results in running laps).
2. Deception
3. Assigning demerits
4. Silence periods with actual or implied threats for violation
5. Deprivation of privileges granted to other members
6. Requiring new members to perform duties not assigned to other members
7. Encouraged exclusion from social contact
8. Compelling a person or group to remain at a certain place
9. Line-ups and drills/tests (sometimes includes name calling)
10. Requiring new members to refer to other members with titles (e.g. "Mr." or "Miss") while they are identified with demeaning terms
11. Expecting certain items to be in one's possession (e.g., backpacks, shields, paddles, bricks, etc.)

12. Activities that would unreasonably interfere with students' other activities or obligations (academic, extracurricular, family, religious, etc.)
13. Required uniforms, costumes, or clothing designating new member status (e.g., t-shirt with "Pledge")
14. Depriving students of sense awareness (sight, sound, etc.)

Harassment Hazing

Harassment hazing typically involves behaviors that cause emotional anguish or physical discomfort in order to make new members feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members. Some examples include, but are not limited to:

1. Verbal abuse
2. Threats or implied threats
3. Wearing or carrying apparel or items likely to subject the wearer to embarrassment, ridicule, or harm
4. Stunt or skit nights with degrading, crude, or humiliating acts, inappropriate scavenger hunts or road trips
5. Public stunts and buffoonery
6. Fake branding/cutting or psychological game playing
7. Shaving of the head or any other part of the body
8. Sleep deprivation or disruption
9. Sexual simulations or nudity in any form
10. Expecting new members to perform personal service to other members-cook, clean, etc.
11. Expecting new members to be deprived of maintaining a normal schedule of personal hygiene
12. Expecting new members to harass others
13. Degrading or humiliating games and activities

Violent Hazing

Violent hazing involves behaviors that have the potential to cause physical, and/or emotional harm. Some examples include, but are not limited to:

1. Forced, pressured, or coerced alcohol or other drug consumption
2. Beating, paddling, or other forms of assault
3. Forced or coerced ingestion of substances or concoctions
4. Burning
5. Water intoxication or other consumption challenges
6. Abuse or mistreatment of animals
7. Any activity which involves vomit or other body fluids
8. Expecting illegal activity
9. Bondage
10. Abductions/kidnaps
11. Exposure to extreme heat or cold without appropriate protection
12. Branding, tattooing, piercing

Positive New Member Activities

There are many new-member activities that are positive, educationally appropriate, and develop group unity, bonding, and a sense of belonging. Examples include, but are not limited to the following:

1. Attending pre-season or organizational training sessions
2. Engaging in community service
3. Completing a “ropes” course or other group building activities
4. Participating in a supervised group, organization or team trip
5. Competing with each other in team games, splitting the team equally between new members and returning members

Because it is not always clear to individuals which activities are unacceptable and constitute hazing, student leaders and members of student groups are required to consult with groups' advisors, coaches, or other University officials responsible for the program or activity in advance of the planned event. Activities which detract from the goal of fostering the personal and intellectual development of our students have no place at Pepperdine.

How You Can Tell If It Is Hazing

If you have to ask if it's hazing, it probably is. Here are some things to think about, and to help you determine if the activity is hazing.

1. Is this in line with your organization's mission and values?
2. Are alcohol or other drugs involved?
3. Are any state, local laws or University rules being violated?
4. Will active/current members of the group refuse to participate with the new members and do exactly what they're being asked to do?
5. Does the activity risk emotional or physical abuse?
6. Is there risk of injury or a question of safety?
7. Do you have any reservation describing the activity to your parents, to a professor, University official, or media?
8. Must new members carry specific items with them at all times?
9. Must new members remain silent for a certain time period, or are they denied contact with friends and family?
10. Would you be comfortable describing this activity to your parents? Or have details about it published in the Graphic?

Pre-Approval of New Member Activities

All new member activities must be approved in advance by the appropriate department responsible for overseeing the organization, group, or team involved. In deciding whether to approve the program, the department will consider whether the proposed activity constitutes hazing as defined above and also whether the activity is likely to produce or would be perceived

by a reasonable person as likely to be humiliating, intimidating, demeaning, or potentially endangers or puts at risk the mental health or physical safety of a student. Organizations, groups and teams may not engage in any new member activities that have not been approved by the responsible department.

Disciplinary Action

Individuals accused of hazing will be brought before the Student Disciplinary Committee pursuant to the Disciplinary Procedures set forth in the Seaver College Student Handbook. Student Organizations charged with hazing will be brought before the Student Organizations Disciplinary Board. Student organizations and members found to have engaged in hazing will be disciplined, up to and including, deactivation of the student organization and dismissal from the University of its members. University disciplinary proceedings may be instituted against a student also charged with violation of any law, including Matt's Law. See California Penal Code section 245.6. Disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

Immunity for Reporting Hazing

In an effort to encourage reporting of hazing incidents, the Office of Community Standards may grant immunity from University discipline to a person whose conduct violated the hazing policy but voluntarily:

- reports a hazing incident before being contacted by a University official concerning the incident or otherwise being included in the institution's investigation of the incident; AND
- the conduct the student engaged in did not cause physical harm to another; AND
- cooperates fully and in good faith throughout the institutional investigation and disciplinary process regarding the hazing incident.

NOTE: The grant of immunity is not automatic and will be determined by the associate dean of student affairs for community standards.

Reporting Hazing

To report hazing as it is occurring; please dial these emergency phone numbers:

On-Campus: Department of Public Safety, 310-506-4441

Off-Campus: 911

To report hazing after it has occurred; please contact any of the following numbers:

Department of Public Safety (CCB), 310-506-4700

Office of Community Standards (TAC 201), 310-506-4471

Greek Life Coordinator (HAWC 115), 310-506-6569

Anonymous reports may be made on the “LiveSafe” mobile app or on the anonymous Wave Tip line by calling voice mail at 310-506-7634 or online at:
www.pepperdine.edu/publicsafety/concern

Anti-hazing Hotline for Greek Organizations: call toll-free 1-888-NOT-HAZE (1-888-668-4293)

Last Updated: August 15, 2016

Policy Contact: [Community Standards](#)

Housing and Residence Life

Residents who live in University owned or controlled housing are subject to the Student Code of Conduct and its related policies (e.g., alcohol and other drugs, sexual misconduct), including the following Housing and Residence Life policies. These policies are subject to disciplinary action through the Office of Community Standards following the “Disciplinary Procedures” section of the Student Code of Conduct.

It is the responsibility of the resident to be familiar with all Housing and Residence Life policies, which pertain to all areas, including graduate housing. By submitting a housing contract each student accepts responsibility for knowing and adhering to the regulations of the University. Violation of these policies or failure to comply with the housing contract may result in disciplinary action and can result in the loss of housing privileges. Any resident dismissed from housing will be responsible for the housing charges for the remainder of the contractual period.

Failure to satisfy the financial obligations accrued under the housing contract may result in the following: denial of issuance of transcripts; denial of enrollment; or removal or suspension from on campus housing, all of which would be pursuant to University rules and regulations governing the imposition of these sanctions.

Accessing Unauthorized Spaces

Residents are not allowed to access unauthorized University premises, including but not limited to, building rooftops and storage or maintenance facilities. Vehicles are not allowed onto Res Road without prior approval from Housing and Residence Life or the Department of Public Safety.

Basic Human Respect

Housing and Residence Life strives to fulfill the mission of Pepperdine University by providing an atmosphere conducive to academic, social, and spiritual growth within our diverse community. One method utilized to fulfill that mission is the Basic Human Respect program (BHR) which is facilitated by the Resident Advisors within the first two weeks of the semester. This program provides a resource for residents to express feelings, mediate conflict, communicate better, and create a more tranquil living environment. The program creates a foundation for good communication between residents before a problem begins. It is expected that all residents participate in the BHR program and fill out a roommate covenant while living on campus. This includes, but is not limited to, participating in all designated BHR and Community Life Orientation Meetings (CLOMs) throughout each semester.

Commercial Use

The use of residential facilities for for any commercial purpose, commercial solicitation, or

commercial promotion, is strictly forbidden except by written authorization by Housing and Residence Life. Students may not operate, advertise, or promote a private business from his or her room or any space within the residential areas.

Decor

It is a violation to exhibit material or representations deemed to be obscene or contrary to the mission or the moral standards of the University, including, but not limited to, pornography. It is a violation to display alcohol containers or drug-related paraphernalia on University property.

Entry System

Propped door alarms are installed at the ground floor entrances of each residence hall. Residents tampering with the door latching mechanism, or vandalizing the entry system, doors and/or propped door alarms may be subject to a minimum \$100 fine per incident and disciplinary action.

