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Thank you for taking time to read this year’s Annual Security Report. The Jeanne Clery Disclosure of Campus Security Policies and Campus Crime Statistics Act, commonly referred to as the Clery Act, is a federal mandate requiring all institutions of higher education that participate in federal student financial aid programs to disclose information about certain campus policies, procedures, and crimes reported to have occurred on the campus and certain off-campus locations. This report is designed to provide you with important information about safety and security at Cal Poly. In addition to outlining many of the policies and resources the institution offers the campus community, this report also contains crime statistics for the previous three calendar years of January 1, 2018 - December 31, 2020.

Campus safety and security is a shared responsibility. The best protection against campus crime is an aware, informed, alert campus community in partnership with law enforcement. The vast majority of our students, staff, faculty, and visitors do not experience crime at Cal Poly. However, despite our best efforts, crimes sometime still occur. This information is provided because of our commitment to campus safety and security and in compliance with federal law.

We hope you find this report informative. If you have questions or would like further information about the Clery Act, please visit the Clery website at https://afd.calpoly.edu/clery/.

Sincerely,

Jeffrey D. Armstrong
President
PREPARING THE ASR

The Office of Equal Opportunity (OEO) prepares this report annually to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the Cal Poly Police Department (CPPD), local law enforcement agencies surrounding our main campus and alternate sites, University Housing, the Dean of Students, and Student Affairs. Each reporting entity provides updated information on their educational efforts and programs to comply with the Act.

The statistics contained in this report, which includes crimes on campus, in adjacent public areas, and some off-campus locations, are collected by the Clery Compliance Team (CCT) and the Cal Poly Police Department. In preparation for annual reporting, the neighboring law enforcement agencies are surveyed for knowledge of crimes that may not have been reported to Cal Poly Police. These agencies include, but are not limited to the San Luis Obispo Police Department and the San Luis Obispo County Sheriff’s Office. Cal Poly Campus Security Authorities (CSAs) report crimes to the Clery Director throughout the year to be included in this report and for Timely Warning consideration. These CSAs are campus staff and faculty with significant responsibility for student and campus activities and include, but are not limited to the Dean of Students, Residential Student Experience staff, Athletics staff, Student Club advisors and Student Affairs personnel.

Crimes that occurred in campus residence halls and apartments are reported both in the “Campus” category and in the “Campus Residential” categories. Thus, “Campus Residential” category is a subset of “Campus” Category. The presentation of the statistics in this report is designed to enable the reader to compare crimes committed during the past three years. Crimes reported as occurring at locations outside the physical boundaries of the University are generally investigated by the agency having primary jurisdiction over the location. These include all campus recognized fraternity and sorority houses, which are located within the City and County of San Luis Obispo. Crime statistics for non-campus buildings or property are requested by the University and are published when available; however external police agencies are not required by law to provide the requested information.

The federal definition of each crime may differ from the definition of comparable crimes under California statutes and University policy. The Clery Act also requires reporting of hate crimes where prejudice due to race, gender, religion, sexual orientation, ethnicity, national origin, gender identity or disability with evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. If a CSA has knowledge of a reportable crime that was not reported for investigation or disciplinary action, that person is required, in most instances, to report the crime to the Office of the Clery Director or the Cal Poly Police Department for inclusion in the statistics.

Under the Clery Act, a crime is “reported” when it is brought to the attention of a Campus Security Authority, Cal Poly Police or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or
reporting the crime, are associated with the institution. If a CSA receives a report, that person must include it as a crime report for consideration of inclusion into the Annual Security Report. It is not necessary for the crime to have been investigated by the police, nor must it have to be prosecuted by the San Luis Obispo County District Attorney’s Office, or other appropriate prosecutor, to be included in the report.

**CLERY CRIME STATISTICS 2018-2020**

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<th>OFFENSE</th>
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¹ One individual surveilled 13 individuals more than once, thus accounting for multiple counts of Stalking per the Clery definition.
² See footnote #1
HATE CRIMES

2018 – There were no reported hate crimes
2019 – There were no reported hate crimes
2020 – There were no reported hate crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Hate crimes includes any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.

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

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

REPORTING CRIMINAL ACTIONS & EMERGENCIES

All students, employees, and visitors are strongly encouraged to report criminal incidents, suspicious activity, and emergencies promptly and accurately to the Cal Poly Police Department either by phone or in person at the Cal Poly Police Department or by any of the means listed below. Per Campus Administrative Policy (CAP) 351.5, “Traffic accidents, criminal activity, or serious personal injury/property damage shall be reported directly to University Police.” Incidents that may or may not be crimes may also be reported to Campus Security Authorities (CSA’s) which are defined in this report. These reports can be made in person, via telephone, text, or email to any campus employee who is designated as a CSA. Campus members designated as CSAs are required by the Clery Act to report criminal activity to the Cal Poly Police Department or the Clery Director for inclusion in the annual campus crime statistics; however, the reporting person, as well as the victim, will remain confidential, if requested and to the extent permitted by law. The University encourages the reporting of any suspicious incident or crime occurring on campus property through any of the options below:

Directly to the Cal Poly Police Department

The Cal Poly Police Department investigates reported crimes and suspicious incidents to the fullest extent possible. This includes both confidential and anonymous reports. For emergencies call 9-1-1 from any phone or text (805) 431-0483 if unable to speak. Additionally, Cal Poly has installed emergency two-way call boxes (Blue Light phones) around the campus for use during emergencies. Users are immediately connected with the Cal Poly Police Dispatch Center. For non-emergencies
call (805) 756-2281 or report in-person at Cal Poly Police Department located at Building 36, 24 hours a day, 7 days a week.

Anonymous/Confidential Reports of Crimes to the Police

Persons who wish to make voluntary, confidential reports of crime may also do so by calling Crime Stoppers at (805) 549-STOP (7867) and the information will be forwarded to the Cal Poly Police Department for inclusion in the annual crime report and potential campus Timely Warning notifications.

Reports of Crimes to Campus Security Authorities (CSAs)

The term Campus Security Authority, or CSA, “is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution”:

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

If a CSA has knowledge of a reportable crime that was not reported for investigation or disciplinary action, that person is required, in most instances, to report the crime to the Office of the Clery Director or the Cal Poly Police Department for inclusion in the statistics and potential campus Timely Warning notifications. An online reporting form can be found on Cal Poly’s Clery webpage: [https://afd.calpoly.edu/clery/csa/csa-reporting](https://afd.calpoly.edu/clery/csa/csa-reporting). All information contained in Clery reports and/or campus Timely Warnings will not identify the reporting parties.

Cal Poly has identified and provides training to CSAs on campus. The Clery Act does not require the University to publish the name and title of every CSA, however the following key individuals have been identified for ease of referral:

<p>| Maren Hufton | Director, Equal Opportunity, Title IX Coordinator &amp; Clery Director | Bldg. 033, Rm 290 | (805) 756-1400 |</p>
<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Office Location</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>George Hughes</td>
<td>Assistant Vice President for Public Safety and Chief of Police</td>
<td>Bldg. 036, Rm 107</td>
<td>(805) 756-6675</td>
</tr>
<tr>
<td>Bryan Cox</td>
<td>Deputy Chief of Police</td>
<td>Bldg. 036, Rm 107</td>
<td>(805) 756-6676</td>
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<tr>
<td>Cynthia Jackson-Elmoore</td>
<td>Provost and Executive Vice President for Academic Affairs</td>
<td>Bldg. 001, Rm 305A</td>
<td>(805) 756-2186</td>
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<tr>
<td>Keith Humphrey</td>
<td>Vice President, Student Affairs</td>
<td>Bldg. 01, Rm 206</td>
<td>(805) 756-1521</td>
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<tr>
<td>Jo Campbell</td>
<td>Associate Vice President for Student Affairs/Executive Director University Housing</td>
<td>Bldg. 031, Room 219</td>
<td>(805) 756-5956</td>
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<tr>
<td>Juliette Duke</td>
<td>Senior Associate Director, University Housing &amp; Residential Experience</td>
<td>Bldg. 031, Rm 220</td>
<td>(805) 756-9315</td>
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<tr>
<td>Joy Pedersen</td>
<td>Interim Dean of Students</td>
<td>Bldg. 081, Rm 004</td>
<td>(805) 756-6749</td>
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<td>David Groom</td>
<td>Associate Dean of Student Rights &amp; Responsibilities</td>
<td>Bldg. 081, Rm 1D</td>
<td>(805) 756-2794</td>
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<td>Don Oberhelman</td>
<td>Director of Athletics</td>
<td>Bldg. 042, Rm 206</td>
<td>(805) 756-1407</td>
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<td>Rick Craig</td>
<td>ASI Director, UU Recreational Services</td>
<td>Bldg. 043, Rm 132D</td>
<td>(805) 756-5846</td>
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<td>Cari Vanderkar</td>
<td>Assistant Vice Provost, International Center</td>
<td>Bldg. 052, Rm E33</td>
<td>(805) 756-2945</td>
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**VOLUNTARY CONFIDENTIAL REPORTING**

A crime can be reported anonymously by calling the Cal Poly Police Dispatch center at (805) 756-2281 or texting at (805) 431-0483 or report in person and ask to remain anonymous. Reports can also be made anonymously through Crime Stoppers at sanluisobispocounty.crimestoppersweb.com or (805) 549-STOP. Reports made through Crime Stoppers will be routed directly to Cal Poly Police.
Cal Poly Campus Health & Wellbeing professional counselors inform individuals they are counseling about the voluntary, confidential reporting options available to them (as described above).

Note: all publicly available record keeping will be maintained without the inclusion of personally identifiable information about the victim.

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such a victim shall be treated as the alleged victim.

CALIFORNIA EDUCATION CODE SECTION 67380(a)(6)(A)

Pursuant to California Education Code section 67380(a)(6)(A), Campus Security Authorities (CSAs) who receive reports from employees or students of a Part I violent crime, sexual assault or hate crime that occurred in an on or non-campus location as defined by the Clery Act, may not disclose to CPPD or local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after being informed of their right to have their personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and
- The immediate assistance of the local law enforcement agency is necessary to contact or detain the alleged assailant.

TIMELY WARNING POLICY

The primary intent of this policy is to provide members of the community with information to aid in preventing them from becoming victims of crimes posing a serious or ongoing threat to the campus communities. Additionally, it is intended to provide faculty, staff, and students with timely information about Clery reportable crimes occurring within the defined Clery geography of their campuses, and to comply with the Timely Warning requirements of the Jeanne Clery Act. The systemwide Timely Warning Policy shall serve as the authoritative statement of policy on Timely Warning for each campus. Lastly, the intent of this policy is to provide uniformity in the manner in which CSU campuses evaluate and communicate the occurrence of these crimes.

As required by the Clery Act, CSU campuses will keep their campus communities informed by providing a Timely Warning when appropriate.
• Upon receipt of a Campus Security Authority (CSA) report of a Clery Crime on Clery Geography, a Timely Warning analysis shall be completed and documented by the Clery Director. The Clery Director shall have authority to delegate this responsibility as appropriate. It is not necessary to complete and document a Timely Warning analysis for referrals to disciplinary action.

• If it is determined that the report includes a Clery Crime on Clery Geography, the Clery Director and Chief of Police (or management designees) will confer to analyze the known pertinent facts to determine whether they constitute a serious or ongoing threat to the campus community. The unavailability of the Clery Director shall not unduly delay the issuance of a Timely Warning.

• If a CSA report includes 1) a Clery Crime 2) on Clery Geography and 3) a discernable serious or ongoing threat, a Timely Warning as described below shall be issued expeditiously.

• In the absence of any of these three elements, no Timely Warning will be issued.

• The Chief of Police (or management designee) shall have ultimate authority and responsibility for determining whether to issue a Timely Warning.

• The office of the Clery Director is responsible for issuing the Timely Warning.

Each reported incident must be analyzed on a case-by-case basis. All known factors shall be considered in the case-by-case analysis to determine whether a Timely Warning should be issued. No single factor should govern the decision regarding the issuance of a Timely Warning. Campuses are prohibited from circumventing a case-by-case analysis by issuing a blanket rule that Timely Warnings will be issued for all reports of any given Clery reportable crime. Requests from an outside law enforcement agency to refrain from issuing a Timely Warning is insufficient grounds on its own for not issuing or delaying the issuance of a Timely Warning, unless the Chief of Police concurs that by issuing a Timely Warning, an identified risk can be articulated that would compromise the law enforcement efforts of the outside agency investigating the crime to gather evidence and/or apprehend suspect(s).

The case-by-case analysis will involve reviewing relevant factors including, but not limited to, the following, if known:

• The timing of the report: shortly after the occurrence of the crime vs. days or weeks after the occurrence of the crime, i.e., a "cold report"
• Physical injury to the victim
• Use of weapons
• Forced entry used and/or tools used in commission of the crime
• A suspect arrested or incapacitated by injury
• A suspect that is identified or otherwise can be located by law enforcement
• A suspect that is out of the area
• A victim who fears for their safety from the suspect
• A clear modus operandi and/or pre-planning indicated
• Multiple suspect(s) involved
• A pattern of similar crimes established
• The possible risk of compromising law enforcement efforts, such as to gather evidence and/or apprehend suspect(s), if a warning was issued

ADDITIONAL CONSIDERATIONS

The Clery Director (or management designee) shall notify the campus president, as soon as practicable, that a Timely Warning will be or has been issued.

The Chief of Police (or management designee) is responsible for collaborating with surrounding law enforcement agencies to encourage them to share information with CPPD about crimes reported to local law enforcement that occur in Clery geography.

Nothing in this policy precludes campuses from maintaining a campus policy about informing, re-publicizing and/or sharing with the campus community crimes or other informational notices, (e.g., traffic advisories, events, prevention information) the campus deems may be of interest to the campus community. Such a policy is separate and distinct from this Timely Warning policy. Such notices must differ in appearance or be distributed in a manner that assures that members of the community understand such notices are different from a Timely Warning notification required by the Clery Act; members of the campus community should not be misled to believe such notices are Timely Warnings.

CONTENTS OF A TIMELY WARNING

When a Timely Warning is issued it shall be entitled "Timely Warning Crime Bulletin" and contain the following:

• A statement that reads, "This Timely Warning Crime Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime."
• Identify the Clery crime that occurred (i.e. rape, burglary, motor vehicle theft, arson, etc.).
• The date, time, and location the crime occurred.
• The date the Timely Warning is issued.
• Description of the suspect when deemed appropriate, and only if there is sufficient detail. Only include a description of the suspect when the descriptors provided by the reporting party could reasonably lead to conclusive identification of the perpetrator(s).
• At least three preventative tips or points of information specifically related to the circumstances of the crime which occurred that could help others from becoming the victim of a similar crime.
• The phone number of CPPD and a statement encouraging community members to report all information about crimes to CPPD.
• If appropriate, the phone number of support services.

The Timely Warning shall not include, under any circumstances, the name of the victim, or information so specific (i.e. specific address or dorm room number or floor) that would, or likely could, identify the victim of the crimes of sexual violence, rape, dating violence, domestic violence, or stalking. Timely Warnings should use gender-inclusive and culturally-appropriate language and avoid victim blaming and bias language.