Fire Alarm Evacuation

Students must evacuate immediately when a fire alarm sounds or a University official gives a directive. Failure to comply will result in disciplinary action including but not limited to: University Probation, a fine, and/or educational sanctions such as research on university fires, interviewing firefighters, and field trips to fire sites.

Fire Equipment

The fire-fighting equipment and alarm systems were installed for the protection of the residents and their property. County fire regulations make it illegal to tamper with fire equipment. Tampering with this equipment including, but not limited to: fire alarms, propped door alarms, fire extinguishers, hoses, fire sprinkler heads, smoke detectors, mechanical bells, and fuse boxes may result in a \$500 fine, immediate dismissal from the residential community, and possible criminal prosecution. Residents are not permitted to hang any items from smoke detectors or mechanical bells. Failure to comply will result in disciplinary action. Residents are not permitted to hang any items (including clothes hangers) from ceiling fire sprinklers in any residential facility. Hanging items from sprinklers could result in flooding. The resident will be held financially responsible for any water damage caused by activation of the sprinklers.

Fire Hazards

With the exception of approved appliances, the University prohibits burning open flames or incense in any living area at any time. Any acts of negligence or intent that place the community at risk of fire are prohibited. Additionally, fire hazards such as fireworks, lava lamps, halogen lamps, appliances with exposed heating elements, unapproved space heaters, and personal BBQs or other items considered unsafe in a residential environment are strictly prohibited in or around any living area. BBQs in the community area are available for student use. Residents

are not to use any part of the oven or broiler for storage purposes. The possession or use of candles (with or without wicks, burned or unburned) will result in disciplinary action including confiscation and/or other sanctions.

The use of string lights (Christmas lights) is only permitted between the Thanksgiving holiday and before students leave for winter break. Christmas lights may be displayed on a fireproof figurine (e.g., artificial Christmas tree); however lights cannot be attached to the interior of any student housing facility i.e. walls, ceilings, furniture, appliances, windows, doors or stairwell railings. Christmas lights may be displayed on the exterior of the building, but cannot be hung on any roof area or attached to any structure by the use of nails or staples. Natural cut Christmas trees may be displayed outside as long as they are at least 10 feet from any structure. All Christmas decorations, including string lights and Christmas trees must be removed from the community before winter break. Please direct any questions to the HRL Office or the Resident Director.

Light fixtures in the residential community should never be obstructed or covered by any material. Residents may not cover their walls with material that will create a fire hazard, such as cardboard or cloth. Decorations or posters may cover up to 10% of each wall. Covering public area couches and chairs with fabric and throws is prohibited.

Powered appliances, surge protectors and extension cords should not be used in violation of manufacturers' specifications (e.g., using multiple extension cords with multiple plugs in one outlet, plugging a surge protector into another surge protector). Fire hazards found in the residential community will be immediately confiscated; in most cases, items that have been confiscated will not be returned.

Guests

Rooms are to be occupied only by the residents who are assigned to that room. Guests must be registered by the hosting resident through the RA and abide by all University regulations. As a matter of respect, residents must receive permission from their room/apartment mates before making an invitation; guests (including International Program participants) may not occupy or use residential facilities for more than two consecutive nights, and no more than six nights per semester. No more than one overnight guest is allowed at a time, and the resident host must accompany overnight guests at all times. Out of consideration for others, overnight guests are prohibited during the last two weeks of the semester. The University reserves the right to refuse permission to house overnight guests. Guests are expected to abide by Federal, State and local laws. Residents are responsible for the actions of their guests and for ensuring that guests abide by University rules and regulations.

Noise

An atmosphere conducive to normal living and academic achievement is to be maintained at all times. In order to facilitate this goal, loud televisions, stereos, and excessively noisy activities

are prohibited at all times. Audio-visual equipment must be played with discretion at all hours in order to not disturb others. Playing of speakers out of the window is not permitted. Residents may be required to remove audiovisual equipment from their rooms. Designated quiet hours that are maintained during all academic periods are 10 p.m. to 10 a.m. These hours are extended to 24 hours per day during final exam periods. Residents are fined for a single disruptive noise incident or for repeated disregard for the quiet hours policy. Repeat offenders will be fined a minimum of \$25 for each occurrence and face disciplinary sanctions up to and including the loss of housing privileges.

Pets

Students and guests are not permitted to have pets in the residence halls or apartments. Emotional support animals may be allowed in on-campus student residences when registered with and approved by the Office of Student Accessibility. Service animals should be registered with the Office of Student Accessibility. See the Animals policy for additional information about pets, emotional support animals, and service animals.

Resident Responsibility

All residents are jointly responsible for the protection of the living area, its furnishings, and its equipment. When the University cannot identify the person(s) responsible for damages, residents will share in the payment for those damages, including charges for labor and materials. Charges for damages will be assessed as they occur throughout the semester and will appear on the student's financial account (minimum \$5 charge). Disciplinary action will be taken when appropriate.

Search

The University reserves the right to search a student's room and/or possessions if: (1) there is reasonable suspicion of a violation of a law or University rule or regulation; or (2) there is reasonable belief that such a search is necessary to protect and preserve the health and safety of persons or property. Any materials found may be used in a disciplinary hearing, a court of law, or both. Upon determination of a reasonable need, the search may be conducted by HRL staff (including the RA), Department of Public Safety, or other authorized University official. In most cases items that have been confiscated will not be returned to the resident. Additionally, under certain circumstances, vehicles on campus may be accessed and the contents inventoried. These circumstances include but are not limited to: vehicle impound or relocation; retrieval of University property; vehicles containing a lost, stolen, fraudulent, or altered permit; using another person's permit; or vehicle is involved in suspicious or criminal activity.

Solicitation

To ensure the safety and privacy of all residents, solicitors, including Pepperdine student solicitors, are not permitted to post flyers, to canvass, or market any product in the residential

area without prior approval from HRL. Resident Advisors will post only those advertisements approved by HRL. Residents are encouraged to contact the RA, HRL, or DPS if a solicitor is in the community.

Visitation

The visitation of members of the opposite sex within the residential community is restricted to specific hours in designated areas. The policies are strictly enforced and violations will be subject to disciplinary action. The purposes of the visitation hours are to ensure the security and privacy of all students and to maintain an atmosphere conducive to academic achievement.

Visitation in residence halls (including bedrooms, suites, laundry rooms, hallways, stairways) is allowed between the hours of 10 a.m. and 1 a.m. Visitation is allowed in the main lobbies of the freshmen suite-style halls between the hours of 7 a.m. and 2 a.m., and public restrooms may be used during this time.

All apartment buildings have 24 hour lobbies and hallways, but visitation inside the apartments is only allowed between the hours of 10 a.m. and 1 a.m. During final exam periods, the visitation hours in all lobbies are extended to 24 hours. Residential visiting hours are in effect seven days per week. There are no circumstances which merit exception.

When there are members of the opposite sex present after visitation hours, it is considered a violation for all individuals present, whether or not the guest was invited or hosted by one student.

Out of respect for fellow students, residents or guests are not permitted at any time to use the shower facilities in the bathrooms assigned to residents of the opposite sex (e.g., a male resident may not use the shower in the bathroom of a female resident). Students or guests are not allowed to sleep overnight in the 24-hour common areas.

Last Updated: July 24, 2018

Policy Contact: [Community Standards](#) and [Housing and Residence Life](#)

Hoverboard

Pepperdine University prohibits the unauthorized use, storage, or charging of any hoverboard-style device on any university campus or in any university facility due to fire safety concerns. Violations of this policy may result in disciplinary action.

Last Updated: July 19, 2018

Policy Contact: [Department of Public Safety](#)

The Law Student's Relationship to the Profession

Students at Pepperdine University School of Law are treated as members of the legal profession to which they aspire, and are expected to conduct themselves accordingly.

The American Bar Association's Code of Professional Responsibility provides: "A lawyer should maintain high standards of professional conduct and should encourage fellow lawyers to do likewise. He should be temperate and dignified, and shall refrain from all illegal and morally reprehensible conduct. Because of his position in society, even minor violations of law by a lawyer may tend to lessen public confidence in the legal profession. Obedience to law exemplifies respect for law. To lawyers especially, respect for the law should be more than a platitude."

A similar moral responsibility rests upon the Pepperdine law student in every aspect of law school life. The Academic Honor Code, administered by elected student representatives, is a central part of the culture of the law school. The theme of the honor system is that the integrity of the lawyer is the basis of our legal system. The Student Code of Conduct governs non-academic behavior.