METHODS OF DISTRIBUTION

Timely Warnings will be distributed as quickly as possible in a manner that will likely reach the entire campus community. Distribution methods vary from campus to campus and include, but are not limited to, any of the following:

• All employee and student e-mail distribution
• University website
• Public area video display monitors
• Hard copies posted on campus building entrance doors
• Press Release

This list is not intended to be exhaustive or intended to prioritize the method of distribution. The Chief of Police will confer with the Clery Director (or management designee), if available, to determine the most appropriate method(s) to distribute a Timely Warning. In the absence of the Clery Director (or management designee) the Chief of Police will determine the appropriate method of distribution. Campuses are required to maintain a list of distribution methods for Timely Warnings and include said list in the campus's Annual Security Report.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Campus facilities are provided primarily for the education-related needs of enrolled students and employees. Use and allocation of University Facilities is governed by Campus Administrative Policy (CAP) 390 Space Management Policy. Academic buildings are open Sunday through Saturday from 7:00 a.m. to 10:00 p.m. and locked each night. Administrative buildings are generally open Monday through Friday from 7:00 a.m. to 5:00 p.m. and locked each evening. During the academic year, the University Union is open Monday through Friday from 6:00 a.m. to 1:00 a.m. and Saturday and Sunday from 8:00 a.m. to 1:00 a.m. During the academic year, the Recreation Center is open Monday through Friday from 5:30 a.m. to 12:30 a.m. and Saturday and Sunday from 8:00 a.m. to 12:30 a.m. Persons without a lawful purpose may be removed from the campus per California Penal Code Section 626.6. Access to campus residences is restricted to building residents and guests, and is regulated by University Housing.
All entrances to residence halls and university apartments are locked 24 hours a day. Students who live in campus housing may enter the building by using their room keys/key cards. Security phones are installed throughout University Housing communities for emergency use. Students who have room or apartment doors open to publicly accessible areas are reminded and encouraged to keep doors closed and locked at all times.

Agriculture Housing is managed by the College of Agriculture, Food and Environmental Sciences (CAFES). Each Ag Housing unit is accessed by a key into the main house and each individual room has a unique key. Students are reminded and encouraged to keep doors closed and locked at all times.

All on-campus facilities are patrolled 24 hours a day, 7 days a week by Cal Poly Police officers. Facilities found unsecured and maintenance problems (e.g., broken locks) are reported immediately to facilities and secured as needed. In addition, residence hall and apartment staff conduct routine maintenance and safety inspections which include exterior door security.

Swanton Pacific Ranch (SPR) facilities are under lock and key 24 hours a day, 7 days a week where a key or key code is required for entry. Facilities are generally open from 8:00 a.m. to 5:00 p.m. each day and locked in the evening. All facilities and housing, except for the main office, are behind gates under lock and key. Gates are generally open during normal business hours from 7:00 a.m. to 5:00 p.m. Monday through Friday and locked each evening. Each facility and housing location had a land line telephone to contact emergency services and a two-way radio to contact SPR staff up until August 2020 when the communications infrastructure was destroyed by the CZU Lightning Complex Fires. All on-ground staff are temporarily using cell phones for all communication needs. Facilities found unsecured and maintenance problems (e.g., broken locks) are reported immediately to a SPR facilities and equipment specialist and secured as needed.

**Security Considerations Used in Maintenance of Campus Facilities**

On-campus residents in residence halls or apartments should report any residence facilities maintenance needs, such as inoperative door or window locks, non-functioning lights, broken windows and torn window screens promptly to University Housing staff. University Housing staff will coordinate all requests to facilitate timely repair.

Residents living in Ag Housing should report any residence facilities maintenance needs, such as inoperative door or window locks, non-functioning lights, broken windows and torn window screens promptly to their supervisor and the Animal Science Department office who will coordinate all requests to facilitate timely repair.

All members of the campus community are encouraged to report maintenance needs, such as non-functioning street or parking lot lights, landscaping that needs trimming for safety reasons, or any other issue directly to Facilities Customer and Business Services at (805) 756-5555. Facility Services
staff, including custodial workers, landscapers and building trade employees also participate in a cooperative relationship with the campus community to promote and maintain a safe campus environment.

Campus facilities and grounds are frequently checked by various entities for safety consideration and maintenance. Cal Poly Police Department conducts patrols 24 hours a day, 7 days a week of all campus grounds, buildings, roadways, pathways, parking facilities and lots. Security concerns, such as broken lighting in parking areas and pathways, are promptly reported to facilities personnel for maintenance. Environmental Health and Safety is responsible for and conducts facility safety inspections throughout the year including but not limited to egress and evacuation routes, lighting in stairwells and hallways, and fire alarm testing/evacuation. In addition, University Housing staff are required to report any building safety concerns to the proper department for attention, repair, and/or correction depending on the concern (Cal Poly Police, Facilities, Environmental Health and Safety, etc.)

The University takes appropriate precautions to provide security during maintenance of facilities. Routine maintenance of facilities is conducted primarily by University employees. Maintenance and custodial employees in the campus residences are appropriately supervised and do not enter private rooms without University direction. Contractors in the campus residences work either in empty buildings or directly under supervision of University employees. General contractors on campus are also responsible for security for the facilities in which they are working and the sole occupant (new construction or empty facilities). Specific direction and a University liaison are provided for each contractor/project.

**LAW ENFORCEMENT AUTHORITY**

The Cal Poly Police Department has statewide law enforcement authority to enforce federal and state laws under Penal Code § 830.2, and primary concurrent jurisdiction within a mile of campus under the California Education Code § 89560.

The Cal Poly Police Department is a full-service law enforcement agency responsible for the safety and well-being of the campus community and has primary law enforcement jurisdiction for the Cal Poly campus, grounds and facilities, 24 hours a day, 7 days a week. Cal Poly Police Officers are California Peace Officers pursuant to California Penal Code section 830.2 and Education Code, Section 89560. They possess the same authority and powers, including the authority to arrest, as do police officers and deputy sheriffs in other areas of the city, county and state. Officers are responsible for reporting and investigating crimes, issuing traffic citations, and responding to medical and fire emergencies, traffic accidents, as well as other incidents that require police assistance. Cal Poly Police officers will also enforce campus regulations and policies, and may refer students to the disciplinary division of Student Affairs for violations of the campus regulations and
policies, pursuant to the Student Code of Conduct. In addition, Cal Poly Police work closely with the City of San Luis Obispo Police Department to help safeguard the campus and surrounding areas.

Campus community and guests are encouraged to promptly and accurately report all crimes, suspicious activity, and public safety related incidents to the Cal Poly Police Department and/or the appropriate law enforcement agencies where the crime occurred, including when the victim elects to or is unable to make a report.

Law Enforcement Interagency Cooperation

Cal Poly Police Department enjoys an excellent rapport and effective relationships with allied law enforcement agencies as described below:

City of San Luis Obispo Police Department (SLOPD)

Cal Poly Police maintains an excellent relationship with the City of San Luis Obispo, which borders the campus. The San Luis Obispo Police Department helps to maintain a safer campus by providing mutual aid assistance when requested and jointly trains with Cal Poly Police officers throughout the year. Pursuant to a Memorandum of Understanding (MOU), Cal Poly Police and SLOPD share congruent jurisdiction within a one-mile radius extending from campus borders into the City of San Luis Obispo. Cal Poly Police officers proactively patrol within this one-mile radius and have the ability to enforce city ordinances and issue municipal citations for public disorder crimes.

San Luis Obispo County Sheriff’s Office

Pursuant to a Memorandum of Understanding (MOU), if a major crime occurs on campus that exhausts the resources of the Cal Poly Police, the San Luis Obispo Sheriff’s Department shall be asked to assist with their resources. All other crimes are routinely investigated by members of the Cal Poly Police Department. The Cal Poly Police Department also partners with the County of San Luis Obispo in county-wide emergency management. San Luis Obispo County also has specialized units such as K-9, Victim Services, SWAT, and Bomb Squad units that may be called to assist if needed. Additional information about the County of San Luis Obispo and the services provided by the Sheriff’s Office can be found at: https://www.slocounty.ca.gov/.

Federal and State Law Enforcement

Cal Poly Police may also utilize the services of the California Highway Patrol (CHP), U.S. Secret Service, and FBI while investigating major crimes or to provide security during events or for public figures who may visit the campus.

SECURITY PROCEDURES AND PRACTICES

The Cal Poly Police Department stresses the importance of campus safety through a variety of means. The department coordinates and administers programs available to members of the
campus community and encourages students and employees to be responsible for their personal safety and the safety of others. Cal Poly Police work closely with University Housing staff to provide training and educational information on crime prevention and personal safety techniques throughout the year. Cal Poly Police, Department of Emergency Management, Housing staff, and Safer staff provide presentations of campus safety policies and procedures to all incoming students and their parents at mandatory orientation sessions for all incoming students before they arrive at Cal Poly, and also during mandatory Week of Welcome sessions for all first-year students and residents the week before classes begin.

During mandatory annual orientation sessions, students and parents are informed of safety services offered by Cal Poly Police as well as the San Luis Obispo Police Department. These sessions address topics including personal safety awareness, sexual and dating violence prevention, alcohol and other drugs awareness, protection of personal property, bystander intervention and affirmative consent, and the role of each community member in the development of an overall sense of safety for their own security and the security of others. The sessions also address campus security and inform them about crime on campus and the surrounding neighborhoods. Informal or formal lectures on personal safety, including active shooter training, can be scheduled throughout the year for any size group by contacting Cal Poly Police directly at (805) 756-6652. The campus has also placed Emergency Blue Light phones throughout campus which connect a caller directly to Cal Poly Police Dispatch. During the academic year, Cal Poly Public Safety also provides a free safety escort van seven days a week from 7:00 p.m. to midnight and a walking escort program available to all students, faculty, and staff on Friday and Saturdays from 8:00 p.m. to 2:00 a.m. to any location on campus as an alternative to walking alone at night.

Under the authority of CSU Executive Order 1056, California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS), the Department of Emergency Management (DEM) has established the Cal Poly Emergency Management Organization (EMO) which includes, Emergency Policy Group (EPG), Emergency Operations Center (EOC), Emergency Services, Building Emergency Response Coordinator (BERC) program, and Disaster Assistance Teams. The EPG and EOC are the central coordinating bodies for all response operations and is comprised of executive leaders and senior campus officials and support the Emergency Services personnel who are responsible for field response operations. BERCs are designated as the front line first responders for each building on campus during a campus emergency. They oversee building specific emergency preparedness planning efforts and facilitate building emergency functions such as evacuations, shelter in place, personnel accountability, and damage assessments. In an emergency, they facilitate evacuations of building personnel with subordinate staff and contact DEM through the pre-established conference call line. The entire EMO are provided emergency preparedness and response training on a monthly, quarterly, and annual basis. In addition, the DEM provides presentations to students, faculty and staff on personal preparedness upon request. These can be scheduled throughout the year for any size group by contacting the DEM directly at dem@calpoly.edu.
In addition to these safety presentations, safety information is disseminated to students, faculty and staff through advertisements, social media, articles in the University newspaper, and through security alerts and Crime Bulletins posted prominently throughout campus and/or via electronic format through the campus email system.

The following is a list of programs offered by Cal Poly Police:\footnote{Due to the COVID-19 pandemic, Cal Poly Police Department did not conduct any programs in 2020.}

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Audience</th>
<th>Number of Programs Held</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railroad Safety (bicycle and pedestrian)</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Safety information regarding railroad safety specific to bicycle and pedestrians. Operation Lifesaver Rail Safety Education format.</td>
</tr>
<tr>
<td>Personal safety</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Address current trends as well as resources both on and off campus.</td>
</tr>
<tr>
<td>Active shooter</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Prevention, behaviors of concern, surviving, and law enforcement response.</td>
</tr>
<tr>
<td>Coffee with the Cops</td>
<td>Residence Hall students</td>
<td>0</td>
<td>Community building and safety information sessions.</td>
</tr>
<tr>
<td>Fire safety</td>
<td>Students and Staff</td>
<td>0</td>
<td>Evacuation locations, fire extinguisher use, prevention and escape.</td>
</tr>
<tr>
<td>ID theft prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Current trends and prevention.</td>
</tr>
<tr>
<td>Property theft prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Current trends and prevention.</td>
</tr>
</tbody>
</table>

**CRIME PREVENTION PROGRAMS**

Cal Poly Police stress the importance of crime prevention. Each officer is responsible for problem identification and proper education to the campus community of potential criminal activity and opportunity. Cal Poly Police coordinate and administer several programs available to members of the campus community and encourage students and employees to be responsible for their personal safety and the safety of others, when possible. Cal Poly Police work closely with Residential Student Experience staff to provide training and educational information on crime prevention. Cal Poly
Police offer crime prevention and awareness presentations to campus organizations, departments, clubs and groups upon request throughout the year. Cal Poly Police, as well as Housing and Safer staff, provide presentations to all incoming students and their parents as part of Week of Welcome and the SLO Days orientation program held in the summer before they arrive at Cal Poly for the academic term. As mentioned earlier, the campus has also placed Emergency Blue Light phones throughout campus which connect a caller directly to Cal Poly Police dispatch. Cal Poly Police also provides a free safety van and walking escort program available to all students, faculty, and staff seven days a week to any location on campus as an alternative to walking alone at night.

During mandatory annual orientation sessions, students and parents are provided crime prevention information and personal measures they can take to prevent crime. These sessions typically address topics including personal safety awareness, sexual and dating violence prevention, alcohol and other drugs awareness, protection of personal property, bystander intervention, and consent. Informal or formal lectures on crime prevention can be scheduled for any size group by contacting Cal Poly Police directly at (805) 756-6652.

The following is a list of additional programs offered by Cal Poly Police:

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Audience</th>
<th>Number of Programs Held</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicycle and Skateboarding Diversion and Safety Class</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Laws pertaining to bicycles, skateboards, motorized skateboards, roller skates, roller blades, coasters or similar devices. League of American Bicyclist and NHTSA format.</td>
</tr>
<tr>
<td>Alcohol and Drugs Prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Laws pertaining to alcohol and drug use/violations and prevention.</td>
</tr>
<tr>
<td>Sexual &amp; Dating Violence Prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Prevention, advocates (on and off campus), Title IX, law enforcement response, bystander.</td>
</tr>
<tr>
<td>Bystander Intervention Prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>Informing students that they are capable of safely intervening in a situation that may be making others feel unsafe.</td>
</tr>
<tr>
<td>Gender Based Violence Prevention</td>
<td>Students, Staff and Faculty</td>
<td>0</td>
<td>To enhance gender-based violence prevention and response efforts on campus and the surrounding community.</td>
</tr>
</tbody>
</table>

4 Due to the COVID-19 pandemic, Cal Poly Police Department did not conduct any trainings 2020.
CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

The campus records and monitors, via local law enforcement agencies, criminal activity at non-campus locations of student organizations officially recognized by the campus, including student organizations with non-campus housing facilities. These agencies include, but are not limited to, the San Luis Obispo Police Department and the San Luis Obispo County Sheriff’s Office. Crimes reported as occurring at locations outside the physical boundaries of the University are generally investigated by the agency having primary jurisdiction over the location. These include campus recognized fraternity and sorority houses, which are located within the City and County of San Luis Obispo. This information is requested by the University and published in the report; however other police agencies are not required by law to provide the requested information.

ALCOHOL AND DRUGS

Cal Poly is dedicated to providing the best academic and professional experience that can be offered to its students, faculty and staff. The use of illegal drugs and the abuse of alcohol are known to be at cross-purposes to this mission and are not tolerated on campus. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Cal Poly Police Department enforces laws regulating alcohol and drugs, including state underage drinking laws. Students, faculty, and staff in violation of alcohol and drug laws may also be referred to the offices of Student Rights and Responsibilities, Human Resources, or Academic Personnel.

The possession, sale or the furnishing of alcohol on the University campus is governed by CSU Executive Order 1109, Cal Poly Campus Administrative Policy 172, and California state law. Use of alcohol at Cal Poly is strictly controlled, limited to those persons 21 years of age or older, and must be in compliance with California state law and University policy. In all cases, the possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age is strictly prohibited and in most cases illegal. Campus Administrative Alcohol Policy 172 can be found at https://policy.calpoly.edu/cap/100/cap-170#cap-172.

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that Cal Poly must create and maintain a drug-free environment and implement a program to prevent the unlawful possession, use, or distribution of drugs, and the abuse of alcohol by its students and employees. Cal Poly expressly prohibits the manufacture, use, sale, purchase, transfer, or possession of dangerous drugs or narcotics, except when lawfully prescribed for medical or dental care, or when lawfully permitted for purposes of research, instruction or analysis. This includes marijuana, cocaine, heroin, and morphine, as well as barbiturates and amphetamines. In addition, campus regulations prohibit students or employees
from being under the influence of any legal or illegal drug while on campus, with the exception of legally prescribed medications which do not adversely affect the student's or employee's work ability, job performance, or the safety of that individual or others.

Student violators are subject to discipline through the Student Conduct process (refer to CSU Executive Order 1098, found at https://calstate.policystat.com/policy/8453518/latest/), which may result in either probation, suspension, or expulsion from the University and/or the CSU system. This may also include removal from University Housing. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance that has been committed by a student who is under the age of 21.

Employees in violation of the University alcohol and drug policies may be subject to corrective action, dismissal, requirement to participate fully in an approved counseling or rehabilitation program, or other applicable legal sanctions under local, state and federal laws.

All members of the campus community may be subject to criminal prosecution for violation of applicable local, state, or federal laws.

CALIFORNIA LAW

The following summarizes some of the California state laws regarding drugs and alcohol that may be relevant to students and employees:

**Controlled Substances**

- California penalties for offenses involving controlled substances include those set forth in the California Health & Safety Code § 11350: Imprisonment in the county jail or state prison, a fine not to exceed $70, or probation with fine for felony convictions of at least $1,000 for the first offense and at least $2,000 for second or subsequent offenses or community service for unlawful possession of controlled substances. (HS § 11350)
- Under California law, possession of certain controlled substances (Schedule I, II, and III) for sale or purchasing for the purpose of sale are punishable by imprisonment of two, three, or four years. (HS §§ 11054, 11055, 11056 & 11351)
- Penalties are more severe for offenses involving heroin, cocaine, cocaine base, or any analog of these substances and occurring upon the grounds of, or within, a church or synagogue, a playground, a public or private youth center, a child day care facility, or a public swimming pool, during hours in which the facility is open for business, classes, or school-related programs, or at any time when minors are using the facility. (HS § 11353.1)
- It is unlawful to possess any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking certain controlled substances. (HS § 11364)
- Personal property may be subject to forfeiture if it contains drugs or was used in a drug manufacture, distribution, dispensation or acquired in violation of this division. (HS § 11470)
• The California Legislature declares that the dispensing and furnishing of prescription drugs, controlled substances and dangerous drugs or dangerous devices without a license poses a significant threat to the health, safety and welfare of all persons residing in the state and shall be guilty of a crime. (HS § 11352.1)

Alcohol

• It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public. Sanctions range from a fine of $250-$500 and community service, depending on whether the offense is a first or subsequent violation. (BP § 25662)
• Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor. Potential sanctions include fines of $250 or higher, community service, and imprisonment, depending on the facts of the case. (BP § 25658)
• Any person under the influence of alcohol in a public place and unable to exercise care for one’s own safety or that of others is guilty of a misdemeanor. (PC § 647 (f))
• It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher. (CVC § 23152)
• It is a misdemeanor to ride a bicycle upon a highway under the influence of alcohol, drugs or both. (CVC § 21200.5)
• It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle. (CVC § 23223)
• It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area. (CVC § 23225)

Driving Under the Influence

• First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than $390 nor more than $1,000 and except as otherwise provided suspension of privilege to operate motor vehicle. (CVC § 23536)
• Conviction of driving under the influence with or without bodily injury within ten years of certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than $390 nor more than $1,000 and revocation of privilege to operate a motor vehicle. (CVC § 23550.5)
• Driving under the influence causing bodily injury: Imprisonment in state prison or county jail for not less than 90 days nor more than one year and a fine of not less than $390 nor more than $1,000 and suspension of privilege to operate a motor vehicle. (CVC § 23554)
• Driving under the influence causing bodily injury or death to more than one victim:
  Enhancement of one year in state prison for each additional injured victim up to a maximum
  of three one-year enhancements. (CVC §23558)
• Second conviction of driving under the influence causing bodily injury within ten years or
  conviction within ten years of separate conviction of other specified offenses involving
  alcohol or drugs: Imprisonment in the county jail for not less than 120 days nor more than
  one year and a fine of not less than $390 nor more than $5,000 and revocation of privilege
  to operate a motor vehicle. (CVC § 23560)

FEDERAL LAW

Federal law prohibits the illegal possession of a controlled substance. (21 U.S.C. § 844(a))
• First offense: prison sentences up to one year and a minimum fine of $1,000.
• Second offense: prison sentences up to two years and a minimum fine of $2,500.
• Third offense: prison sentences up to three years and a minimum fine of $5,000.
• Special sentencing provisions apply for possession of flunitrazepam, including imprisonment
  of three years as well as the fine schedule referenced above

HEALTH RISKS

Substance use is linked to serious negative physical health effects including chronic diseases,
increased risk of injury, and in some cases overdose. When taken in large quantities, alcohol can
negatively affect many parts of the body including the brain, heart, liver, pancreas, and immune
system. It can also increase risk of developing certain cancers including mouth, esophagus, throat,
liver and breast cancer. Mixing alcohol and prescription or illicit drugs can also have serious
negative effects including the increased risk of heart attack. Drug and alcohol use also increase risks
of depression, anxiety, and suicidal behaviors including significant risk taking behaviors. Campus
Health & Wellbeing (CHW) maintains a free and anonymous self-assessment tool called ScreenU.
All students may access and take the assessment at any time to support early identification and
treatment of problematic or high risk use.

TREATMENT PROGRAMS

The University recognizes that alcohol and drug dependencies are treatable conditions. Employees
and students who suffer from a substance abuse problem are encouraged to get help immediately.
Employees may receive assistance from the Employee Assistance Program (EAP) free of charge by
calling (800) 367-7474 and health insurance plans often defray part of the cost of rehabilitation
programs. Employees may also be required to participate in drug-free awareness programs or
training. Students who feel they are in need of assistance are encouraged to see a counselor in
Counseling Services (805) 756-2511, schedule a BASICS/CASICS appointment (Brief
Alcohol/Cannabis Screening Intervention for College Students) with a Health Educator (805) 756-6181 or schedule an appointment with a Peer Health Educator (805) 756-6181, all located in Campus Health & Wellbeing, Building 27. More information can be found at https://chw.calpoly.edu/.

CAMPUS RESOURCES

Among its many services, Campus Health & Wellbeing serves as a clearinghouse for information and referral resources regarding AOD services, both on campus and in the community. Professional Health Educators can support students, faculty, and staff in navigating information, resources and support groups dealing with AOD topics. A wide range of written material is available as well as one-on-one consultations with Health Educators and Peer Health Educators are available.

Campus Health & Wellbeing provides counseling and psychological services through the forms of individual therapy and, group therapy. Wellbeing Services maintain recovery support spaces, peer-support and dialogue groups, and maintains and provides current and meaningful referrals to local specialists for students in need of more support.

The following is a list of local organizations that provide AOD treatment services. A more complete list of local, county, and out-of-area organizations may be obtained from Human Resources and/or Campus Health & Wellbeing.

The services listed below are provided for informational purposes only, and no specific endorsement is implied.

- Alcoholics Anonymous:
  - Morro Bay/Cambria (805) 772-8714 / (805) 927-0347
  - North County (805) 238-3311 / (805) 466-8175
  - San Luis Obispo (805) 541-3211
  - South County (805) 481-6605
- Al-Anon (support for those affected by AOD use by friends/family): (805) 543-7924
- Narcotics Anonymous: (805) 549-7730
- Mustangs for Recovery (Peer Community) (805) 756-6181
- Balance Treatment Center (855) 414-8100

SUBSTANCE USE AND ABUSE ADVISORY COMMITTEE (SUAAC)

As part of its commitment to ensuring an AOD free environment, the University has established a Substance Use and Abuse Advisory Committee comprised of campus and community members. The committee is charged with a biennial review of the campus AOD abuse program to determine its effectiveness and implement needed changes. SUAAC consists of a multidisciplinary team that
meets monthly to strategize a collaborative approach to ensuring the safety of students including: focused, collaborative interventions and national, state, and county trends and threats as they relate to the student population.

**EDUCATION PROGRAMS**

The following is a list of programs Cal Poly offers to students designed to increase awareness of the risks of alcohol and other drugs:

<table>
<thead>
<tr>
<th>Program or Initiative Name</th>
<th>Leading Organization</th>
<th>Audience</th>
<th>Type of Program, Frequency</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Programming</td>
<td>PULSE (ACOD)</td>
<td>On-Campus Residents</td>
<td>Workshops, Presentation; Ongoing</td>
<td>University Housing in collaboration with the peer ACOD team, offers multiple programs throughout the academic year in the Residence Halls and apartments that focus on alcohol and drug awareness, safer partying tools, values identification as they relate to use, and confronting incorrect assumptions about AOD use in students.</td>
</tr>
<tr>
<td>SLO Days - Summer Orientation</td>
<td>New Student &amp; Transition Programs (NSTP)</td>
<td>Incoming and Parents &amp; NSTP student leaders</td>
<td>Presentation; Annually (several sessions throughout summer)</td>
<td>All parents &amp; supporters who attend mandatory orientation receive information and education about alcohol, overdose, mixing substances, and the importance of establishing communication with their students. NSTP leaders are versed in discussing AOD topics with incoming students and encouraged to utilize their positions of power to help set more accurate norms &amp; expectations.</td>
</tr>
<tr>
<td>“Not Anymore” Online Programs</td>
<td>Office of Equal Opportunity (OEO)</td>
<td>Incoming Students</td>
<td>Training; Annual</td>
<td>These are mandatory training programs that must be completed by all new and continuing students at the beginning of each academic year. The AOD educational modules focus on dispelling misconceptions of drug and alcohol use in college, reiterate safety and overdose prevention, and educate incoming students about the ramifications of drug and alcohol use.</td>
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<td>Program or Initiative Name</td>
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<tr>
<td>Week of Welcome (WOW)</td>
<td>NSTP</td>
<td>Incoming Students &amp; WOW student leaders</td>
<td>Presentation; Annual</td>
<td>All incoming students attending mandatory WOW receive a one-hour presentation on norms, expectations, possible physical &amp; mental ramifications of AOD use, overdose awareness, the Good Samaritan Laws and general safety with alcohol, cannabis, study drugs, opiates, and mixing substances. The student leaders are lead through a training to encourage reflection on their roles as leaders for incoming students, setting health, caring and supportive norms, and the importance of maintaining a AOD free orientation experience.</td>
</tr>
<tr>
<td>Fraternity &amp; Sorority Narcan and overdose awareness</td>
<td>Wellbeing Services</td>
<td>Fraternity and Sorority leadership</td>
<td>Small Group Facilitation; annually</td>
<td>The leadership teams from each chapter attend a brief training outlining the dangers of illicit drugs and the inclusion of fentanyl in the local drug supply. They are encouraged to maintain awareness that any illicit drug may be cut with this potentially deadly opiate, how to recognize the signs of overdose, and where Narcan—an opioid antagonist—can be obtained.</td>
</tr>
<tr>
<td>New Member Institute</td>
<td>Fraternity &amp; Sorority Life (FSL)</td>
<td>New Greek Members</td>
<td>Presentation; Quarterly</td>
<td>Workshop on hazing prevention, healthy relationships, diversity and inclusion, alcohol consumption, sexual assault, bystander intervention, and drug and alcohol abuse. Education is conducted by Dean of Students, Campus Health and Wellbeing, Pride Center, Gender Equity Center, WITH US, and Safer. AOD specific presentation includes awareness and education as well as reflection of how their use may impact their chapter.</td>
</tr>
<tr>
<td>Classroom Presentations</td>
<td>PULSE (ACOD)</td>
<td>Students</td>
<td>Lectures and Workshops; by request</td>
<td>ACOD offers classroom presentations to a broad array of classes on the foundations of tools for safer partying, awareness of overdose, and direct conversations about the realities of AOD use. These presentations are</td>
</tr>
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<td>Based in de-stigmatization and non-shaming conversational tones.</td>
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<tr>
<td>BASICS/CASICS (Brief Alcohol/Cannabis Screening &amp; Intervention for College Students)</td>
<td>Wellbeing Services</td>
<td>Students</td>
<td>OSRR or Housing sanction or self-referral</td>
<td>Rooted in Motivational Interviewing techniques and considered a best practice for moderate-significant use issues, BASICS/CASICS are a 2-3 session model allowing students to reflect upon their AOD use and negative consequences that they have suffered as a result. Students may be referred as the result of a significant or multiple AOD sanctions or may self-refer.</td>
</tr>
<tr>
<td>Health &amp; Safety staff advisor for Theta Chi</td>
<td>AOD Prevention Specialist</td>
<td>Theta Chi membership</td>
<td>Monthly</td>
<td>Monthly presentations focusing on changing the chapter’s culture of drinking and drug use. Trainings included safety with drugs and alcohol, Narcan and overdose awareness and prevention, and talking with a friend about drug &amp; alcohol use.</td>
</tr>
<tr>
<td>First 6 Weeks programming</td>
<td>PULSE (ACOD)</td>
<td>Students—focus on first year</td>
<td>Presentations, social media campaigns, outreach into residence halls and pop-up events</td>
<td>The first 6 weeks of college has been identified as one of the most dangerous times for college students including higher risk of sexual violence as well as higher rates of drinking and drug use (known as the College Effect). PULSE educators run multiple, overlapping events and awareness campaigns focused on safety, overdose awareness and pro-social norms setting.</td>
</tr>
<tr>
<td>Freaky Fall</td>
<td>PULSE (ACOD)</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>Freaky Fall programming occurs at the end of the first six weeks of school and aligns with Halloween and the UCSB v. Cal Poly soccer game. Educational efforts are heavily safety focused with additional education about increases in possible legal and conduct related ramifications.</td>
</tr>
<tr>
<td>St. Patrick’s Day</td>
<td>PULSE (ACOD)</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>St. Patrick’s Day and the weeks surrounding it, has been identified in the AOD Task Force “High-Risk Guidebook” as one of the higher risk days for drug and alcohol use on campus. The ACOD peer team conducts a</td>
</tr>
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<td>comprehensive campaign including: social media education, flyer and specific residence life messaging, and collaborative alternative events in the identified days leading up to St. Patrick’s Day.</td>
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<tr>
<td>4/20 Education</td>
<td>PULSE (ACOD)</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>This awareness campaigns focuses on educating students about the realities of cannabis use including: dangers of higher THC strains, vape and dab pens obtained illicitly, the realities of dependence and addiction, and emerging trends in the health field as they relate to cannabis use.</td>
</tr>
<tr>
<td>Commencement</td>
<td>PULSE (ACOD)</td>
<td>Graduating Students</td>
<td>Annual</td>
<td>This campaign focuses on the legacy of the students’ time at Cal Poly and how that may be affected by overuse before or at commencement. Also focuses on safety and DUI awareness.</td>
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<tr>
<td>Mustangs for Recovery</td>
<td>Mustangs for Recovery</td>
<td>Students and community members</td>
<td>Peer support; Ongoing</td>
<td>Mustangs for Recovery maintains 3 weekly recovery meetings allowing for multiple recovery paths.</td>
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<td>-Monday Motivation—open recovery meeting focused on reflection for the week and goal setting</td>
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<td>-Students for Recovery—Open AA meeting for students to meet others in recovery and build community and seek support</td>
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<td>-Students with Solutions—Open recovery meeting centering the experiences of LGBTQIA+ students in or seeking recovery.</td>
</tr>
<tr>
<td>Mustangs for Recovery</td>
<td>Mustangs for Recovery</td>
<td>Campus and Community members</td>
<td>Ongoing; episodic events</td>
<td>Mustangs for Recovery hosts multiple events throughout the year to grow community and awareness for those seeking or in recovery.</td>
</tr>
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<tr>
<td>ACOD AOD presentations</td>
<td>PULSE (ACOD)</td>
<td>Students</td>
<td>Workshops, Presentation; Ongoing</td>
<td>ACOS, the Alcohol, Cannabis and Other Drug peer team advised by the AOD Prevention Specialist, offers workshops to the campus community regarding general party safety, alcohol and other drug safety, overdose awareness, how to talk to a friend about substance use concerns, and other specific AOD education as requested.</td>
</tr>
<tr>
<td>Social Media Outreach</td>
<td>PULSE (ACOD) &amp; Mustangs for Recovery</td>
<td>Campus and Community Members</td>
<td>Ongoing</td>
<td>Safer utilizes their social media platform (particularly Instagram) to engage students and meet them where they’re at. Successful campaigns include entirely virtual Awareness &amp; Prevention Months, boundary setting, Be That Mustang, interactive Myths vs Facts, IGTV interviews, and more.</td>
</tr>
<tr>
<td>Athletics Trainings</td>
<td>AOD Prevention Specialist</td>
<td>Student Athletes</td>
<td>Fall quarter, Annually</td>
<td>All new and returning student athletes complete mandatory trainings about alcohol and drug use with a focus on binge drinking, overdose awareness, and ways to manage the stressors of being a student athlete.</td>
</tr>
<tr>
<td>Peer Health Coach Consultations</td>
<td>PULSE (PCS)</td>
<td>Students</td>
<td>Consultations; ongoing</td>
<td>Students who are referred for lower risk alcohol or drug involvement meet with peer health coaches trained to utilize Motivational Interviewing and strengths based interventions to help motivate behavior</td>
</tr>
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<td>change and safety with AOD. These students may be self-referred or mandated through a conduct process.</td>
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<tr>
<td>Narcan education</td>
<td>AOD Prevention Specialist</td>
<td>Students, Staff &amp; Faculty</td>
<td>Presentations; ongoing</td>
<td>With the increase of fentanyl in the illicit drug supply and availability of Narcan through various state grants, the AOD Prevention Specialist offered multiple trainings to students and staff regarding opiate awareness, signs of overdose, and ways to obtain Narcan.</td>
</tr>
<tr>
<td>ScreenU</td>
<td>AOD Prevention Specialist</td>
<td>Students, staff &amp; faculty</td>
<td>Ongoing; available virtually</td>
<td>ScreenU is an SBIRT software program designed and administered by HECAOD. SBIRT (Screening, Brief intervention and Referral to Treatment) have been shown to have significant impact as early intervention strategies. Launched in Winter 2021 anonymous assessments available to all students focused on alcohol, cannabis, or prescription drug use. Students referred through CHW providers, interventions with Health Educators, or by self-selection through the Wellbeing Assessment page.</td>
</tr>
<tr>
<td>Aware Awake Alive</td>
<td>Student Affairs</td>
<td>Students</td>
<td>Ongoing</td>
<td>The Aware Awake Alive program offers prevention strategies for alcohol poisoning by educating teens, young adults and parents on the dangers and symptoms of alcohol overdose. Aware Awake Alive generates awareness and dialogue around amnesty-based policy and legislation, and creates an atmosphere of partnership in which young people, parents, educators, and like-minded organizations share responsibility for supporting and educating one another.</td>
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</table>