Last Updated: July 24, 2018

Policy Contact: [School of Law](#)

Pregnancy

A pregnancy is a major life transition, often accompanied by a variety of emotions and critical decisions to be made. At Pepperdine, we are strongly committed to being a caring support system when any student becomes pregnant. Our goal is to provide resources, support, and assistance for the student to continue her studies. Although Pepperdine does not support an unmarried student's choice to engage in sexual relationships, we do support any pregnant student throughout the process. *We will not pursue disciplinary action regarding the matter.* If a student becomes pregnant while enrolled at Pepperdine, highly confidential and caring assistance is available through the Health and Counseling Centers, as well as other offices. Students are encouraged to contact the following individuals who are ready to provide confidential support and assistance:

La Shonda Coleman, Title IX Coordinator for Students	(310) 506-4436
Rebecca Roddan, Interim Director, Health Center	(310) 506-4317
Nivla Fitzpatrick, Director, Counseling Center	(310) 506-4210

The following individuals and organizations are among those available to provide further support and assistance:

On-campus Resources:

Sara Barton, University Chaplain	(310) 506-4275
Connie Horton, Vice President for Student Affairs	(310) 506-6475
Stacy Rothberg, Associate Dean of Student Affairs	(310) 506-4472
Andrea Harris, Senior Director, Student Administrative Services (Academics)	(310) 506-6148
Kristy Collins, Dean of Enrollment Management and Admission (Financial Aid)	(310) 506-4116

Off-campus Resources:

Conejo Valley Women's Resource Center (Thousand Oaks)	(805) 373-1222
Westside Pregnancy Clinic (Santa Monica)	(310) 820-2560
Ventura County Crisis Pregnancy Center	(805) 648-3301
Los Angeles Pregnancy Services	(213) 382-5643

For more information and links to other resources, please see Pepperdine's Health and Counseling Center Web pages.

Last Updated: July 24, 2018

Policy Contact: [Title IX Coordinator for Students](#)

Reporting Obligations

All students of the School of Law owe a continuing duty to report in writing to the Dean of Students any conviction, guilty plea or plea of nolo contendere (no contest to the charge), except for a minor traffic violation. The report must be made within 14 days of the conviction or plea. The university reserves the right to dismiss a student, after reasonable notice and an opportunity to be heard, who has been convicted or pled guilty or nolo contendere to an offense other than a minor traffic violation, or who fails to notify the School of Law of a conviction or plea as described above.

Last Updated: July 24, 2018

Policy Contact: [School of Law](#)

Sexual Misconduct Policy

I. Introduction

Pepperdine University affirms that all members of our community are created in the image of God and therefore should be treated with dignity and respect. Our University code of ethics states that we do not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law. Further, we respect the inherent worth of each member of the community and do not engage in any forms of harassment. We follow the profound truth found in the Golden Rule, “In everything do to others as you would have them do to you” (Matthew 7:12).

II. Policy

Because of our commitment to honoring the dignity and respect of every individual, sexual misconduct (and any related retaliation), as defined below, is prohibited and will result in disciplinary action, up to and including dismissal from the University. This policy applies to all University students, including any matriculated undergraduate or graduate student who is enrolled in course work; has completed the immediately preceding term, is not presently enrolled, and is eligible for re-enrollment; or is on an approved educational leave or other approved leave status. This includes the period before classes begin, while the student is attending classes, between academic sessions or on leave. This policy applies even if the student withdraws from school while a disciplinary matter is pending. This policy applies to student conduct that occurs both on and off campus.

Speech that constitutes a protected exercise of a student’s rights under California’s Leonard Law will not be deemed a violation of this policy. However, some speech that may be protected by the Leonard Law is nonetheless inconsistent with the Golden Rule, and students are encouraged to live by this higher standard rooted in our Christian faith and heritage.

The University encourages students to immediately bring any concerning behavior to the University’s attention even if such behavior does not constitute sexual misconduct or retaliation as defined below.

III. Definitions

Complainant

Complainant refers to an individual who is reported to have experienced prohibited conduct, regardless of whether the individual makes a report or seeks disciplinary action. Pepperdine uses the term complainant to provide consistency with the Office for Civil Rights and many peer institutions. Some schools refer to a complainant using other terms such as victim, survivor, or reporting party.

Respondent

Respondent refers to an individual who has been accused of prohibited conduct. Pepperdine uses the term respondent to provide consistency with the Office for Civil Rights and many peer institutions. Some schools refer to a respondent using other terms such as accused, alleged perpetrator, or responding party.

Third Party

Third party refers to an individual who is not a University student, faculty member, or staff member (e.g., vendors, alumni/ae, or visitors).

Witness

Witness refers to an individual who may have information relevant to a report of prohibited conduct. A witness may be a student, an employee, or a third party.

Sexual Misconduct

Sexual misconduct includes sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex.

Sex Discrimination

Unlawful sex discrimination occurs when an individual is treated less favorably with respect to the administration of the University's educational programs and activities, including, but not limited to, admissions, financial aid, or on-campus housing, based upon that individual's sex.

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the University's educational programs and activities or their living environment. Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. This definition will be interpreted and applied in a manner consistent with the accepted standards of mature behavior, academic freedom, and the mission of the University.

Examples of sexual harassment include, but are not limited to:

1. A student repeatedly contacts another student to go out on a date after the student has made it clear that such contact is unwelcome.
2. A male professor makes several comments to a female student suggesting that if they have a sexual relationship he will give her a better grade in his class.
3. A lesbian student is called a "dyke" by a male classmate, who also makes sexually explicit remarks.

4. A male staff assistant in a biology lab repeatedly makes disparaging comments about women such as “science is a man’s field” and “women don’t have the capacity to understand.”
5. A student worker tells her supervisor that she is not comfortable with him massaging her shoulders, but he continues to do so and also makes comments about her attractiveness.

Sexual Assault

Sexual assault is a general term that covers a broad range of inappropriate and/or unlawful conduct, including rape, sexual battery, and sexual coercion. As defined under California law, rape is nonconsensual sexual intercourse that involves the use or threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Other examples of sexual assault include the following nonconsensual acts: oral copulation, anal intercourse, and penetration of the anal or vaginal area with a foreign object, including a finger. Sexual battery includes the nonconsensual touching of a person’s intimate parts, or the clothing covering the immediate area of those parts, or forcing a person to touch another’s intimate parts. Sexual coercion is the act of using pressure (including physical, verbal, or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone’s will or with someone who has already refused.

Consent

Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In evaluating whether consent has been freely sought and given, the University will consider the presence of any force, threat of force, or coercion; whether the complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act. Consent cannot be obtained through physical force or where there is a reasonable belief of the threat of physical force, when one person overcomes the physical limitations of another person, or by taking advantage of another person’s incapacitation.

An individual is also unable to provide consent to engage in sexual activity when the individual: 1) is a minor (age 17 or under); 2) has a mental disorder or developmental or physical disability that renders her or him incapable of giving knowing consent; 3) is asleep or unconscious; or 4)

is incapacitated from alcohol or other drugs, and this condition was known, or reasonably should have been known or recognized by the accused.

Incapacitation

Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if they demonstrate that they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

Some of the factors used to determine incapacitation include:

- Stumbling or otherwise exhibited loss of equilibrium
- Bloodshot, glassy or unfocused eyes
- Slurred speech or word confusion
- Vomiting, especially repeatedly
- Outrageous or unusual behavior
- Being disoriented, or confused as to time, place, etc.
- Loss of consciousness

None of these factors, except for the last, may constitute—in and of themselves—incapacitation. But, the process of finding someone responsible for a violation of the policy related to incapacity involves careful examination of all evidence, amounting to a sufficient or insufficient meeting of the preponderance of the evidence standard. This standard may be met with some combination of factors.

Some counter-indicators of incapacity may include:

- Stops to do things to prepare for sexual activity
- Stops to use or request birth control
- Brushes teeth after vomiting
- Goes to restroom
- Carefully removes clothes
- Carries on relatively normal conversations
- Motor abilities are not impaired

The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level

or extent of one's own or the other individual's intoxication or incapacitation, the safest course of action is to forgo or cease any sexual contact. A respondent's voluntary intoxication is never an excuse for or a defense to prohibited conduct, and it does not diminish the responsibility to determine that the other person has given consent.

In evaluating consent in cases of reported incapacitation due to alcohol or other drugs, the University considers all of the above factors in determining two issues:

1. Is there a preponderance of evidence that the complainant was incapacitated?
2. Did the respondent know that the complainant was incapacitated? And if not, should a sober, reasonable person in a similar set of circumstances as the respondent have known that the complainant was incapacitated?