**SEXUAL VIOLENCE**

The California State University does not discriminate on the basis of sex, gender, including gender identity or expression, or sexual orientation in its education programs or activities. Title IX of the
Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), including admissions, and protect all people regardless of their gender from Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking.

The University seeks to provide an education environment free of Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. Every member of the University community shall be aware that Sexual Misconduct and/or acts of violence of a sexual nature directed toward another person will not be tolerated and are prohibited by federal and state law and University policy. As members of the University community, students shall comply with University policies and guidelines in addition to federal, state, and local laws whether on or off campus. The University will discipline persons identified as responsible for Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking as described in this report and University policy.

In an ongoing effort to prevent Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking, the University provides education and prevention programs, provides confidential advocacy/victim support, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course loads, campus housing changes, work assignment assistance, stay away orders, leaves of absence, and more. The University also provides information to victims regarding pursuing criminal action and obtaining protective orders if needed. University officials who are responsible for investigating and/or adjudicating cases of Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking receive annual training for compliance with federal, state and CSU system regulations.

The University is committed to empowering victims Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking by providing ample supportive services, and encouraging their choice of action, regardless of their decision to seek criminal prosecution of offender(s). Victims are encouraged to seek the support of a state-certified professional advocate through the Safer program, who can assist in further exploring their options and create a plan for their wellbeing. If requested by the victim, University personnel will assist the victim in notifying the appropriate law enforcement authorities.

PREVENTION, EDUCATION, AND AWARENESS

A comprehensive institutional approach to address prohibited Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking ensures appropriate education as well as support services and creation of an environment that does not
tolerate Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. To comply with Title IX and the related federal regulations, Cal Poly has implemented the following mandatory training for both students and employees.

**Students**

Not Anymore online student training is the primary ongoing prevention and awareness program for all new and returning students at Cal Poly. Not Anymore is an online platform that addresses the critical issues of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. This training focuses on identifying behaviors and recognizing situations that could potentially result in sexual violence, bystander intervention, building healthy relationships, defining “consent,” and helping students understand and overcome the cultural contributors to sexual assault. The training includes information on risk reduction strategies, the procedures the institution follows when a policy violation is reported, and the rights of students during disciplinary proceedings. All new and returning students are required to complete this training within the first few weeks of the quarter.

**Employees**

All employees are required to annually complete the “Gender Equity & Title IX” course through the CSU Learn training portal. This course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. Interactive case studies and videos provide engaging educational content that explains how to respond to known or suspected sexual violence, which includes Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. Many interactions are based on real cases that teach important concepts to help create a safe campus community and create a culture that does not tolerate sexual violence. The course teaches employees valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence. The course content also helps postsecondary institutions comply with the employee training requirements of Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act), including information on procedures the institution follows when one of these crimes is reported and rights within disciplinary proceedings.

Federal law requires all colleges and universities that participate in federal financial aid programs to train their faculty and staff on how to recognize sexual violence, report incidents to campus authorities, and prevent sexual violence from occurring. This course also provides state-specific legal definitions of sexual violence, and describes victim protections, risk reduction strategies, bystander intervention strategies, and school disciplinary proceedings.

**Bystander Intervention**

The “Bystander Intervention” concept has been introduced into personal safety programming, which brings forth safe and positive options for an individual(s) to carry out to prevent harm or to
intervene when there is a risk of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking. It teaches how to recognize potentially harmful situations, understand institutional structures and cultural conditions that facilitate sexual violence, overcome barriers to intervening and identifying safe and effective intervention options, and take action to intervene. Here are some safe intervention strategies:

1. **Create a Distraction**
   a. Interrupt the conversation and change the subject to something else
   b. Start up a game involving everyone, including the person at risk
   c. Offer to get some food or drinks and ask the person at risk to help

2. **Ask Directly**
   a. Talk to the person at risk and ask if they came with anyone
   b. Ask the person at risk if they need a ride home

3. **Refer to an Authority**
   a. Talk to a Resident Advisor, bartender, or other person of authority to get their assistance
   b. Don’t hesitate to call the police or 9-1-1 if you are concerned for someone’s safety

4. **Enlist Others**
   a. Ask someone else to go with you to talk to the person at risk. Often there is power in numbers!
   b. Ask someone to intervene for you. For example, ask someone that knows the person at risk to meet you in the restroom.
   c. Enlist a friend of the person you are concerned about. For example, “Can you check on your friend over there, she looks like she might have had too much to drink.”

**Options to Promote Safety**

We can all take steps to increase safety on college campuses. As bystanders, students can learn ways of stepping up to prevent crimes like sexual assault from occurring. When it comes to personal safety, there are steps you can take as well, and some of those tips have been outlined below. No tips can absolutely guarantee safety—sexual violence can happen to anyone, and it’s not the only crime that can occur on a college campus.

**Increasing On-Campus Safety**

The following tips may reduce your risk for many different types of crimes, including sexual violence:

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the confidential victim advocate (Safer) at the Student Health and Counseling Center, Cal Poly Police Department, and a local sexual-assault service
provider (RISE). Notice where emergency phones are located on campus, and program the Cal Poly Police Department number (805-756-2281) into your cell phone for easy access.

- **Stay alert.** When you’re moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or requesting a safety escort from the Cal Poly Police Department when on campus. If you’re alone, only use headphones in one ear to stay aware of your surroundings.

- **Be careful about posting your location.** Many social media sites use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.

- **Make others earn your trust.** A college environment can foster a false sense of security, give people time to earn your trust before relying on them.

- **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can’t use a credit card? Do you have the address to your dorm or college memorized?

- **Be secure.** Lock your door and windows when you’re asleep and when you leave the room. If people regularly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

### Safety in Social Settings

It’s possible to relax and have a good time while still making safety a priority. Consider these tips for staying safe and looking out for your friends in social settings:

- **Make a plan.** If you’re going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don’t leave someone stranded in an unfamiliar or unsafe situation.

- **Protect your drink.** Don’t leave your drink unattended and watch out for your friends’ drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It’s not always possible to know if something has been added to someone’s drink. Often date-rape drugs are colorless, odorless, and tasteless, and are therefore undetectable.

- **Know your limits.** Keep track of how many drinks you’ve had and be aware of your friends’ behavior. If one of you feels extremely tired or more intoxicated than you should, you may have been drugged. Leave the party or situation and find help immediately.

- **It’s okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it’s okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressurized, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could
use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

- **Be a good friend.** Trust your instincts. If you notice something that doesn’t feel right, it probably isn’t.

### OTHER EVENTS AND PROGRAMS

Trained facilitators from Safer, the Office of Equal Opportunity, Cal Poly Police and Student Affairs provide presentations, workshops, and other educational events and programs to the Cal Poly community. Safer also has multi-week awareness programs, training, primary prevention programs, bystander intervention training, and ongoing prevention and awareness campaigns for the campus community. Some are voluntary and others are mandatory. Over the course of the 2020 calendar year, Safer conducted 100 educational presentations and trainings, reaching 8,574 students, 274 faculty/staff and 1,564 community members, parents and supporters. Due to the COVID-19 pandemic, Safer transitioned all programming and outreach to a virtual format, primarily through Zoom and social media and offered 27 outreach events. These events enjoyed robust online engagement and attendance. Descriptions of some of these programs offered to the campus community are listed below.

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<tr>
<td>Housing Programming</td>
<td>Safer</td>
<td>On-Campus Residents</td>
<td>Workshops, Presentation; Ongoing</td>
<td>University Housing in collaboration with Safer, offers multiple programs throughout the academic year in the Residence Halls and apartments that focus on healthy relationships, consent &amp; alcohol, boundary setting, and other pro-social norm setting campaigns.</td>
</tr>
<tr>
<td>Professional Trainings for Faculty and Staff</td>
<td>Safer</td>
<td>Faculty and Staff</td>
<td>Workshops; Ongoing</td>
<td>Provide trainings on primary prevention, best practices for responding to disclosures of violence, and creating trauma-informed environments. Trainings are often offered in partnership with Counseling Services and Office of Equal Opportunity.</td>
</tr>
<tr>
<td>SLO Days - Summer Orientation</td>
<td>New Student &amp; Transition Programs (NSTP)</td>
<td>Incoming Students and Parents</td>
<td>Presentation; Annually (several sessions throughout summer)</td>
<td>All students and parents who attend mandatory orientation receive information from Safer and Title IX on consent, safety, resources and how to help if made aware of any Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking.</td>
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<tr>
<td>&quot;Not Anymore&quot; Online Programs</td>
<td>Office of Equal Opportunity (OEO)</td>
<td>Incoming Students</td>
<td>Training; Annual</td>
<td>These are mandatory training programs that must be completed by all new and continuing students at the beginning of each academic year. The educational modules focus on education and risk reduction regarding Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Bystander Intervention, Consent and Alcohol and Other Drugs.</td>
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<tr>
<td>Gender Equity and Title IX</td>
<td>Office of Equal Opportunity</td>
<td>New Employees</td>
<td>Online Training; Annually</td>
<td>This course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of sexual assault. It also provides state-specific legal definitions of sexual violence, and describes victim protections, bystander intervention strategies, and school disciplinary proceedings.</td>
</tr>
<tr>
<td>Week of Welcome (WOW)</td>
<td>NSTP</td>
<td>Incoming Students</td>
<td>Presentation; Annual</td>
<td>All incoming students attending mandatory WOW receive a one-hour presentation on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, Bystander Intervention, Healthy Relationships, Consent and the Role of Alcohol. They will also go through an awareness gallery that educates students on the prevalence of Sexual Misconduct and what they can do to help prevent Sexual Misconduct.</td>
</tr>
<tr>
<td>Safer Rep Training for Fraternity and Sorority Life</td>
<td>Safer</td>
<td>Fraternity and Sorority Members</td>
<td>Small Group Facilitation; Ongoing</td>
<td>Representatives from each FSL chapter complete an annual training in the spring, with a 1-hour orientation and 4 weeks of 1.5-hour sessions. Monthly check-in meetings occur with the Prevention Specialist. Completion of this training allows members to be liaisons for their chapters in receiving continuing education on sexual misconduct.</td>
</tr>
<tr>
<td>Safer Leadership Training - Students</td>
<td>Safer</td>
<td>Students</td>
<td>Small Group Training; Quarterly</td>
<td>This in-depth training spans 7-8 weeks with 2.5 hours per session. It offers foundational knowledge about gender- and power-based violence on campus, sharing best practices and primary prevention strategies that lead</td>
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<tr>
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<tr>
<td>Safer Leadership Training – Faculty &amp; Staff</td>
<td>Safer</td>
<td>Faculty and Staff</td>
<td>Small Group Training; Quarterly</td>
<td>An abridged 3-session training of the above, focusing on the effects of trauma, how to respond and create trauma-informed educational spaces.</td>
</tr>
<tr>
<td>New Member Institute</td>
<td>Fraternity &amp; Sorority Life (FSL)</td>
<td>New Greek Members</td>
<td>Presentation; Quarterly</td>
<td>Workshop on hazing prevention, healthy relationships, diversity and inclusion, alcohol consumption, sexual assault, bystander intervention, and drug and alcohol abuse. Education is conducted by Dean of Students, Campus Health and Wellbeing, Pride Center, Gender Equity Center, WITH US, and Safer</td>
</tr>
<tr>
<td>Classroom Presentations</td>
<td>Safer</td>
<td>Students</td>
<td>Lectures and Workshops; by request</td>
<td>Safer offers classroom presentations to a broad array of classes on the foundations of violence, affirmative consent, how to seek support and respond to disclosures.</td>
</tr>
<tr>
<td>University Housing Resident Advisor Training</td>
<td>Housing, Safer, OEO</td>
<td>Resident Advisors</td>
<td>Presentation; Bi-Annually</td>
<td>All new and returning Resident Advisors receive bi-annual training from Safer and Title IX. Additional training is conducted through “Behind Closed Doors,” an immersive role-play-based training that allows Resident Advisors to apply skills.</td>
</tr>
<tr>
<td>Restorative Options for Accountability and Dialogue (ROAD)</td>
<td>Wellbeing Services, Student Diversity &amp; Belonging (SDAB)</td>
<td>Students</td>
<td>Training; available through Title IX resolution</td>
<td>Formerly the Men &amp; Masculinities training, ROAD Training is an opportunity for students accused of sexual misconduct to process through harm they may have caused through a restorative lens. It is a discussion-based curriculum designed to provide participants with a space to process their circumstances as it relates to their values, identities, social location, and relationships. It is the goal that participants will process their experience, discover deeper levels of empathy and</td>
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<tr>
<td>FSL for a Safer Campus</td>
<td>Safer</td>
<td>Fraternity and Sorority Life Students</td>
<td>Meetings; 2x Monthly</td>
<td>Regular committee meetings are held between the Prevention Specialist and FSL members. The students make monthly newsletters about violence prevention in Greek Life.</td>
</tr>
<tr>
<td>Prevention Consultations</td>
<td>Safer</td>
<td>Students, Faculty and Staff</td>
<td>Meetings; by request</td>
<td>The Prevention Specialist offers 1:1 or group consultations regarding approaches to violence prevention. Successful collaborations include club bylaws reform, customized presentations and strategic planning input regarding organizational response to violence prevention.</td>
</tr>
<tr>
<td>Stalking Awareness &amp; Prevention Month (January)</td>
<td>Safer</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>This month focuses on stalking, its impacts on survivors and how to prevent it. Programs are guided by professional staff and implemented by student leaders. Event and workshop topics include examining the intersections of marginalized identities with violence, technological abuse, safety planning and how to set boundaries. Events are done in collaboration with many on and off campus partners. For more information, visit safer.calpoly.edu/jansam.</td>
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<tr>
<td>Sexual Assault Awareness &amp; Prevention Month (April)</td>
<td>Safer</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>This month is Safer’s longest standing awareness month, including numerous large scale outreach events. Topics covered throughout the month include how to infuse trauma-informed practices into the classroom, intersections with marginalized identities, positive bystander intervention strategies. Highlight events include Denim Day, Take Back the Night, Clothesline Project. Events are done in collaboration with many on and off campus partners. For more information, visit safer.calpoly.edu/saam.</td>
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<tr>
<td>Domestic Violence Awareness &amp; Prevention Month (October)</td>
<td>Safer</td>
<td>Students, Faculty and Staff</td>
<td>Events; Annually</td>
<td>This awareness month focuses on creating and maintaining healthy relationships, boundary setting, safety planning, the intersections of abuse with marginalized identities, individual and collective healing and more. For more information, visit safer.calpoly.edu/dvam.</td>
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<tr>
<td>Be That Mustang Campaign</td>
<td>Safer</td>
<td>Students</td>
<td>Campaign; Ongoing</td>
<td>A social norm campaign regarding bystander intervention strategies. To view the campaign, visit safer.calpoly.edu/get-educated/bystander-intervention.</td>
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<tr>
<td>Safer and Student Diversity &amp; Belonging Collaborative Events</td>
<td>Safer, Student Diversity and Belonging</td>
<td>Students</td>
<td>Events; Ongoing</td>
<td>Safer and SDAB collaborate on programming that addresses the impacts of violence on marginalized communities, with an emphasis on intersectionality and community healing. Some examples of programming:</td>
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<td>- MultiCultural Center/Safer - Break the Silence: Reproductive and Sexual Health Stories</td>
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<td>- Black Academic Excellence Center/Safer - Black History Month</td>
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<td>- Dream Center/Safer – Undocu-Issues: Gender- &amp; Power-Based Violence in the Undocumented Community</td>
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<td>- Men &amp; Masculinities/Safer - Dialogue Series on Toxic Masculinity &amp; Violence</td>
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<td>- Gender Equity Center/Safer - Tech Abuse &amp; Online Safety</td>
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<tr>
<td>Coordinated Community</td>
<td>Safer, OEO, CPPD, Dean of Students</td>
<td>Campus and Regular meetings</td>
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<td>As a collaborative effort between our Cal Poly and San Luis Obispo communities, our CCRT aims to represent a diverse and inclusive</td>
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| Response Team (CCRT)       | Community members    | with working groups | group of professionals who are passionate about advocacy, empowerment, and personal and community safety. Our CCRT will works collaboratively to create sustainable and systemic change to decrease the prevalence of gender-based violence at Cal Poly based on student feedback and national best practices. Working groups have worked on the following during the 2020 year:  
  - Stalking resources  
  - Victim/survivor support resources  
  - Campus survey on sexual violence |
<p>| EROS Sexual &amp; Relationship Health Presentations | PULSE | Students | Workshops, Presentation; Ongoing | EROS, the Peer Sexual Health Team advised by Safer’s Prevention Specialist, offers workshops to the campus community regarding sexual and relationship health. |
| Social Media Outreach      | Safer                | Campus and Community Members | Ongoing | Safer utilizes their social media platform (particularly Instagram) to engage students and meet them where they’re at. Successful campaigns include entirely virtual Awareness &amp; Prevention Months, boundary setting, Be That Mustang, interactive Myths vs Facts, IGTV interviews, and more. |
| WOW Leader Training        | Safer/NSTP           | WOW Leaders | Winter, Spring Quarters | Safer trains all incoming WOW Leaders in a train-the-trainer capacity, to provide them support and resources prior to them organizing their own group of incoming students. Information covers social norm setting, primary prevention techniques, bystander intervention, responding to disclosures, and resources. |
| Athletics Trainings        | Safer SDAB OEO Athletics | Student Athletes | Fall quarter, Annually | All new and returning student athletes complete mandatory trainings about gender- &amp; power-based prevention and response, in a collaborative workshop between Safer, Title IX and Men &amp; Masculinities. |</p>
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<tr>
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<tr>
<td>PULSE Peer Health Educator Trainings</td>
<td>Safer/PULSE</td>
<td>Peer Health Educators</td>
<td>Spring Quarter, Annually</td>
<td>All incoming Peer Health Educators within PULSE are trained by Safer on primary prevention, bystander intervention, violence as a public health issue, responding to disclosures, mandated reporting requirements, and resources for survivors.</td>
</tr>
<tr>
<td>BRIDGE Workshop</td>
<td>Counseling Services</td>
<td>Students</td>
<td>Workshop; Quarterly</td>
<td>BRIDGE (Building Relationship Intimacy and Dialogue Effectiveness) focuses on identifying ways to foster healthy relationships via self-monitoring, effective communication, and conflict resolution skills. The sessions include modules dedicated to help you: (1) better understand your values and boundaries in relationships, (2) learn the role of culture in communication, different styles of communication, and strategies for effective communication, and (3) identify common causes of conflict and effective conflict management techniques.</td>
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<tr>
<td>Trauma-Informed Yoga Therapy Group</td>
<td>Counseling Services</td>
<td>Students</td>
<td>Therapy Group; Weekly</td>
<td>This group uses trauma-informed yoga as a way to assist students in healing from trauma, includes psychoeducation about the importance of movement and breathing techniques in their healing.</td>
</tr>
<tr>
<td>Female-Identified Survivors of Sexual Abuse Support Group</td>
<td>Counseling Services</td>
<td>Students</td>
<td>Therapy Group; Weekly</td>
<td>This is a support group for female-identified survivors of sexual trauma, including rape, sexual assault, abuse, exploitation, harassment, etc. The focus of the group will be on providing support to group members, normalizing their experiences, and exploring ways of building positive self-esteem and healthy coping mechanisms.</td>
</tr>
<tr>
<td>Individual/Group Therapy</td>
<td>Counseling Services</td>
<td>Students</td>
<td>Individual, Group Therapy; Weekly</td>
<td>Counseling Services provides a variety of additional individual and group therapy options that focus on evidence-based treatment for trauma and related conditions.</td>
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<tr>
<td>Hazing Prevention Week Fall 2020 Quarter</td>
<td>Fraternity &amp; Sorority Life</td>
<td>Facing FSL Members Social Media Campaign</td>
<td>Virtual Events; Fall 2020 Quarter</td>
<td>Awareness events about alcohol and hazing prevention, film screening on hazing prevention, chapters involved in spreading awareness and conversations in chapters.</td>
</tr>
<tr>
<td>Officer Institute Fall 2020</td>
<td>Fraternity &amp; Sorority Life</td>
<td>All Greek Presidents and Council Officers: approx. 150 Students</td>
<td>Training; Annual</td>
<td>Education on all campus departments: including sexual assault prevention tips, health and well being awareness, diversity and inclusion discussions</td>
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<tr>
<td>Social Risk Management Trainings Fall 2020 and Winter 2021</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Training; 10</td>
<td>Abridged version for COVID-19, includes: awareness and education on social host laws, COVID-19 guidelines and tools on bystander intervention specific to COVID-19, sexual assault prevention, safe drinking practices, best practices for hosting events with alcohol, hazing prevention, amnesty policies, drugs, bystander intervention, laws and city policies. Conducted by FSL Staff in partnership with WITHUS and SLO CITY.</td>
</tr>
<tr>
<td>Greek Leadership Institute Winter 2021</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Training; Once</td>
<td>Education on sexual assault, drugs and alcohol, bystander intervention, hate &amp; bias, diversity and inclusion, sexual assault prevention, hazing prevention education, leadership development, COVID-19. Conducted with campus partners.</td>
</tr>
<tr>
<td>Healthy Masculinities Week Winter 2021 Virtual Social Media Campaign</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Social Media</td>
<td>Ongoing week of awareness on reflecting on identities and what healthy masculinities is in Fraternities.</td>
</tr>
<tr>
<td>Diversity Equity &amp; Inclusion (DEI) Education Plans</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Reports</td>
<td>Required diversity, equity and inclusion plans submitted and reviewed on a rolling basis to provide resources to chapters to assist with</td>
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<tr>
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<tr>
<td>Online Hazing Prevention Modules (2)</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Online Training; Annually</td>
<td>Hazing prevention online modules (2) courses, focus on hazing definitions, alternative activities, dangers of hazing and alcohol</td>
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<tr>
<td>DEI Recruitment Training</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Training; Once</td>
<td>Training on DEI resources and facilitation skills around microaggressions, hate/bias, intergroup dialogue for all recruitment counselors and recruitment chairs.</td>
</tr>
<tr>
<td>Risk Management Workshops Spring 2021</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Training; Twice</td>
<td>Overview of prevention needs for fall 2021 return to campus, event registration and policy overview, risk reduction tips</td>
</tr>
<tr>
<td>Risk Management Meetings with FSL Chapters</td>
<td>Fraternity &amp; Sorority Life</td>
<td>FSL Students</td>
<td>Meetings</td>
<td>1:1 meetings with 37 chapters to review risk management procedures and provide feedback, revisions to improve all risk management processes based on chapter needs</td>
</tr>
<tr>
<td>Campus Survey on Sexual Violence Winter 2020</td>
<td>OEO, Safer</td>
<td>All Students</td>
<td>Survey and Findings Presentation; Ongoing</td>
<td>The 2020 Campus Survey on Sexual Violence was part of a university-wide attempt to investigate the prevalence, scope, and climate of sexual violence on campus. The purpose of this survey was to collect information about the frequency, consequences, attitudes towards, and awareness of services regarding sexual violence at Cal Poly. All current undergraduate and graduate students were asked to participate, regardless of personal experience with sexual violence. The survey included questions about beliefs, opinions, experiences with, and knowledge about policies and procedures regarding sexual violence on campus. Answers to these questions are being used to inform Cal Poly policies, prevention and intervention tools and student support systems. A team of</td>
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Program or Initiative Name | Leading Organization | Audience | Type of Program, Frequency | Description
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**DEFINITIONS PER CALIFORNIA PENAL CODE**

The following definitions are covered in training for all incoming students and new employees.

**RAPE (CA Penal Code Chapter 1 Section 261)**

(a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

(1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(2) Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.

STATUTORY RAPE (CA Penal Code, Chapter 1, Section 261.5)

(a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.
CONSENT TO SEXUAL ACTIVITY (CA Penal Code, Chapter 1, section 261.6)
In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, in which consent is at issue, “consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 287, or 289, or former Section 288a.

INCEST (CA Penal Code, Chapter 1, Section 285)
Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

SODOMY (CA Penal Code Chapter 1 Section 286)
Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

(b) (1) Except as provided in Section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.

(2) Except as provided in Section 288, any person over 21 years of age who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony.

(c) (1) Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(2) (A) Any person who commits an act of sodomy when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of sodomy with another person who is under 14 years of age when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 9, 11, or 13 years.

(C) Any person who commits an act of sodomy with another person who is a minor 14 years of age or older when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 7, 9, or 11 years.
(3) Any person who commits an act of sodomy where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person or where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for five, seven, or nine years.

(2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is under 14 years of age, when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.

(3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

(e) Any person who participates in an act of sodomy with any person of any age while confined in any state prison, as defined in Section 4504, or in any local detention facility, as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.

(f) Any person who commits an act of sodomy, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

(1) Was unconscious or asleep.
(2) Was not aware, knowing, perceiving, or cognizant that the act occurred.
(3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
(4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(g) Except as provided in subdivision (h), a person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the
act, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(h) Any person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(i) Any person who commits an act of sodomy, where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for three, six, or eight years.

(j) Any person who commits an act of sodomy, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) Any person who commits an act of sodomy, where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for three, six, or eight years.

As used in this subdivision, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(l) As used in subdivisions (c) and (d), “threatening to retaliate” means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury, or death.

ORAL COPULATION (CA Penal Code Chapter 1 Section 287)

(a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

(b) (1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.
(2) Except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony.

(c) (1) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(2) (A) Any person who commits an act of oral copulation when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of oral copulation upon a person who is under 14 years of age, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(C) Any person who commits an act of oral copulation upon a minor who is 14 years of age or older, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

(3) Any person who commits an act of oral copulation where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting that other person, commits an act of oral copulation (A) when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, or (B) where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, or (C) where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison for five, seven, or nine years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime described under paragraph (3), that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is under 14 years of age, when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.
(3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim’s will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

(1) Was unconscious or asleep.
(2) Was not aware, knowing, perceiving, or cognizant that the act occurred.
(3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
(4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the oral copulation served a professional purpose when it served no professional purpose.

(g) Except as provided in subdivision (h), any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison, for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(h) Any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental
disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(i) Any person who commits an act of oral copulation, where the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(jj) Any person who commits an act of oral copulation, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(kk) Any person who commits an act of oral copulation, where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

As used in this subdivision, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(ll) As used in subdivisions (c) and (d), “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

BIGAMY, INCEST, AND THE CRIME AGAINST NATURE (CA Penal Code Chapter 1 Section 289)

(a) (1) (A) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

(D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.
(2) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(c) Any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

1. Was unconscious or asleep.
2. Was not aware, knowing, perceiving, or cognizant that the act occurred.
3. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
4. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(e) Any person who commits an act of sexual penetration when the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.
(f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(g) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

As used in this subdivision, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.

(i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.

(j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) As used in this section:

(1) “Sexual penetration” is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant’s or another person’s genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object.
(2) “Foreign object, substance, instrument, or device” shall include any part of the body, except a sexual organ.
(3) “Unknown object” shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.

(l) As used in subdivision (a), “threatening to retaliate” means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.

(m) As used in this section, “victim” includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.
FONDLING (CA Penal Code Chapter 9, Section 243.4, Assault and Battery)

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person’s will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).

(e)(1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws...
that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, “touches” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), “touches” means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

(1) “Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.
(2) “Sexual battery” does not include the crimes defined in Section 261 or 289.
(3) “Seriously disabled” means a person with severe physical or sensory disabilities.
(4) “Medically incapacitated” means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.
(5) “Institutionalized” means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.
(6) “Minor” means a person under 18 years of age.

(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars ($10,000).

DOMESTIC VIOLENCE/DATING VIOLENCE (CA Penal Code, Chapter 2, Section 273.5 and Section 243)

(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000), or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

(1) The offender’s spouse or former spouse.
(2) The offender’s cohabitant or former cohabitant.
(3) The offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.
(4) The mother or father of the offender’s child.

CA Penal Code 243 (e) (1) When a battery (willful and unlawful use of force or violence upon the person of another) is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment.

STALKING
CA Penal Code, Chapter 2, Section 646.9
(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

CA Penal Code, Chapter 2, Section 653m
(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith.

(b) Every person who, with intent to annoy or harass, makes repeated telephone calls or makes repeated contact by means of an electronic communication device, or makes any combination of calls or contact, to another person is, whether or not conversation ensues from making the telephone call or contact by means of an electronic communication device, guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith or during the ordinary course and scope of business.

ABUSE: (CA Family Code, 6203 (definitions) and 6211)
(a) For purposes of this act, “abuse” means any of the following:

(1) To intentionally or recklessly cause or attempt to cause bodily injury.
(2) Sexual assault.
(3) To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
(4) To engage in any behavior that has been or could be enjoined pursuant to Section 6320.
(b) Abuse is not limited to the actual infliction of physical injury or assault.

“Domestic violence” is abuse perpetrated against any of the following persons:

(a) A spouse or former spouse.
(b) A cohabitant or former cohabitant, as defined in Section 6209.
(c) A person with whom the respondent is having or has had a dating or engagement relationship.
(d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
(e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
(f) Any other person related by consanguinity or affinity within the second degree.

DEFINITIONS PER EXECUTIVE ORDERS 1095-1097

These policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth in the section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Handbook.