If the answer to both of these questions is "yes," there was no consent; and the conduct is a violation of this policy.

Domestic Violence

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, 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 California.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition: 1) dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse and 2) dating violence does not include acts covered under the definition of domestic violence.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: 1) fear for his or her safety or the safety of others; or 2) suffer substantial emotional distress. For the purposes of this definition: 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) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling, and 3) Reasonable

person means a reasonable person under similar circumstances and with similar identities to the victim.

Retaliation

Retaliation is any form of sanction or adverse treatment against a person because that person has asserted a good faith complaint of sexual misconduct, or assists in providing information regarding a complaint of sexual misconduct. Retaliation may consist of intentional disparagement, harassment, negative remarks, or other treatment that creates a hostile environment. Retaliation may be committed by the respondent, the complainant, or any other individual or group of individuals.

IV. Immediate Steps to Take if You are Subject to Sexual Assault or Other Forms of Violence or Threatening Behavior

- Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger and you are on the Malibu campus, call Public Safety at 310-506-4441. If you are off-campus, call 911. If you are located at one of Pepperdine's graduate, DC, or international campuses, contact your program director or local law enforcement to obtain information regarding local counseling, medical and legal resources available to you.
- Consider securing immediate professional support to assist you in the crisis. You can consider on- or off-campus options. During office hours, you may access the Pepperdine Counseling Center 310-506-4210, the Pepperdine Health Center 310-506-4316, the Santa Monica Rape Treatment Center 310-319-4000, or the Sojourn Services (domestic and dating violence) at 310-264-6644.
- After hours, if you live on-campus, your resident advisor, student life advisor, resident director, or Public Safety, 310-506-4441, can typically help you reach a confidential Pepperdine University counselor.
- After hours, if you live off-campus or live on-campus but prefer to use off-campus options, call the Santa Monica Rape Treatment Center's 24-hour hotline: 310-319-4000. When contacting SMRTC, please let them know if you are in need of transportation to and from the center, as free options are available. Students may also contact Sojourn Services at 310-264-6644.
- In cases of sexual assault, for your safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Further, being examined as soon as possible, ideally within 72 hours, is important for evidence collection, which may be used to support prosecution should you decide immediately or later to pursue criminal charges. The Santa Monica Rape Treatment Center will arrange for a specific medical examination at no charge. To preserve evidence, it is best that you do not bathe, shower, douche, or change clothes before that exam. Even if you have already bathed, you are still encouraged to have prompt medical care. Additionally, you are encouraged to gather bedding, linens, or unlaundered clothing and any other pertinent articles that may be used for evidence.

- Even after the immediate crisis has passed, consider seeking support from the Pepperdine Counseling Center, the Santa Monica Rape Treatment Center, or Sojourn Services.
- Contact the Title IX coordinator for students (see contact information below) if you need assistance with University-related concerns, including academic issues (e.g., missed classes or exams; requesting extensions regarding coursework) or on-campus housing issues (e.g., requesting that the student who you believe assaulted you be moved or that you be moved to a different residence hall).
- Consider your reporting options (see section VI below).
- Report to Public Safety or the Title IX Coordinator for Students any concerns about retaliation against you or your friends.

V. Seeking Confidential Support

Students who have been victimized are urged to seek confidential support from the counselors at the Pepperdine Counseling Center located at TCC 270 (310-506-4210) or the University chaplain, Sara Barton, or associate chaplain, Eric Wilson, at TCC 106 (310-506-4275). These settings allow students to receive emotional/spiritual support and think through their next steps, including reporting options, confidentially. There are rare exceptions to confidentiality in cases of court subpoena, child or elder abuse, or if there are serious threats of suicide or harm to others.

VI. Title IX Coordinator for Students

The Title IX coordinator for students monitors the University's overall compliance with Title IX in all matters related to students, ensures appropriate training and education, and oversees the University's investigation, response, and resolution of reports made under this policy. Upon receiving reports of sexual misconduct, the Title IX coordinator for students ensures that appropriate action is taken to eliminate that conduct, prevent its recurrence, and remedy its effects. The Title IX coordinator for students is available to advise all individuals—including individuals who have experienced misconduct, individuals who are alleged to be responsible for misconduct, and third parties.

VII. Reporting Sexual Misconduct

The University encourages all students to report incidents of sexual misconduct or suspected sexual misconduct, whether they are complainants or witnesses or bystanders. Reporting protects complainants, promotes a healthy and safe campus culture, and holds respondents accountable. Although a student has the right not to report sexual misconduct, many individuals subjected to sexual misconduct have shared that filing a report with the University, local law enforcement, and/or a community resource center is the beginning of the process by which they regain control over their lives. Though the reporting and disciplinary processes can be difficult, they are often worth the effort because individuals feel empowered by bringing the respondent to justice. Reporting sexual misconduct may also help to establish precedents that will aid

others in the future or prevent others from being subjected to sexual misconduct by the same respondent.

Students subjected to sexual misconduct have several reporting options. At the University, students can anonymously report, confidentially report, or file a formal report of sexual misconduct, as explained below. Outside the University, students can report sexual misconduct to community resource centers that specialize in providing resources to victims of sexual misconduct, file a criminal charge with local law enforcement, or file civil litigation against the respondent. Some students will choose to pursue criminal charges (i.e., through the police and criminal courts). Others will choose to pursue University disciplinary options, if the respondent is a Pepperdine student. Civil litigation is another option that some choose. Some will choose a combination of the above options, and some will choose none.

Under California law, the University is required to immediately, or as soon as practicably possible, disclose to local law enforcement, any report of sexual assault, whether committed on-or-off campus. If the student communicates to the University that he or she would like his or her identity withheld, the University will not disclose the student's or the respondent's identity in its report to law enforcement.

Reporting Within the University

Note: If there is any immediate danger and you are on the Malibu campus, call Public Safety at 310-506-4441. If you are off-campus, call 911. If you are located at one of Pepperdine's graduate, DC, or international campuses, contact your program director or local law enforcement to obtain information regarding local counseling, medical and legal resources available to you.

Formal Report

Anyone may formally report a complaint of sexual misconduct or retaliation related to sexual misconduct to the University by contacting:

La Shonda Coleman
Title IX Coordinator for Students
Student Care Team Chair
Associate Dean of Student Affairs
Pepperdine University
24255 Pacific Coast Highway
Tyler Campus Center Suite 210
Malibu, CA 90263
310-506-4436
lashonda.coleman@pepperdine.edu

or

Lauren Cosentino
University Title IX Coordinator
Chief Human Resources Officer &
Associate Vice President, Campus Operations
Pepperdine University
24255 Pacific Coast Highway
Thornton Administrative Center
Malibu, CA 90263
310-506-4397
lauren.cosentino@pepperdine.edu

A student reporting sexual misconduct may do so verbally or in a written report. If a written report is submitted, it should contain a brief written statement citing the type(s) of sexual misconduct that occurred (see definitions section above) and supporting facts (e.g., respondent name, what happened, when and where the incident occurred, witness(es), etc.). The scope of any investigation, and who will conduct the investigation, shall be in the sole discretion of the University's Title IX coordinator or the Title IX coordinator for students. The investigation may include, but is not limited to, meeting with the parties, talking with witnesses, and reviewing any supporting documents.

Formal reports and any related investigative materials concerning a Pepperdine student respondent will be submitted to the associate dean of students as discussed in section XI below to determine if an administrative or student disciplinary committee hearing will be convened. Formal reports and any related investigative materials concerning Pepperdine faculty, staff, or third parties (e.g., vendors, alumni/ae, or visitors) will be submitted to the grievance officer as discussed in section XII below. The University reserves the right to investigate, take disciplinary action, and/or report sexual misconduct to local law enforcement regardless of how much time has passed since it occurred and even if the sexual misconduct is reported after the student graduates or employee leaves the University.

Anonymous Report

Any individual may make an anonymous report concerning an act of sexual misconduct. An individual may report the incident without disclosing names, identifying the respondent, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the University's ability to respond to an anonymous report may be limited. Anonymous reports may be made on the anonymous Wave Tip line by calling voice mail at 310-506-7634 or on the LiveSafe app. Public Safety will receive these reports and share them with the Title IX coordinator for students who will determine appropriate steps.

Confidential Reporting

If a student discloses sexual misconduct to an employee (other than the University chaplain or Counseling Center staff), but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Pepperdine must weigh that request against the obligation to provide a safe, non-discriminatory environment for all students, including the student reporting the incident. If Pepperdine honors the request for confidentiality, the complainant must understand that Pepperdine's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited.