In 2020, through Secretary of Education Betsy DeVos, the United States Department of Education, Office for Civil Rights (OCR) issued and amended federal regulations (Federal Regulations) implementing Title IX of the Education Amendments of 1972. The Federal Regulations are titled Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106). The Federal Regulations were published in the Federal Register on May 19, 2020. The Federal Regulations have been implemented in CSU policy by way of an Addendum to Executive Orders 1096 and 1097 known as “Addendum B – Federal Mandated Hearing Addendum.” The definitions required by the Federal Regulations are included below and identified as “Addendum B Definitions.” These definitions will apply where the campus Title IX Coordinator determines that a Formal Complaint of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking falls within the scope of Addendum B. Additional Executive Order definitions are included. These definitions apply to conduct that falls outside of the scope of Addendum B.

SEX DISCRIMINATION
An adverse action taken against an individual because of gender or sex (including Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or
California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Persons of all genders and gender identities can be victims of Sex Discrimination.

SEXUAL HARASSMENT

ADDENDUM B: Sexual Harassment means conduct on the basis of Sex that satisfies one or more of the following:

- An Employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity

EXECUTIVE ORDER: Sexual Harassment is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature where:

1. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Complainant's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
2. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, and is in fact considered by the Complainant, as limiting his or her ability to participate in or benefit from the services, activities or opportunities offered by the University; or
3. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, and is in fact considered by the Complainant, as creating an intimidating, hostile or offensive environment.

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment. Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The University's policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to University policy.
SEXUAL MISCONDUCT
All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person’s intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person’s incapacitation (including voluntary intoxication) to engage in sexual activity. Persons of all genders can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

SEXUAL ASSUALT (ADDENDUM B)
RAPE: the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

FONDLING: the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.

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

STATUTORY RAPE: is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

AFFIRMATIVE CONSENT
• An informed, affirmative, conscious, voluntary, and mutually agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent. Affirmative Consent must be voluntary, and given without coercion. Force, threats, or intimidation.
• The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.

• Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

• Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions,

• Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making ability, awareness of consequences, and ability to make informed judgments. A person’s own intoxication or incapacitation from drugs or alcohol does not diminish that person’s responsibility to obtain Affirmative Consent before engaging in sexual activity.

• A person with a medical or mental disability may also lack the capacity to give consent.

• Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.

• It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
  o The person was asleep or unconscious;
  o The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
  o The person was unable to communicate due to a mental or physical condition.

• It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  o The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
  o The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.
DOMESTIC VIOLENCE
ADDENDUM B: Physical violence or threat of physical violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant.

EXECUTIVE ORDER: Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent has or had a dating or engagement relationship; or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. It does not include roommates who do not have a romantic, intimate, or sexual relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the Parties while sharing the same living quarters; (2) sharing of income or expenses; (3) joint use or ownership of property; (4) whether the Parties hold themselves out as spouses; (5) the continuity of the relationship; and, (6) the length of the relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self, or another. Abuse does not include non-physical, emotional distress or injury.

DATING VIOLENCE
ADDENDUM B: Physical violence or threat of physical violence committed by a person—

1. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
   a. The length of the relationship.
   b. The type of relationship.
   c. The frequency of interaction between the persons involved in the relationship.

EXECUTIVE ORDER: Abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self or another. Abuse does not include non-physical, emotional distress or injury.

STALKING
ADDENDUM B: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.
EXECUTIVE ORDER: Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his or her safety or the safety of others, or to suffer Substantial Emotional Distress. For purposes of this definition:

- **Course of Conduct** means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property;
- **Reasonable Person** means a reasonable person under similar circumstances and with the same Protected Status(es) as the complainant;
- **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- **Protected Status** includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

**PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT**

Call 9-1-1 in any kind of emergency, or when facing immediate harm or threat of harm.

Persons who have experienced Sexual Misconduct/Sexual Assault, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. Cal Poly Police can also provide access to a Sexual Assault Victim Advocate. Regardless of whether an individual chooses to notify the police, they are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or counselor who can provide information on options, rights and remedies.

A written explanation of rights and options must be provided to a Student, Employee or Third Party who reports to the University that s/he has been a victim of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking, whether the offense occurred on or off Campus. It is the Title IX Coordinator’s responsibility to ensure this written Notice is provided to the complainant/victim(s). The Title IX Coordinator annually provides the written explanation of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking (Attachment C in Executive Order 1095) to all members of the campus community including Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking victims. The written explanation of Rights and Options is described in detail later in this document.

Victims have the right to decide who and when to tell about Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking. They may always decline to notify authorities when that option is offered to them. However, it is very important that they get medical attention after
being assaulted. Following the incident, a victim may be physically injured, may have contracted a sexually transmitted disease, or may become pregnant.

The University’s primary concern is the safety and well-being of every member of the campus community. The use of alcohol or drugs never makes the victim at fault. If a campus community member has experienced Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking they should not be deterred from reporting the incident out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. A person who participates in investigations or proceedings involving Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline for related violations of the Student Conduct Code or other University policies at or near the time of the incident unless the University determines the conduct places the health and safety of another person at risk, or is otherwise egregious.

The University encourages victims of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking to talk to someone about what happened – so they can get the support they need, and so the University can respond appropriately. Whether – and the extent to which – a University employee may agree to maintain confidentiality (and not disclose information to the Title IX Coordinator) depends on the employee’s position and responsibilities at the University. The following information is intended to make everyone aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn for help. The University strongly encourages victims to talk to someone identified in one or more of these groups.

Certain University employees, listed below, are required by law to maintain near or complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain the victim’s identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator, including the identity of the perpetrator. Most other University employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim, and take steps to correct and eliminate the misconduct.

Cal Poly Police, the Title IX Coordinator, University-employed physicians, professional counselors, licensed clinical social workers, sexual assault and domestic violence counselors and advocates, and certain other University employees are required to explain to victims their rights and options with respect to confidentiality.

PRIVILEGED AND CONFIDENTIAL REPORTS

Treating physicians, psychotherapists, professional counselors, and clergy who work or volunteer providing medical or mental health treatment or counseling (including those who act in that role

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under their supervision may not report any information about an incident of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking to anyone else at the University, including the Title IX Coordinator, without the victim’s consent. A victim can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim’s identity or the fact of the victim’s disclosure. However, see limited exceptions below regarding when these professionals must report to local law enforcement agencies. These confidential professionals should explain these limited exceptions to victims, if applicable.

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against a perpetrator if a victim chooses to (1) speak only to a treating physician, psychotherapist, professional counselor, or clergy member, and (2) maintain complete confidentiality. Even so, these individuals will assist victims in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services, and will advise victims regarding their right to file a Title IX complaint with the University and a separate complaint with local or Cal Poly Police. If a victim insists on confidentiality, the University will likely not be able to fully assist the victim with: University academic support or accommodations; changes to University-based living or working schedules; or adjustments to course schedules.

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. Counselors and advocates can provide victims with that assistance if requested. Treating physicians, psychotherapists, professional counselors, and clergy will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

**EXCEPTIONS TO CONFIDENTIALITY**

Under California law, any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct/Sexual Assault, Domestic Violence, and Dating Violence).

This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.
Additionally, under California law, physicians, psychotherapists, professional counselors, licensed clinical social workers, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable. Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the sexual violence incident. If applicable, these professionals will explain this limited exception to victims.

See more about voluntary confidential reporting in the Voluntary Confidential Reporting section above.

**PRESERVATION OF EVIDENCE**

In cases of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking, the preservation of physical evidence is important to facilitate the identity and successful prosecution of the offender. The victim should preserve text messages, social media postings, or notes that demonstrate the course of conduct. Contemporaneous photos of bruises or other injuries are helpful. In cases of sexual assault or violence, the victim should not change clothes, bathe, douche, or shower following the attack. Sexual Assault Response Team (S.A.R.T.) medical personnel are trained to collect, process, and preserve physical evidence of Sexual Misconduct, and are committed in their assistance to the victim. Victims may request a S.A.R.T. exam to preserve forensic evidence without completing a police report. This evidence may be used in the case a victim wishes to report the assault at a later date. Victims are not financially responsible for S.A.R.T. exams and the cost will be the responsibility of the local law enforcement jurisdiction.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders related to the incident more difficult. Victims who choose not to make a complaint regarding an incident, nevertheless, should consider speaking with Cal Poly Police or other law enforcement to preserve evidence in the event that they change their mind and wish to report the assault at a later date.

A victim has the right to have a confidential advocate present when reporting to law enforcement and during examinations. With the victim’s consent, the confidential advocate will assess the victim’s immediate needs and provide support and referral as appropriate. This confidential assistance may include counseling, information concerning rape trauma syndrome; information on the collection of medical evidence and available health services to test for injuries, sexually transmitted diseases, and/or pregnancy. Assistance is also available with access to other resources and services, including assistance in obtaining emergency protection orders and restraining orders.
REPORTING OPTIONS

Victims have several reporting options including those with confidentiality and may pursue one or all of these options at any time. Victims have a right to have a friend, family member, sexual assault victim advocate, or other representative present while reporting the incident. They also have the right to have a sexual assault victim advocate and support person of their choice present with them during a rape examination. The campus Title IX Coordinator can assist in notifying the police. Victims may also take any of the actions below.

REPORTING TO THE POLICE

Reporting to Cal Poly Police and/or local police is an option at any time. Victims who choose not to report to the police immediately following a Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking incident, can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim’s behalf.

As soon after the incident as possible, victims of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking may be reported to the Cal Poly Police Department by dialing 911. The Cal Poly Police will support all victims of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim. Cal Poly Police will protect the confidentiality of the victim to the extent permitted by applicable California State law.

If a victim reports to a local police agency or the Cal Poly Police about Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim’s identity to anyone else at the University, including the Title IX Coordinator. Cal Poly Police will, however, report the facts of the incident itself, including the identity of the perpetrator if known, to the Title IX Coordinator being sure not to reveal the victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed. All publicly available record keeping will be maintained without the inclusion of personally identifiable information about the victim.
**REPORTING TO A CSA**

Any member of the University community may report incidents of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence or Stalking to any Campus Security Authority (CSA’s). These University personnel will assist the victim in notifying the appropriate law enforcement agency if the victim requests the assistance of law enforcement. In addition, most campus employees including CSA’s are required to report incidents of Sexual Misconduct/Sexual Assault, Dating Violence, Dating Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, under the Clery Act the campus may be required to issue a Timely Warning to the community. Any such warning will not include any information that identifies the victim.

**REPORTING TO A TITLE IX COORDINATOR OR RESPONSIBLE EMPLOYEE**

Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX Coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking. The campus Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University’s relevant formal complaint process, and rights to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

Formal complaints can be filed with the Office or Equal Opportunity by calling the office at (805) 756-6770, emailing the office at equalopportunity@calpoly.edu, or submitting the applicable CSU EO 1096/1097 Complaint Form to equalopportunity@calpoly.edu.

Most University employees have a duty to report disclosed incidents of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking when they are on notice of it. When a victim tells the Title IX Coordinator or another non-confidential University employee about a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking directly to the campus Title IX Coordinator.

As detailed above, most University employees except treating physicians, licensed counselors, and clergy must report to the Title IX Coordinator all relevant details about any Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incidents of which they
become aware. The University will need to determine what happened and will need to know the names of the victim(s) and the alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University’s response to the incident. Any Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The University will protect the privacy of individuals involved in a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim’s identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim’s identity to the police without the victim’s consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University’s obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim’s request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim’s identity, the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will provide the written explanation of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking (Attachment C in Executive Order 1095) which includes written information to victims about supportive measures. This includes information on preservation of evidence, how and to whom to report the alleged offense, the options available regarding and involving law enforcement and campus authorities (including notification of law enforcement authorities, being assisted by campus authorities in notifying law enforcement if the victim chooses, and declining to notify the authorities), and
notification of the rights of victims to seek orders of protection and request “no-contact” orders, and restraining orders. The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University’s response to the incident. The Title IX Coordinator will remain mindful of the victim’s well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide Supportive Measures requested by the victim and the other party to a complaint, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Make connections to individuals on campus who can provide support and solutions with respect to a variety of logistics, including transportation assistance, visa/immigration assistance, and financial aid assistance;
- Provide security and support, which could include issuing a mutual no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules or adjustments for assignments, tests, or work duties, including supervisory reporting relationships and leaves of absence; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The Title IX Coordinator remains available to assist the victim and provide reasonable Supportive Measures requested throughout the reporting, investigative, and disciplinary processes, and thereafter.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

Under California law, and pursuant to University policy, many University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the incident to the police. However, the
identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking campus-wide, reports (including non-identifying reports) may also require the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported incident(s) occurred; increased education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices.

SUPPORTIVE MEASURES
Supportive Measures are individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent regardless of whether a complaint is filed under CSU Executive Order 1096 or 1097 (including Addendum A or Addendum B) or with campus police or local law enforcement. Supportive Measures are designed to restore or preserve equal access to CSU Education Programs or Activities without unreasonably burdening the other Party, including to protect the safety of all Parties or the educational environment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escorts, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures.

After receiving a report of Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, or Stalking, the Title IX Coordinator will contact the Complainant promptly to discuss the availability of Supportive Measures. During the discussion, the Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a complaint, and explain the process for filing a complaint.

NON-REPORTING

Victims are strongly encouraged to formally report any incident of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking to the police and/or campus Title IX Coordinator so that steps may be taken to protect them and the rest of the campus community. However, non-reporting is also an option.
**CIVIL LAWSUIT**

Victims may choose to file a civil lawsuit against the perpetrator, whether or not criminal charges have been filed. A civil lawsuit provides the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress.

**RESTRAINING ORDERS**

Victims may also choose to obtain a protective or restraining order (such as a Domestic Violence Restraining Order or a Civil Harassment Restraining Order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can protect victims who have experienced or are reasonably in fear of physical violence, Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking. The campus Title IX Coordinator or Sexual Assault Victim’s Advocate can offer assistance with obtaining a protective or restraining order.

San Luis Obispo County has a document preparation program available to complete the necessary forms to request a protective order. More information can be found here: https://www.slo.courts.ca.gov/self-help/civil-harassment-restraining-order and here: https://www.slo.courts.ca.gov/self-help/family-law/domestic-violence.

**COMPLAINT PROCEDURES**

The CSU has adopted and published complaint procedures that provide for prompt, impartial, and equitable resolution of complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The complaint procedures that will apply in a particular case will depend on certain factors described below.

**COMPLAINTS MADE BY STUDENTS**

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students" is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be viewed at https://calstate.policystat.com/policy/6742744/latest/

**COMPLAINTS MADE BY EMPLOYEES, FORMER EMPLOYEES, THIRD PARTIES, AND APPLICANTS FOR EMPLOYMENT**

Executive Order 1096, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by
Employees and Third Parties is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party.

Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking should use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at https://calstate.policystat.com/policy/6743499/latest/

COMPLAINTS MADE BY STUDENT-EMPLOYEES

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not their status as a student. Executive Order 1096 can be viewed at https://calstate.policystat.com/policy/6743499/latest/

EXECUTIVE ORDER 1096 OR 1097 SINGLE INVESTIGATOR PROCESS

Executive Order 1096 is the applicable policy and procedure for a complaint made by an employee or third party. Executive Order 1097 is the applicable policy and procedure for a complaint made by a student. The complaint procedures under Executive Orders 1096 and 1097 are called a “single investigator process.” This means that an Investigator interviews the Parties and witnesses, and gathers any documentary evidence. The Parties have an opportunity to review the evidence gathered, request that additional evidence be gathered, and respond to the evidence gathered. Once the evidence is reviewed by the parties, the Investigator makes a determination as to whether the policy was violated. The single investigator process will be used in response to complaints of Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking that are not mandated to be addressed under either Addendum A: State Mandated Hearing Addendum, or Addendum B: Federal Mandated Hearing Addendum (see below).

ADDENDUM A: STATE MANDATED HEARING ADDENDUM

In January 2019, a California Court of Appeal ruled that students accused of Sexual Misconduct who face severe discipline (expulsion or suspension) at any California university have the right to a hearing to cross-examine (question), directly or indirectly, their accusers and other witnesses if witness credibility is “central” to the case. To implement the new requirements, the CSU created an addendum to Executive Orders 1096 and 1097. This addendum is known as Addendum A: State Mandated Hearing Addendum (“Addendum A”), and it describes the investigation and resolution
process for cases that meet the above requirements. Cases that proceed under Addendum A do involve a hearing (where the case is not resolved through Informal Resolution).

**ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM**

On May 6, 2020, the United States Department of Education, Office for Civil Rights (OCR) issued and amended Title IX Regulations implementing Title IX of the Education Amendments of 1972. The Regulations are titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (34 C.F.R. 106).

To implement the requirements of the Title IX Regulations, the CSU created a further addendum to Executive Orders 1096 and 1097. This addendum is known as Addendum B: Federal Mandated Hearing Addendum (“Addendum B”), and it describes the investigation and resolution process for cases covered by the Title IX Regulations. Addendum B applies to cases involving allegations that are defined by the Title IX Regulations as Sexual Harassment in an Education Program or Activity against a person (including, but not limited to students and employees) in the United States. Cases processed under Addendum B do involve a hearing (where the case is not resolved through Informal Resolution).

**UNIVERSITY RESPONSE TO REPORTS OF SEXUAL MISCONDUCT/SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

Regardless of whether an employee, a student or a third party ultimately files a complaint under the applicable complaint procedure, if the University knows or has reason to know about possible Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking, the Title IX Coordinator will review the matter to determine if an investigation is warranted. When warranted, all such investigations must be prompt, thorough and impartial. The University must then take appropriate steps to eliminate the Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

Complaints alleging Sexual Misconduct/Sexual Assault, Sexual Assault, Domestic Violence, Dating Violence, and Stalking will initially be assessed to determine if they meet the requirements for the case to proceed under Addendum B.

When the Title IX Coordinator receives a Formal Complaint, the Title IX Coordinator will simultaneously provide both Parties a written Notice of Allegations. The Notice of Allegations includes the factual allegations and policy violations alleged.

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5 A Formal Complaint is defined as a document or electronic submission filed by a Complainant that contains the Complainant’s physical or digital signature or a document signed by the Title IX Coordinator alleging Sexual Harassment (as defined under Addendum B) against a Respondent and requesting an investigation of the allegation of Sexual Harassment. At the time that the Formal Complaint is filed, a Complainant must be participating in or attempting to participate in an Education Program or Activity of the CSU. A Formal Complaint
MANDATORY AND DISCRETIONARY DISMISSAL OF A FORMAL COMPLAINT

When the Title IX Coordinator receives a Formal Complaint, or information from a third party, the Title IX Coordinator will assess whether the Formal Complaint meets the requirements of the Federal Regulations to move forward under the process in Addendum B to Executive Order 1096 (if the Complainant is an employee or a third party) or Executive Order 1097 (if the Complainant is a student). A determination that allegations in a Formal Complaint do not meet the requirements of Addendum B will result in a dismissal of the allegations in the Formal Complaint that do not meet the requirements and, in some cases, a referral of the allegations to another process as the University may have an obligation to address the matter under other laws and policies. During the process, a Formal Complaint or any allegation in the Formal Complaint, may be dismissed under the circumstances listed below.

The Federal Regulations, Addendum B, require that there be two types of dismissals: mandatory and discretionary.

MANDATORY DISMISSAL/REFERRAL

AA Formal Complaint must be dismissed as to any conduct alleged that:

1. would not meet the definition of Sexual Harassment even if proved;
2. did not occur in an Education Program or Activity; or
3. did not occur in the United States.

DISCRETIONARY DISMISSAL

At any time during the process, it is within the discretion of the Title IX Coordinator to dismiss a Formal Complaint, or any conduct alleged within a Formal Complaint, where:

1. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any part of it;
2. the Respondent is no longer a Student or Employee; or
3. if the specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

WRITTEN NOTICE

Written notice of a mandatory or discretionary dismissal and reason(s) for the dismissal will be sent simultaneously to the Parties when a Title IX Coordinator dismisses a Formal Complaint (Notice of Dismissal). The notice will inform the Parties of their right to appeal the dismissal, whether the matter will be referred to another process and the process for submitting an appeal. This notice may exist even without a signature where something otherwise indicates that the complainant is the person filing the formal complaint. An e-mail from the Complainant would be sufficient.
may be accompanied by a Notice of Allegations, as described in Article VI. below, where a Notice of Allegations has not already been provided.

APPEAL OF A FORMAL COMPLAINT DISMISSAL/REFERRAL

Either Party may appeal from a dismissal of a Formal Complaint or any part of the Complaint to the Chancellor's Office (CO) Systemwide Title IX Unit. The appeal must be filed within 10 Working Days from the date of the Notice of Dismissal. The appeal will be in writing and will be based only on one or more of the following grounds: a procedural irregularity occurred that affected the dismissal of the Formal Complaint; new evidence that was not reasonably available at the time the dismissal decision was made that could affect the decision to dismiss the Formal Complaint; or the Title IX Coordinator (or designee) who dismissed the Formal Complaint had a conflict of interest or bias for or against the Complainant or Respondent in this case or complainants or respondents in general.

Appeals will be filed with the Chancellor's Office (CO) Systemwide Title IX Unit and will be addressed to:

Systemwide Title IX Unit
Systemwide Human Resources
Office of the Chancellor
TIX-Dismissal-Appeals@calstate.edu

If you are Any individual who is unable to file an appeal or a response to an appeal electronically, please should contact the Campus Title IX Office for assistance.

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given 5 Working Days from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within 10 Working Days of the CO’s receipt of the appeal, the Parties will simultaneously receive (via email) a written decision with explanation.

The CO review will not involve a new assessment of the Dismissal/Referral or consideration of evidence that was not introduced during the Campus review, unless the new evidence was not reasonably available at the time of the review.

If the CO review determines that the Dismissal/Referral should be reviewed to cure any defects, the matter will be remanded back to the Campus to reassess within a timeframe specified by the CO. The Parties will be informed simultaneously of the review and the timeframe. Once the review is complete the Campus will provide the Parties and the CO with either a Notice of Dismissal/Referral or Notice of Allegations, depending on the outcome, that reflects any changes to the determination. The notice will inform the Parties of their right to appeal and the CO will contact the appealing Party to determine whether that Party wishes to continue with the appeal.
The CO appeal response is final and concludes the Dismissal/Referral process under Addendum B. If there is a mandatory dismissal of a Formal Complaint, it does not preclude the Campus from later identifying a relevant policy or policies that address the alleged conduct, notifying the Parties of the policy or policies, and moving forward under the procedures of those policies.

When the Title IX Coordinator receives a Formal Complaint, the Title IX Coordinator will Simultaneously provide both Parties a written Notice of Allegations.

The Notice of Allegations will be provided to both Parties regardless of whether the Formal Complaint must be dismissed. See section above on dismissal of formal complaints. If a Formal Complaint is dismissed at this stage of the process, the Notice of Allegations will also include the Notice of Dismissal and appeal rights.

If new allegations are raised during the investigation that were not included in the Notice of Allegations, a revised Notice of Allegations will be issued Simultaneously to the Parties.

If the Notice of Allegations also serves as notice of a Respondent’s expected attendance at an interview, it will include details of the date, time, location, participants, and purpose of that interview. The Notice of Allegations must be provided to a Respondent at least 5 Working Days prior to the interview.

If a Respondent requests to meet sooner than 5 Working Days after receipt of the Notice of Allegations, they should verbally confirm at the start of the meeting that they are aware that they were provided notice of at least 5 Working days and this confirmation should be documented by the Title IX Coordinator or investigator.

INFORMAL RESOLUTION

INFORMAL RESOLUTION UNDER EO 1096/1097 SINGLE INVESTIGATOR PROCESS
To initiate the Informal Resolution Process under the EO 1096/1097 single investigator process, the Complainant should contact the Title IX Coordinator who shall promptly meet with the Complainant to discuss their concern and possible resolutions as appropriate.

Complainants shall be informed about the range of possible outcomes, including Supportive Measures or disciplinary actions that might be taken against the Respondent, and information about the procedures leading to such outcomes.

Participation in the Informal Resolution process is voluntary. It may include an inquiry into the facts, but does not include an investigation. Means for resolution shall be flexible. Resolution options include but are not limited to discussions with the Parties, a resolution facilitated by the Title IX Coordinator, separating the Parties, referring one or both of the Parties to counseling programs, an agreement between Campus and the Respondent regarding disciplinary action,
conducting targeted preventive educational and training programs or providing Remedies to persons harmed by violations of this policy.

The Title IX Coordinator shall meet with the Complainant, the Respondent, and any other persons or witnesses they may determine to be necessary.

If resolution is reached, a written record of the resolution shall be documented and maintained in accordance with applicable Campus recordkeeping policies. The matter shall be considered closed.

Where the Respondent is another Student, the Title IX Coordinator shall inform the Student Conduct Administrator of the outcome of the Informal Resolution process, including any Supportive Measures afforded to the Complainant. Where the Respondent is an Employee, Human Resources or Academic Affairs shall be informed as appropriate.

If resolution is not reached, the Campus shall promptly notify the Complainant and, where applicable, the Respondent in writing that the Informal Resolution process is terminated, and the termination effective date. The Title IX Coordinator shall also determine whether the matter is appropriate for investigation, and so notify the parties in writing. The Complainant shall be provided written notification of the right to file a complaint.

The Complainant shall be notified that the Complainant or the Campus may at any time elect to terminate the Informal Resolution process. In that event, the Title IX Coordinator shall promptly notify the Complainant and the Respondent in writing that the Informal Resolution process has terminated, the effective date thereof, and inform the Complainant of the right to file a complaint.

INFORMAL RESOLUTION UNDER ADDENDUM A
If the Title IX Coordinator or either Party believes that it may be possible to resolve a complaint processed under Addendum A in a prompt, fair, and reasonable manner without a hearing, the Title IX Coordinator may suggest that the Parties consider an Informal Resolution subject to the following:

1. both Parties must agree to engage in the Informal Resolution process;
2. any agreed-upon remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a Hearing;
3. the terms of any resolution must be memorialized in writing and signed by the Parties and the Title IX Coordinator; and
4. the resolution will be final and not appealable by either Party.

INFORMAL RESOLUTION UNDER ADDENDUM B
Under Addendum B, at any time prior to the issuance of the Hearing Officer’s Report, if the Title IX Coordinator or either Party believes that it may be possible to resolve the Formal Complaint in a prompt, fair, and reasonable manner without a hearing, the Parties may consider an Informal Resolution that does not involve a full investigation and adjudication, subject to the following:
1. informal Resolution under this Addendum may only be offered where a Formal Complaint has been filed;
2. the University cannot offer or facilitate Informal Resolution under this Addendum to resolve allegations that an Employee sexually harassed a Student; and
3. the University must obtain the Parties' voluntary, written consent before starting the Informal Resolution process.

Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should simultaneously be provided written notice regarding Informal Resolution.

The Informal Resolution process will be completed prior to any determination of responsibility being made, but no later than 60 Working Days after both Parties provide voluntary, written consent to participate in the Informal Resolution process.

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator and/or other appropriate University Administrator responsible for the implementation of the terms. Use of electronic signatures is permitted.

WRITTEN PRELIMINARY ASSESSMENT – ADDENDUM B ONLY
As part of an Informal Resolution under Addendum B, at the request of both Parties, Campuses will provide a written preliminary assessment of the evidence by the Title IX Coordinator. Neither the fact nor the substance of the assessment will be shared with the Hearing Officer or considered relevant at the Hearing.

INVESTIGATIVE PROCEDURES
The Title IX Coordinator will either promptly investigate a complaint or assign this task to another Investigator.

ADVISORS
During the investigations the Parties may be accompanied by Support Advisors. During Addendum B hearings, the Parties must also have a Hearing Advisor to conduct cross-examination.

Support Advisor-The Complainant and the Respondent may each elect to be accompanied by a Support Advisor to any meeting, interview, or proceeding regarding the allegations that are the subject of a complaint. The Support Advisor may be anyone, including a union representative from the Complainant’s or Respondent’s collective bargaining unit, an attorney, or, in the case of the Complainant, a Sexual Assault Victim’s Advocate. The Support Advisor may not answer questions regarding the subject matter of the investigation for the Complainant or the Respondent or speak on behalf of a Complainant or Respondent. However, the Support Advisor may observe and consult with the Complainant or Respondent.
HEARING ADVISORS – ADDENDUM B Hearings ONLY
In matters proceeding under Addendum B, the Complainant and Respondent must each have a Hearing Advisor at the hearing. A Hearing Advisor will be responsible for asking the other Party and any witnesses all relevant questions and follow-up questions, including those that challenge credibility, during the hearing.

GATHERING OF EVIDENCE
The Complainant and the Respondent shall have equal opportunities to present relevant witnesses and evidence in connection with the investigation. The Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful.

REVIEW OF EVIDENCE
After gathering evidence and before issuing a Final Investigation Report, the Investigator will share with the Complainant and Respondent, all evidence (including, in an Addendum B case, evidence upon which the University does not intend to rely) obtained as part of the investigation that is Relevant (single investigator process or Addendum A) or Directly Related (Addendum B) to the allegations raised in the Formal Complaint (Preliminary Investigation Report). In matters proceeding under Addendum A or Addendum B, the Preliminary Investigation Report will also identify the material facts – disputed and undisputed, with explanations as to why any material fact is disputed.

Each Party will be given a minimum of 10 Working Days for the initial Review of Evidence to respond to the list of disputed facts and evidence and submit additional questions for the other Party and witnesses. During the Review of Evidence, each Party may:

- meet again with the Investigator to further discuss the allegations;
- identify additional disputed facts;
- respond to the evidence in writing;
- request that the Investigator ask additional specific questions to the other Party and other witnesses;
- identify additional relevant witnesses; or
- request that the Investigator gather additional evidence.

The Investigator will share with the Parties the answers to questions posed during the Review of Evidence. If additional disputed material facts are identified or evidence is gathered, it will be included in the Preliminary Investigation Report (or in a separate addendum) and shared with all Parties, who will be given a reasonable opportunity to respond to the new evidence and submit.

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6 For an Addendum B matter, this information will also be sent to the Parties’ respective Support Advisors, if any.
additional questions to the other Party and other witnesses about the new evidence only. The Investigator determines when it is appropriate to conclude the Review of Evidence.

FINAL INVESTIGATION REPORT
After the Review of Evidence phase is concluded, the Parties will receive a Final Investigation Report that will summarize all Relevant evidence, including any additional Relevant evidence received during the Review of Evidence. Any Relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits.

WRITTEN RESPONSE TO FINAL INVESTIGATION REPORT – ADDENDUM B ONLY
Under Addendum B, the Parties and their Support Advisors will be provided 10 Working Days to review and provide a written response to the Final Investigation Report for an Addendum B matter.

TIMEFRAME FOR COMPLETION OF INVESTIGATION
EXECUTIVE ORDER 1096 OR 1097 SINGLE INVESTIGATOR
An investigation conducted under the Executive Order 1096 or 1097 single investigator process shall be completed no later than 60 Working Days after the intake interview, unless the timeline has been extended pursuant to Article V. E. of EO 1096 and EO 1097. The timeline should not be extended for a period longer than an additional 30 Working Days from the original due date.

ADDENDUM A OR ADDENDUM B
Absent a determination of good cause made by the Investigator or Title IX Coordinator (of which the Parties will receive written notice): (i) an Addendum A or Addendum B investigation should be concluded within 100 Working Days from the date that the Notice of Allegations is provided to the Parties; and (ii) the Final Investigation Report should be completed and provided to the Parties within 10 Working Days after the Review of Evidence has concluded. Extensions may be granted, and notice to the Parties given, as set forth in Article V. E. of EO 1096 and EO 1097. Within 10 Working Days after the Parties have been provided the Final Investigation Report, the Parties will be informed of the timelines that will apply to the pre-hearing and hearing processes described below. Under Addendum B, the Parties will be required to provide the name and contact information for their Hearing Advisor within 5 Working Days after notice of the hearing timeline.

HEARING PROCEDURES
The following will only apply to cases that proceed under Addendum A or Addendum B to Executive Order 1096 or 1097. Differences between the hearing processes under Addendum A and Addendum B are indicated where applicable.