Although rare, there are times when Pepperdine may not be able to honor a complainant's request for confidentiality in order to provide a safe, non-discriminatory environment for all students. Pepperdine has designated the Title IX coordinator for students to evaluate requests for confidentiality once a student or an employee is on notice of alleged sexual misconduct. When weighing a student's request for confidentiality or that no investigation or discipline be pursued, the Title IX coordinator for students will consider a range of factors, including the following:

- whether there have been other sexual misconduct complaints about the same respondent;
- whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the respondent threatened further sexual misconduct or other violence against the student or others;
- whether the sexual misconduct was committed by multiple respondents;
- whether the sexual misconduct was perpetrated with a weapon;
- whether the complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Pepperdine to investigate and, if appropriate, pursue disciplinary action. If none of these factors are present, Pepperdine will likely respect the complainant's request for confidentiality.

If Pepperdine determines that it cannot maintain a student's confidentiality, Pepperdine will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling Pepperdine's investigation and response. Pepperdine will remain mindful of the student's well-being, and will take ongoing steps to protect the student from retaliation or harm and work with the student to create a safety plan. Retaliation against the complainant, whether by other students or Pepperdine employees, will not be tolerated.

Pepperdine will also:

- Assist the student in accessing other available academic support, counseling, disability, health or mental health services, and advocacy or legal assistance both on and off campus;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the student of the right to report a crime to campus or local law enforcement—and provide the student with assistance if the student wishes to do so.

Pepperdine will not require a complainant to participate in any investigation or disciplinary proceeding.

Because Pepperdine is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of sexual misconduct (including anonymous reports) will also prompt Pepperdine to consider broader remedial action—such as increased monitoring, supervision or security at locations where the reported sexual misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments; and/or revisiting its policies and practices.

If Pepperdine determines that it can respect a complainant’s request for confidentiality, Pepperdine will also take immediate action as necessary to protect and assist the student.

Responsible Employees

With the exception of University employees designated as confidential resources (see “Confidential Reporting” above), all other University employees, including faculty and staff, are required to report immediately any information they know about suspected prohibited conduct or potential violations of this policy. These individuals are referred to as Responsible Employees. Student workers who have supervisory responsibility or responsibility for the welfare of other students are also considered Responsible Employees when they learn of potential violations of this policy in the scope of their employment.

Responsible Employees must report all known information, including the identities of the parties, the date, time and location, and any details about the reported incident to the Title IX coordinator for students. The Title IX coordinator for students will share all reports with Pepperdine’s Department of Public Safety to ensure a coordinated institutional response. Responsible Employees may provide support and assistance to a complainant, witness, or respondent; but they cannot promise confidentiality or withhold information about prohibited conduct. Failure by a Responsible Employee to report

suspected prohibited conduct in a timely manner may subject them to appropriate discipline, including removal from a position or termination of employment.

Responsible Employees are not required to report information disclosed: (1) at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak-outs,” or other public forums in which students may disclose prohibited conduct (collectively, public awareness events); or (2) during an individual’s participation as a subject in an Institutional Review Board-approved human subjects research protocol (IRB Research). The University may provide information about Title IX rights and about available University and community resources and support at public awareness events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all subjects of IRB Research.

A complainant may choose not to make a complaint or report in their own case, even if the complainant would otherwise have reporting obligations by virtue of being a faculty member, staff member, or student worker.

Reporting Options Outside the University

Community Resource Centers

- The Santa Monica Rape Treatment Center
Santa Monica-UCLA Medical Center
1250 Sixteenth Street
Santa Monica, California 90404
310-319-4000
<http://www.therapefoundation.org>
Provides professional support, including counseling, medical and advocacy services, to victims of sexual assault.
- The Sojourn Services
1453 16th St, Santa Monica, CA 90404
310-264-6644
<https://www.opcc.net/?nd=sojourn>
Provides professional support, including counseling, medical and advocacy services, to victims of domestic and dating violence. Sojourn also operates a crisis shelter.

Local Law Enforcement

- Malibu/Lost Hills Sheriff Station
27050 Agoura Rd, Agoura Hills, CA 91301
(818) 878-1808 or 911 for emergency
<http://shq.lasdnews.net/pages/patrolstation.aspx?id=LHS>
For help in reporting the sexual misconduct to local law enforcement, call the Department of Public Safety (506-4700). It is important to understand

that reporting sexual misconduct does not obligate the reporting party to press criminal charges.

Civil Court

- Santa Monica Municipal Court
1725 Main St #102, Santa Monica, CA 90401
310-260-3522
<http://www.lacourt.org/courthouse/info/SM>
For help filing a civil lawsuit, please contact the Santa Monica Municipal Court.

Resources for Students Located Out of State or Abroad

Students participating in a program located out of state or abroad should consult with their program director for confidential reporting options, available community resources, and law enforcement contact information in their location. The Title IX coordinator for students welcomes reports from all students, regardless of where they are located.

Immunity

In order to encourage complainants and witnesses to make reports of conduct prohibited under this policy, the University will not pursue disciplinary action against a student enrolled at the University who makes a report to the University as a complainant or a witness to an incident of prohibited sexual misconduct (including sexual harassment, sexual assault, domestic violence, dating violence, and stalking) for a violation by the student of the University's Student Code of Conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the investigation. This includes immunity for disclosure of personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the Student Code of Conduct. Even when immunity is extended, the University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

VIII. Role of Advisors

Involved parties may be assisted at pre-hearing and hearing meetings by an advisor of their choice. The advisor cannot speak for the involved parties. The role of the advisor is to accompany the involved parties and advise them privately during the pre-hearing and hearing process.

IX. Interim Measures

Upon receipt of a report of sexual misconduct, the University may impose reasonable and appropriate interim measures designed to eliminate the reported hostile environment or alleged violation and protect the parties involved. The University will maintain consistent contact with the parties to ensure that all safety and emotional and physical well-being concerns are being

addressed. Interim measures may be imposed regardless of whether a confidential or formal complaint has been filed.

The complainant or respondent may request separation or other protection, or the University may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader University community, and/or the integrity of the investigative and/or disciplinary process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The University will take immediate and responsive action to enforce a previously implemented measure.

Available Interim Measures

The Title IX coordinator for students or designee, at his or her discretion, may implement interim measures with potential remedies which may be applied to the complainant and/or the respondent including:

- Access to counseling services and assistance in setting up an initial appointment, on and off campus;
- Imposition of an on-campus “no-contact directive”;
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- Changing class schedules, including the ability to transfer course sections or withdrawal from a course without penalty;
- Changing work schedules or job assignments;
- Changing a student’s University-owned housing;
- Assistance from University support staff in completing University housing relocation;
- Limiting an individual’s or organization’s access to certain University facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring; and/or
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Interim University or Housing Restriction

The vice president for student affairs or the University’s dean of students or designee may impose an interim University-wide restriction or University housing restriction on a student respondent prior to an administrative hearing or student disciplinary committee hearing. Such measures may be imposed: 1) to ensure the safety and well-being of members of the University community or preservation of University property; or 2) if the respondent poses a definite threat of disruption of, or interference with, the normal operations of the University. During the interim restriction, the student may be denied access to the residence halls and/or to the campus

(including classes). The interim restriction does not replace the regular disciplinary process, which will proceed on the normal schedule, up to and through an appeal, if required.

X. Alternative Resolution

Alternative Resolution is a voluntary process for timely and corrective action through the imposition of individual and/or community-focused remedies designed to maintain the complainant's access to the educational, extracurricular, and employment activities at the University and to eliminate a potential hostile environment. The option to pursue Alternative Resolution will be presented to the parties only after the University has sufficient information about the nature and scope of the conduct at issue.

Any party may terminate the Alternative Resolution process at any time. If the process is terminated for any reason, the matter will be resolved pursuant to the formal reporting process outlined in this policy. Furthermore, depending on the form of Alternative Resolution agreed upon by the parties, it may be possible for a complainant to maintain anonymity. Alternative Resolution, even if voluntary, will not be used in severe cases, such as those cases involving sexual assault or violence.

The Alternative Resolution process may include targeted or broad-based educational programming or training, mediation through supported direct conversation or interaction with the respondent, and/or indirect action by the Title IX coordinator for students. The University will not compel a complainant to engage in mediation, to confront the respondent directly, or to participate in any particular form of Alternative Resolution. The parties are encouraged, although not required, to consult with their advisors and any support persons during the entire Alternative Resolution process.

The Title IX coordinator for students will maintain records of all reports and conduct referred for Alternative Resolution, which will typically be complete within 90 days of the initial report.

XI. Student Sexual Misconduct Discipline

Authority and Responsibility for Student Sexual Misconduct Discipline

The associate dean of students for community standards ("associate dean") is responsible for the overall coordination of rules and regulations regarding the adjudication of violations of the Sexual Misconduct Policy by students.

The associate dean (or designee) reviews formal reports, as well as confidential reports if the Title IX coordinator for students has determined that a confidentiality request cannot be honored, and any related investigative materials. The associate dean may conduct further investigation of the report if he or she deems necessary. The scope of any investigation shall be in the sole discretion of the associate dean. The investigation may include, but is not limited to, meeting with the parties, talking with witnesses, and reviewing any supporting documents.

If the associate dean considers the report and investigative materials to indicate a probable violation of the Sexual Misconduct Policy, the matter will be heard through either an administrative hearing or a hearing with the student disciplinary committee. During such hearings, the reporting party will be referred to as the “complainant” and the accused party as the “respondent.” The University’s dean of students serves as the final appeal for disciplinary decisions in sexual misconduct cases.

The University’s actions are not dependent on the initiation or outcome of criminal charges. Disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

Administrative Hearings

In some sexual misconduct cases, the associate dean or designee meets individually with those involved rather than submitting the case for a hearing before the Student Disciplinary Committee. This is most often true when the violation is of a less serious nature and discipline would not result in suspension or dismissal. If an administrative hearing is to take place, the involved parties will receive a written notice prior to the hearing date that will include a description of the behavior that allegedly violates the Sexual Misconduct Policy, the investigative materials, and any other information the associate dean deems necessary to provide to the parties. The notice and related materials will be sent to the involved students’ pepperdine.edu email accounts. The notice will also include the date and time of the administrative hearing.

The administrative hearing officer (normally the associate dean) will meet with the complainant first to discuss the incident. After the meeting with the complainant, the administrative hearing officer will meet with the respondent to discuss the incident. The meeting will be followed by an email from the administrative hearing officer summarizing the discussions and imposing a sanction if a violation of the Sexual Misconduct Policy is found.

Sanctions imposed as a result of an administrative hearing cannot be appealed. Student Disciplinary Committee sanctions may be appealed; therefore, parties who are requested to attend an administrative hearing may request instead to have the matter heard by the Student Disciplinary Committee if they would like to reserve their right to an appeal. This request may be made by either the complainant or respondent.

Student Disciplinary Committee Hearings

If, after reviewing a sexual misconduct report and related investigative materials, the associate dean believes that there is a probable violation of the Sexual Misconduct Policy and the resulting sanction could result in a suspension or dismissal from the University, the matter will be submitted for hearing by the Student Disciplinary Committee. The committee will include a minimum of three faculty and/or staff members, with a mix of both male and female members. The associate dean will chair the committee but is not a voting member unless there is a tie vote.

Prior to the committee hearing, the involved parties will receive a written notice prior to the hearing date that will include a description of the behavior that allegedly violates the Sexual Misconduct Policy, the investigative materials, and any other information the associate dean deems necessary to provide to the involved parties. The notice and related materials will be sent to the involved students' pepperdine.edu email accounts.

The notice will also include the date and time of the hearing, not less than five (5) or more than fifteen (15) calendar days after the date of the written notice to the involved parties. Maximum time limits for scheduling hearings may be extended at the discretion of the associate dean.

Other than as outlined below, hearings need not adhere to formal rules of procedure or technical rules of evidence followed by courts of law. Hearings will be conducted according to the following guidelines:

1. All procedural questions are subject to the final decision of the associate dean.
2. The hearing will normally be conducted in private via video conferencing. Admission of any person to the hearing will be at the discretion of the associate dean. The associate dean may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, respondent, and/or other witness during the hearing (if conducted in-person) by providing separate facilities, and/or by permitting participation by telephone, written statement, or other means, as deemed appropriate by the associate dean.
3. Involved parties may be assisted at hearings and pre-hearing meetings by an advisor of their choice. The advisor cannot speak for the involved parties. The role of the advisor is to accompany the involved parties and advise them privately during the pre-hearing and hearing process.
4. Hearings will be chaired by the associate dean or designee, and will proceed in the following manner:
 - Reading of the alleged violation(s).
 - The respondent's denial or admission of the alleged violations(s). (If the respondent admits to the alleged violation(s), then the committee may dismiss the respondent and deliberate on the appropriate sanctions).
 - Presentation of information and/or witnesses supporting the alleged violation(s) and questions by the committee; and, when necessary and appropriate, cross-examination of the complainant and/or relevant witnesses.

- Presentation of information and/or witnesses that rebuts the alleged violation(s) and questions by the committee; and, when necessary and appropriate, cross-examination of the respondent and/or relevant witnesses.
 - Each involved party has the option of presenting a closing statement to the committee.
5. The associate dean will call witnesses who have relevant testimony about the alleged violations. The involved parties will receive a list of these witnesses at least 72 hours before the hearing. At the hearing, the involved parties may indirectly cross-examine the witnesses by submitting written questions. Initial questions should be submitted to the associate dean at least 48 hours before the hearing. During the hearing, additional follow-up questions may be submitted in writing to the committee (as set forth more fully in paragraph 7, below). The University will make reasonable efforts to make available these witnesses at the hearing; however, written statements may be used if a witness is unable to attend.
 6. Involved parties may also call witnesses to appear in person at the hearing, or to submit a written statement. If parties wish to call witnesses, they must submit a list of intended witnesses and purposes of their statements (or full written statements if witnesses will not appear in person) to the associate dean at least 48 hours in advance of the hearing. Names of witnesses provided by the complainant/respondent and allowed by the associate dean to appear at the hearing will be shared with the other party at least 24 hours prior to the hearing. When the credibility of a witness is relevant, the associate dean may require that witness to attend the hearing in person rather than submit a written statement. It is the responsibility of the party who calls the witness to request and confirm the witness' participation in the hearing. If the witness attends the hearing, the committee may ask him or her questions and the other party may indirectly cross-examine the witness by submitting written questions to the committee. Witnesses may only be present while giving testimony. The associate dean reserves the right to limit witnesses to those who have relevant testimony about the alleged violations. Character witnesses are not allowed.
 7. Both parties may indirectly cross-examine each other about the events giving rise to the complaint. Under no circumstances, however, will a party be compelled to answer questions under cross-examination that may lead to criminal prosecution. At the conclusion of each party's or witness's testimony before the committee, there will be a break in the hearing so that the parties may propose questions in writing to the committee. All cross-examination must exclude evidence of the complainant's sexual behavior or predisposition, unless such evidence about the complainant's sexual behavior is offered (1) to prove that someone other than the respondent committed the conduct alleged by the complainant, or (2) if the evidence concerns specific incidents of the complainant's sexual behavior with respect to the respondent and is offered to prove consent, or (3) to establish complainant's motivation for filing the complaint. The

committee has the discretion to determine which questions are appropriate and relevant to the proceedings. The committee chair will explain to the parties any decision to exclude proposed questions.

8. Pertinent records, exhibits and written statements may be accepted as information for consideration by the committee at the discretion of the associate dean. This information must be submitted to the associate dean at least 48 hours before the hearing. The committee may or may not consider any documents received after the 48-hour deadline subject to the discretion of the associate dean. Involved parties will receive a copy of all relevant materials submitted.
9. If, during the course of the hearing, additional policy violations are discovered, the respondent will be notified of the new alleged violation(s) and will be granted additional time, if needed, to prepare a defense of the new alleged violation(s). The respondent may waive the additional time and the hearing can proceed with the new alleged violation(s) taken under consideration by the committee. A record will be made in the hearing notes of additional alleged violation(s) and whether or not the respondent desires additional preparation time.
10. Information about the misconduct of other students shared at the hearing may be used as the basis for disciplinary action unless immunity pursuant to the Good Samaritan policy has been granted to the reporting party.
11. The committee's determination will be made on the basis of the preponderance of the evidence standard (whether it is more likely than not that the respondent violated the Sexual Misconduct Policy).
12. After the hearing, the committee will determine by majority vote whether the respondent has violated the Sexual Misconduct Policy.
13. If the respondent is found to have violated the Sexual Misconduct Policy, the committee will then make a recommendation to the associate dean on the appropriate sanction(s).
14. The associate dean will notify the involved parties in writing regarding the decision and sanctions (if issued) to the pepperdine.edu e-mail accounts. There will be a single written record of the hearing, which normally consists of the statement of alleged misconduct, a summary of the information presented in the hearing, a summary of the statement of the involved parties, statement of the decision, and the sanctions issued, if any. The hearing will not be transcribed or otherwise recorded.
15. If either of the involved parties fails to appear at the hearing or participate, the committee may make a decision based on the available information. If the associate dean determines that good cause exists for either of the involved parties not appearing at the hearing, a new date may be set.

16. The committee will normally render a decision within 90 days of the formal report being filed or within 90 days of the Title IX coordinator for students' decision not to honor a confidentiality request. However, there may be extenuating circumstances that render this time-frame impractical. In such cases, decisions will be rendered as promptly as possible.

Sanctions

Violation of the Sexual Misconduct Policy may result in the imposition of one or more of the sanctions listed below. Sanctions that may be imposed are not limited to those listed. In certain limited situations, the associate dean or designee may impose a sanction but suspend or postpone its actual implementation. Failure to comply with the sanction(s) imposed by the associate dean may result in further disciplinary action, including but not limited to, a registration hold, placement on, or extension of, University probation, suspension, or permanent dismissal.

Sanctions are based on general principles of fair treatment. While attempting to be consistent in its disciplinary decisions, the University also seeks to be fair and sensitive to the facts and circumstances of each individual case.

- Warning: Oral or written notice to the student that the student is violating or has violated the Sexual Misconduct Policy and that continuation or repetition of misconduct may result in a more severe sanction.
- University Probation: A status which indicates that a student's relationship with the University is tenuous. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found in violation of the Sexual Misconduct Policy or other policy violations. Probation may also result in the loss of privileges, depending on the policies of various University departments and organizations.
- Loss of Privileges: Such loss may include, but is not limited to, financial assistance, eligibility to represent the University officially on athletic teams or performing groups, or use of specific University facilities, or services.
- Restitution: Compensation for loss, damage or injury. Failure to pay such charges may result in additional sanctions (including, but not limited to, denial of re-enrollment or refusal to release official transcripts and records).
- Educational Sanctions: Reading/writing assignment, drug or alcohol assessment/treatment, seminar attendance, or other discretionary sanctions as deemed appropriate.
- Dismissal from University Housing: Loss of privilege to live in University housing. *In accordance with University housing policy, students required to live on campus who are dismissed from University housing may be dismissed from Pepperdine University. Any student dismissed from University housing prior to the end of the contractual period may be responsible for any remaining monetary charges, as well as ineligible for reimbursement for any charges already paid.*

- Suspension: Temporary separation of the student from Pepperdine University for a definite period of time, after which the student is eligible to return without re-applying through the office of admissions, unless the student is absent for two or more academic years, which does require re-application and readmission by the office of admission, as is the case for all students. Conditions for readmission may be specified.
- Expulsion: Temporary separation of the student from Pepperdine University for a definite period of time, but not less than two semesters, after which the student must re-apply through the office of admission and be granted acceptance before becoming eligible for re-enrollment at the University. Conditions for readmission may be specified, but the student is not guaranteed readmission.
- Dismissal: Permanent separation of the student from Pepperdine University. The student is dismissed from the University and is permanently ineligible to re-enroll at the University at any time in the future. When students are dismissed, expelled, or suspended for disciplinary reasons, there will be no refund of tuition or room charges for the semester and all financial assistance for subsequent semesters will be reviewed and is subject to cancellation.

If a violation occurs just prior to a student's scheduled graduation, sanctions may be imposed even if all academic requirements are completed. Sanctions may include, but are not limited to, community service, research or reflective paper, restitution, loss of privilege to participate in the graduation ceremony, deferment of degree, and a transcript hold. The University may withhold issuing a degree until all sanctions are fulfilled. In the case of a serious violation, the University may permanently withhold a degree.

Retention of Disciplinary Records

Other than University dismissal or permanent withholding of a degree, disciplinary sanctions will not be made part of the student's permanent academic record, but will become part of the student's disciplinary record. Cases involving the imposition of sanctions other than University expulsion or dismissal or withholding of a degree will be expunged from the student's disciplinary record seven years after graduation.

Appeal Process

Sanctioned students who wish to appeal the decision of the Student Disciplinary Committee hearing can submit a written appeal to the University's dean of students ("dean") or designee. The appeal must be submitted within seven (7) calendar days of the issuance date of the committee's written decision. The written appeal must specify grounds that would justify consideration. General dissatisfaction with the outcome of the decision or an appeal for mercy is not an appropriate basis for an appeal.

The written appeal must specifically address at least one (1) of the following criteria:

1. Insufficiency of the information to support the decision.

2. New information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the sanctioned student at the time of the original hearing.
3. Procedural irregularity in the student disciplinary committee proceedings that undermined the sanctioned student's ability to present a defense or relevant supporting information.
4. Bias or conflict of interest by a committee member or investigator.
5. Inappropriateness of the sanction for the violation of the Sexual Misconduct Policy.

Generally, the appellate process does not require a hearing, nor does it require the dean to make personal contact with the sanctioned student or the student disciplinary committee. The dean may, but is not required to, convene an advisory committee to assist in making a recommendation regarding the appeal. The dean shall not be bound by the committee's recommendation.

Within twenty (20) business days from the date of receipt of the written appeal, the dean may affirm, reverse, or modify the sanction. The dean may also return the case to the student disciplinary committee for further consideration. The dean's decision shall be final and effective immediately. A copy of the decision letter will be emailed to the appealing student's pepperdine.edu account.

XII. Sexual Misconduct by Faculty, Staff, or Third Parties

Applicability

This policy is applicable to sexual misconduct reports filed by a student against faculty, staff, or third parties (e.g., vendors, alumni/ae, or visitors). In cases where a faculty or staff member is accused of other forms of serious misconduct in addition to sexual misconduct, Human Resources and/or the dean of the respective school may take immediate action following other policies governing misconduct, thereby making this policy inapplicable (e.g., in cases where a faculty/staff member is immediately terminated).

The University Title IX coordinator and/or the Title IX coordinator for students may determine that a sexual misconduct report filed by a student against a faculty, staff, or third party can be resolved through the Alternative Resolution process described in section X instead of the grievance officer review process described below.

Review by the Grievance Officer

The grievance officer shall be designated by the University Title IX coordinator. The grievance officer will review formal reports, as well as confidential reports if the Title IX coordinator for students has determined that a confidentiality request cannot be honored, and any related investigative materials. The grievance officer may conduct further investigation of the report if she or he deems necessary. The investigation may include, but is not limited to, meeting with the parties, talking with witnesses, and reviewing any supporting documents. If the grievance

officer considers the report and investigative materials to indicate a probable violation of the Sexual Misconduct Policy, the matter will be reviewed as described below. The University's actions are not dependent on the initiation or outcome of criminal charges. Review proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

If the grievance officer desires, he or she may appoint an advisory committee to assist in further investigation of the complaint and/or advise the grievance officer on whether the Sexual Misconduct Policy was violated and, if so, recommended corrective actions. The grievance officer shall not be bound by the committee's recommendation(s).

If the grievance officer determines that the allegations in the student's ("complainant") report do warrant further consideration, then the grievance officer shall email a notice describing the behavior that allegedly violates the Sexual Misconduct Policy and investigative materials to the person against whom the complaint is made ("respondent"). All emails will be sent to the parties' pepperdine.edu email accounts or other appropriate contact.

The faculty or staff member respondent shall be given fourteen (14) calendar days from receipt of the notice and investigative materials to return a written response and any supporting materials to the grievance officer. Necessary extensions may be granted at the discretion of the grievance officer. A copy of the respondent's response, investigative materials, and any supporting materials submitted by respondent will be emailed to the complainant.

Within twenty (20) business days of receipt of the written response, the grievance officer shall make a decision by a preponderance of the evidence based on the report, the response, and any other information the grievance officer deems relevant. A copy of the decision will be emailed to both parties. If a sanction is recommended against a staff member, the decision will be forwarded to the supervisor and Human Resources for further action. If a sanction is recommended against a faculty member, the decision will be forwarded to the dean of the faculty member's school for further action.

Appeal Process

Either the staff member's senior leader within the staff member's unit or the dean of the faculty member's school shall serve as the "reviewing officer" for appeal decisions in sexual misconduct cases. The respondent must submit a written request for appeal to the reviewing officer within seven (7) calendar days from the date of the sanction being issued. The request for appeal must specifically set forth all grounds for appeal. General dissatisfaction with the outcome of the decision or an appeal for mercy is not an appropriate basis for an appeal.

The written appeal must specifically address at least one (1) of the following criteria:

1. Insufficiency of the information to support the decision by the grievance officer.
2. New information, sufficient to alter a decision, or other relevant facts not submitted to the grievance officer, because such information and/or facts were not known to the person appealing at the time of submission to the grievance officer.

3. Procedural irregularity in the proceedings that undermined the respondent's ability to present a defense.
4. Bias or conflict of interest by the grievance officer and/or the supervisor/dean.
5. Inappropriateness of the sanction for the violation of the Sexual Misconduct Policy.

Generally, the appellate process does not require a hearing, nor does it require the reviewing officer to make personal contact with the respondent or the grievance officer. The reviewing officer may, but is not required to, convene an advisory committee to assist in making a recommendation regarding the appeal. The reviewing officer shall not be bound by the committee's recommendation.

Within twenty (20) business days from the date of receipt of the written request for appeal, the reviewing officer shall make a final decision based on the submitted materials and any other information the grievance officer deems relevant. The reviewing officer may affirm, reverse, or modify the grievance officer's recommendation. The reviewing officer may also return the case to the grievance officer for further consideration. The reviewing officer's decision shall be final and effective immediately. A copy of the decision letter will be emailed to the respondent's pepperdine.edu account or other appropriate contact.

All written decisions made and materials produced in connection with a grievance conducted under this policy shall be retained by the grievance officer for seven years (7) from the date of the student's graduation.

Last Updated: March 7, 2019

Policy Contact: [Title IX Coordinator for Students](#), [Community Standards](#)

Sexual Relationships

Out of concern for the health and safety of members of the university community, and to uphold the moral character of the educational environment, students are expected to make decisions regarding their sexual relationships consistent with the university's Christian philosophy.

The School of Law does not discriminate against any person on the basis of any sexual orientation which such person may have. However, sexual conduct outside of marriage is inconsistent with the school's religious traditions and values. Therefore, as a matter of moral and faith witness, the faculty, staff, and students of the School of Law are expected to avoid such conduct themselves and the encouraging of it in others.

Last Updated:

Policy Contact: [School of Law](#)

Smoking

Policy

All Pepperdine University campuses are smoke-free at all times and smoking, including e-cigarettes, is strictly prohibited. This prohibition includes but is not limited to the interior of University facilities, outdoor areas, and undeveloped property, as well as in any vehicle owned, leased, or operated by the University. Also, the sale, distribution, and advertisement of, or sponsorship by tobacco products is prohibited anywhere on campus, at University-sponsored events, or in publications produced by the University. This policy applies to all persons on a Pepperdine University campus.

Please note: California passed a law in 2016 raising the smoking age to 21; consequently, students under 21 are not permitted to smoke cigarettes, cigars, vape, e-cigarettes, hookah, and many other tobacco products. Pepperdine sponsored events with students under 21 should not involve smoking or use of any other tobacco products.

Cessation

Subsidized cessation programs are available to faculty, staff, and students. The University encourages participation in these programs. For more information, employees should call Human Resources, and students should call the Student Health Center.

Compliance

All members of the University community share in the responsibility of adhering to and enforcing this policy. The success of this policy depends upon the thoughtfulness, consideration, and cooperation of those who smoke and those who do not. Informational rather than punitive enforcement is the intent of this policy. However, repeated violations of the smoking policy may result in intervention by the Department of Public Safety, discipline by the supervisor in the case of an employee, or discipline by the Office of Community Standards in the case of a student.

Last Updated: August 1, 2018

Policy Contact: [Human Resources](#) or [Community Standards](#)

Vehicles

The use of a motor vehicle at Pepperdine University must be considered a privilege with accompanying responsibilities. The safety of our campus community and the University's relationship with the Malibu community may be improved or hampered by the thoughtfulness or lack thereof displayed by those who drive.

The California classification for a motor vehicle is applicable at Pepperdine; motor vehicles include all types of vehicles, motorcycles, scooters, and mopeds. Drivers and owners are responsible for knowing and obeying the laws governing vehicles in California and the special rules related to the Malibu campus. The policies can be found on the [Public Safety](#) website. The driver of a vehicle on campus is always responsible for his or her actions and for adhering to applicable vehicle regulations. The registered owner of a vehicle is held responsible for any violations of the regulations, even though that registered owner may not be its driver.

Any person who has a motor vehicle on campus, including motorcycles and scooters whether licensed for street use or not, must register the vehicle with the Department of Public Safety and properly display the vehicle registration permit on the lower left corner of the windshield. Permits on motorcycles, scooters, or bikes should be placed in a visible location. Failure to register a vehicle on campus will result in a citation, fine, and possibly further disciplinary action. The University requires all vehicles on campus to be covered by public liability and property damage insurance. This insurance must be maintained at all times the vehicle is used on campus. Vehicle registration must be renewed annually.

Under certain circumstances, vehicles on campus may be accessed and the contents inventoried. These circumstances include but are not limited to: vehicle impound or relocation; retrieval of University property; vehicles containing a lost, stolen, fraudulent, or altered permit; using another person's permit; or vehicle is involved in suspicious or criminal activity.

Visitors must obtain a visitor pass at a security booth before parking on campus. Students bringing a car other than the one registered must obtain a Temporary Student Parking Pass at the booth. This temporary pass must be obtained from the Department of Public Safety for vehicles that will be used for a specified period of time. Students should not request visitor passes.

Gated parking lots are reserved for faculty and staff. Parking [regulations](#) are available at the time of vehicle registration. These instructions designate appropriate areas for student parking. It is the student's responsibility to park only in appropriate areas, even when an unauthorized area is accessible.

All traffic and parking regulations must be obeyed. Violators are subject to a fine for each offense, vehicle immobilization, relocation, and/or impound. Repeated violations will become part of the student's disciplinary record in the Office of Community Standards and may result in the loss of campus parking privileges and disciplinary action. The speed limit on campus is 25 mph, with the exception of parking lots and the residential area and roundabout intersections. Students who are documented for reckless driving will face disciplinary action. Reckless driving is defined as "any person who drives any vehicle on campus with a willful disregard for the safety of persons or property as illustrated by, but not limited to, the following:

- Excessive speeds of 20 mph or more over the posted speed limit of 25 mph on campus streets;
- Excessive speeds of 15 mph or more over the posted speed limit of 10 mph or under;
- Failing to stop at a posted stop sign while pedestrians are in a crosswalk;
- Failing to stop at multiple stop signs;
- Driving at high speeds on sidewalks and endangering pedestrians;
- Driving or parking on the wrong side of the street, forcing oncoming traffic to take evasive action.

Bicycles are permitted on campus and students who ride them are expected to obey the rules of courtesy and to give pedestrians the right of way. Bikes are not permitted inside buildings or on sidewalks or walkways.

Motorcycles, scooters, or any other motorized vehicles are restricted to public roadways and parking lots and are not permitted on the walks or fields of the campus. Riding skateboards, roller skates, scooters (e.g., "Razors") and roller blades is prohibited anywhere and anytime on campus. Motorcycles must be registered with the Department of Public Safety and have a permit prominently displayed.

Pepperdine University is not responsible for damage to any vehicle or accessory articles left in it, or for the theft of or fire in any vehicle, or for injury to any person in or by that vehicle. Gasoline for motor vehicles may not be stored or kept on campus.

Pepperdine University Parking and Traffic Regulations are adopted by the Board of Regents pursuant to California Vehicle Code Section 21113(a). Unless otherwise provided for by these regulations, all of the provisions of the California Vehicle code relating traffic upon the highways shall be applicable on Pepperdine University property. For a full explanation of all vehicle regulations, refer to the parking and traffic regulations available when registering for your parking permit and available on the Department of Public Safety website. Citations are viewable online at pepperdine.thepermitstore.com approximately twenty-four hours after a citation is issued. The recipient may pay or submit an appeal by entering the vehicle license plate number or citation number. Citation appeals may not be considered after ten days. Please read the reverse side of the citation thoroughly to verify your eligibility to submit an appeal.

Last Updated: July 24, 2018

Policy Contact: [Public Safety](#)

Who We Are

The Office of Community Standards and the Dean of Students are responsible for maintaining and implementing the Student Code of Conduct across Seaver College, the Graduate School of Education and Psychology, the Graziadio Business School, the School of Law, and the School of Public Policy.

The Student Code of Conduct is intended to detail the expectations and standards the University has for life in our community.

Students who have questions about the Student Code of Conduct, related policies, or disciplinary procedures should not hesitate to contact our team.

Mark Davis

Dean of Students

mark.davis@pepperdine.edu

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