After the investigation and Review of Evidence, there will be a hearing to determine if the policy was violated.
The Parties will be given written notice of the date, time, location, participants, the identity of the Hearing Officer and, for an Addendum B hearing, the purpose of the hearing. The hearing will not be set sooner than **20 Working Days** after the date of notice of hearing.

The Parties can object to the appointed Hearing Officer in writing to the Hearing Coordinator within **5 Working Days** after notice of the identity of the Hearing Officer has been communicated to the Parties. The objection may only be based on an actual conflict of interest. A conflict of interest exists if the Hearing Officer has a personal relationship with one of the Parties or witnesses or has demonstrated actual bias towards a Party or witness. The fact that a Hearing Officer has previously served as a Hearing Officer in a University proceedings will not constitute a conflict of interest. The Hearing Coordinator will determine if a conflict of interest exists.

No later than **15 Working Days** before the hearing, each Party will, under Addendum A: a. Provide to the Hearing Coordinator a proposed witness list that includes the names of, and current contact information for, that Party's proposed witnesses as well as an explanation of the relevance of each proposed witness's testimony and the disputed issue to which the witness's testimony relates. Under Addendum B, the Parties may, but are not required to provide this information. No later than **10 Working Days** before the hearing, the Hearing Coordinator will share a final witness list with the Parties and notify each witness of the date, time and location of the hearing.

No later than **5 Working Days** prior to the hearing, the Parties will under Addendum A, and may under Addendum B, submit a list of proposed questions to the Hearing Coordinator. The questions will be provided to the Hearing Officer. The proposed questions will not be shared with the other Party.

Live hearings will be conducted using videoconferencing technology, unless circumstances are such that videoconferencing would not be appropriate. Neither Party will be required to be physically present in the same room as the Hearing Officer, each other, or witnesses. CSU will utilize technology that ensures that Parties will be able to simultaneously see and hear all of the proceedings and testimony.

The Complainant and Respondent may be present (physically or virtually) at all times during the hearing.

The hearing will begin with an overview of the hearing process given by the Hearing Officer, after which the Parties will be given an opportunity to ask questions about the hearing process. Each Party will be given an opportunity to make an opening statement that may not last longer than 10 minutes. Only the Parties themselves will be permitted to make opening statements. Hearing Advisors and any Support Advisors, where present, are not permitted to make the opening statement. The Support Advisor may not speak during an Addendum A or Addendum B hearing. Closing arguments will not be made.
Generally, the Hearing Officer will start the questioning of witnesses and Parties. The Investigator or the Title IX Coordinator (if not the Investigator) will be the first witness and will describe the complaint, investigation process, and summarize the evidence. The Hearing Officer may ask questions of any Party or witness who participates in the hearing.

**QUESTIONING BY A HEARING OFFICER DURING AN ADDENDUM A HEARING ONLY**

As set forth above, under Addendum A, the Parties will give the Hearing Coordinator a written list of any questions that they would like the Hearing Officer to ask the witnesses. The Parties may also propose follow-up questions to the Hearing Officer during the hearing, at appropriate times designated by the Hearing Officer.

The Hearing Officer will ask the questions proposed by the Parties except for questions that:

i. seek information about the Complainant’s sexual history with anyone other than the Respondent (unless such evidence about the Complainant’s sexual behavior is offered to prove that someone other than the Respondent committed the alleged misconduct);

ii. seek information about the Respondent’s sexual history with anyone other than the Complainant, unless such information is used to prove motive or pattern of conduct;

iii. seek information that is unreasonably duplicative of evidence in the Hearing Officer’s possession; or

iv. the Hearing Officer determines are not relevant to material disputed issues, are argumentative or harassing or unduly intrude on a witness’s privacy.

The Hearing Officer has discretion to modify or change the wording of a question proposed by a Party (for example, when a question is unclear or inappropriate in tone) as long as the substance of the question is preserved.

Absent extenuating circumstances, the Hearing Officer will not rely on prior statements made by the Parties or witnesses during the investigation whose credibility is central to the determination unless those Parties or witnesses make themselves available for examination by the Hearing Officer.

**QUESTIONING BY HEARING ADVISORS DURING AN ADDENDUM B HEARING ONLY**

Under Addendum B, Hearing Advisors will be permitted to ask Relevant questions once the Hearing Officer has concluded their questioning of the other Party and each witness. Parties themselves may not directly ask questions of each other and witnesses.

Each Party’s Hearing Advisor is permitted to ask all Relevant questions of the other Party, the Investigator, and any witnesses, and is also permitted to ask follow-up questions, including those questions challenging credibility. A Party may not be directly questioned by their own Hearing Advisor. The Hearing Officer controls the hearing and determines whether a question is Relevant.

A question is not considered Relevant if it relates to the Complainant’s sexual predisposition or prior sexual behavior, unless such question about the Complainant’s prior sexual behavior is offered to
prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the question concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is asked to prove consent.

Even if a question relates to a Relevant subject or issue, the Hearing Officer may determine that the Party or witness being asked the question is not required to answer if the question is repetitive or duplicative of prior questions.

The Hearing Officer has the discretion to request information from the Parties or Hearing Advisors regarding questions prior to making a determination about the Relevancy of the question. Neither the Parties nor Hearing Advisors may assert objections to questions.

Immediately after each question is asked by the Hearing Advisor, and before the question is answered, the Hearing Officer will indicate whether the question is Relevant, and if it is not, provide an explanation as to why the question is excluded as not Relevant. A Complainant, Respondent, or witness will only answer questions posed by a Hearing Advisor that the Hearing Officer determines are Relevant.

In reaching a determination, the Hearing Officer will not rely on statements made by the Parties or any witness unless those Parties or witnesses make themselves available for questioning. The Hearing Officer may not draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the hearing or refusal to answer questions.

IN RELATION TO HEARINGS UNDER ADDENDUM A AND ADDENDUM B
Abusive or otherwise disorderly behavior that causes a material disruption will not be tolerated. The Hearing Officer may excuse from the hearing anyone (including either Party or their Hearing Advisor/Support Advisor/Support Person) whose behavior causes a material disruption. Should a Hearing Advisor be removed from a proceeding, the University will provide a Hearing Advisor. The Hearing Officer, in their discretion, may postpone the hearing. In making a determination whether to postpone the hearing, the Hearing Officer will consider the equity of postponement as to both Parties.

Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing.

DETERMINATION REGARDING RESPONSIBILITY
After the hearing, the Hearing Officer will make written findings of fact and conclusions about whether the Respondent violated University policy.

The Hearing Coordinator will simultaneously send the Hearing Officer's Report promptly to the Parties, the Title IX Coordinator, and the appropriate University Administrator, usually within 10 Working Days (Addendum A) or 15 Working Days (Addendum B) of the close of the hearing.
If no violation is found, the president (or designee) will be notified along with the Parties. The notification will include the outcome of the hearing, a copy of the Hearing Officer's Report (redacted as appropriate or as otherwise required by law) and notice of the Complainant's and Respondent's right to appeal to the Chancellor's Office.

If a violation is found, within 5 Working Days of receiving such finding the Parties may submit to the Hearing Coordinator an impact statement or other statement regarding discipline that is no more than 2000 words in length. The document is an opportunity for the Parties to suggest disciplinary outcomes and to provide information that they believe is important for the Hearing Officer to consider. The Student Conduct Administrator and/or appropriate University Administrator responsible for discipline and Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors that provides a recommendation regarding the disciplinary outcome, including information regarding prior disciplinary outcomes for similar conduct and whether the Respondent was previously found to have violated university policy.

Within 5 Working Days after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the president (or designee). The Hearing Officer's Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer's Report"). The Final Hearing Officer's Report will attach the Final Investigation Report.

In cases where the Hearing Officer has found a violation of policy, the president (or designee) will review the Final Investigation Report and the Final Hearing Officer's Report and issue a decision ("Decision Letter") concerning the appropriate sanction or discipline within 10 Working Days of receipt of the Final Hearing Officer's Report.

PRESIDENT'S SANCTION DECISION/NOTIFICATION
The president (or designee) may impose the recommended sanctions, adopt a different sanction or discipline, or reject sanctions or disciplines altogether. If the president (or designee) adopts a sanction other than what is recommended by the Hearing Officer, the president (or designee) must set forth the reasons in the Decision Letter.

The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant. The decision letter will also be sent to the Student Conduct Administrator or other appropriate University Administrator responsible for Employee discipline and the Hearing Officer.

The president will also send the Decision Letter to the Title IX Coordinator so that they may determine whether any additional Remedies (or other supportive measure) will be provided or undertaken in order to maintain a safe and nondiscriminatory University environment.
The determination regarding responsibility and any sanctions become final either on the date that
the Chancellor’s Office provides the Parties with the written determination of the result of the
appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer
be considered timely (11 Working Days after the date of the Decision Letter).

NOTICE OF INVESTIGATION OUTCOME – SINGLE INVESTIGATOR PROCESS ONLY
The following applies only in relation to an investigation conducted under CSU Executive Order 1096
or 1097 in which an Investigator, as opposed to a Hearing Officer determines whether or not there
is a violation of university policy.

Within 10 Working Days of issuance of the Final Investigation Report, the Title IX Coordinator will
notify the Complainant and Respondent in writing of the outcome of the investigation. The notice
will advise the Complainant and Respondent of their right to file an appeal under the Executive
Order.

Where a Complaint is made against another Student and the Executive Order is found to have been
violated, the Title IX Coordinator will also notify the Campus Student Conduct Administrator of the
investigation outcome, and provide a copy of the investigation report.

Where the Respondent is an Employee, Human Resources or Academic/Faculty Affairs shall be
notified and provided a copy of the investigation report.

DISCIPLINARY PROCEDURES

The following is a description of the CSU’s disciplinary procedures for matters involving allegations
of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, and Stalking. Full policies
and procedures are contained within CSU Executive Order 1095, CSU Executive Order 1096, and
CSU Executive Order 1097. These policies are provided in writing to all parties of an investigation.
Any questions about CSU Title IX-related policy should be directed to the campus Title IX
Coordinator.

The investigation and hearing process (when applicable) from initial complaint to final result shall
be prompt, fair, and impartial. An investigator will meet separately with the Complainant and the
Respondent, and other potential witnesses to gather information.

Victims are not required to participate in any University disciplinary process and may choose not to
be a part of it. Disciplinary procedures will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on Sexual Misconduct/Sexual Assault,
  Dating Violence, Domestic Violence, and Stalking and how to conduct an investigation and
  hearing process that protects members of the campus community and promotes
  accountability;
• Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice;
• Simultaneously inform the complainant and respondent in writing of:
  o The outcome of the disciplinary proceeding;
  o The University’s procedures to appeal the results of the disciplinary proceeding;
  o Any change to the disciplinary results that occurs prior to the time such results become final; and
  o When disciplinary results become final.

STANDARD OF EVIDENCE

The standard of evidence that will be used during all CSU disciplinary proceedings arising from allegations of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, and Stalking is the Preponderance of the Evidence. Preponderance of the Evidence means the greater weight of the evidence, i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side.

EMPLOYEE DISCIPLINE

Where a complaint is made against an employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation reports. Discipline is imposed in accordance with current collective bargaining agreement, when applicable, and may include:

• verbal reprimand
• written reprimand,
• reduction in salary
• temporary or permanent demotion
• paid or unpaid administrative leave
• suspension
• denial or curtailment of emeritus status
• mandated education or training
• change in work location
• restrictions from all or portions of campus
• restrictions to scope of work
• dismissal

STUDENT SANCTIONS

The following sanctions as defined in Article V, California State University Executive Order 1098 may be imposed for violation of the Student Conduct Code:
1. **LOSS OF FINANCIAL AID**
Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled or denied.

2. **EDUCATIONAL AND REMEDIAL SANCTIONS**
Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities’ misconduct or as deemed appropriate based upon the nature of the violation.

3. **DENIAL OF ACCESS TO CAMPUS OR PERSONS**
A designated period of time during which the student is not permitted: (i) on University Property or specified areas of campus; or (ii) to have contact (physical or otherwise) with the complainant, witnesses or other specified persons.

4. **DISCIPLINARY PROBATION**
A designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to violate the Student Conduct Code or any University policy during the probationary period.

5. **SUSPENSION**
Temporary separation of the student from active student status or student status.

- A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.
- A student who is suspended for one academic year or more shall be separated from student status but remains eligible to reapply to the University (subject to individual campus application policies) once the suspension has been served. Conditions for readmission may be specified.
- Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the student’s transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

6. **EXPULSION**
Permanent separation of the student from student status from the California State University system. Expulsion, withdrawal in lieu of expulsion, and withdrawal with pending misconduct
investigation or disciplinary proceeding shall be entered on the student’s transcript permanently, without exception; this requirement shall not be waived in connection with a resolution agreement.

More than one sanction may be imposed for a single violation.

**OTHER CONSIDERATIONS RELATED TO SANCTIONS:**

**ADMINISTRATIVE HOLD AND WITHHOLDING A DEGREE:** The University may place an administrative hold on registration transactions and release of records and transcripts of a student who has been sent written notice of a pending investigation or disciplinary case concerning that student, and may withhold awarding a degree otherwise earned until the completion of the process, including the completion of all sanctions imposed⁷.

**RECORD OF DISCIPLINE:** A record of disciplinary probation or suspension is entered on a student’s transcript, with beginning and end date, for the duration of the sanction. A record of expulsion or suspension for one academic year or more shall note the effective date of discipline and remains on the transcript permanently, without exception. A record of withdrawal in lieu of suspension or expulsion and withdrawal with pending misconduct investigation or disciplinary proceeding remains on the transcript permanently, without exception⁸. These requirements shall not be waived in connection with any resolution agreement.

**INTERIM SUSPENSION:** A president may impose an interim suspension pursuant to Title 5, California Code of Regulations section 41302 where there is reasonable cause to believe that separation of a student is necessary to protect the personal safety of persons within the University community or University property, and to ensure the maintenance of order.

An investigative finding of a violation of Executive Orders 1096 or 1097 standing alone may be sufficient to constitute reasonable cause to believe that an interim suspension is necessary to protect the personal safety of persons within the University community or University property, and to ensure the maintenance of order.

**DENIAL OF PRESENCE ON CAMPUS DURING INTERIM SUSPENSION:** During the period of an interim suspension, the student charged may not, without prior written permission from the campus president, enter any campus of the California State University other than to attend the hearing regarding the merits of the interim suspension and any disciplinary hearing. The president may also restrict the student’s participation in University-related activities on a case-by-case basis, such as attending off-campus activities and/or participating in on-line classes. Violation of any condition of interim suspension shall be grounds for expulsion.

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⁷ This is not applicable in matters that fall under Addendum B.
⁸ This is not applicable in matters that fall under Addendum B.
ADMISSION OR READMISSION: Applicants for admission or readmission into any University program are subject to appropriate sanctions for violations of the Student Conduct Code, including qualification, revocation or denial of admission or readmission. For students who withdraw while a disciplinary matter is proceeding, the campus has discretion whether to continue proceedings or hold proceedings in abeyance.

APPEALS

CSU EXECUTIVE ORDER 1096 OR 1097
Any Complainant or Respondent who is not satisfied with a Campus investigation outcome may file an appeal with the CSU Chancellor’s Office (CO) no later than 10 Working Days after the date of the Notice of Investigation Outcome.

1. The appeal shall be in writing and shall be based only on one or more of the appeal issues listed below:
   a. The investigation outcome is unsupported by the evidence, based on the Preponderance of the Evidence standard;
   b. Prejudicial procedural errors impacted the investigation outcome to such a degree that the investigation did not comply with this Executive Order; or
   c. New evidence not available at the time of the investigation.

ADDENDUM A
Any Complainant or Respondent who is not satisfied with a Campus hearing outcome may file an appeal with the Chancellor’s Office (CO) no later than 10 Working Days after the date of the Decision Letter.

The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below:

APPEAL GROUNDS
1. The hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions);
2. Prejudicial procedural errors impacted the hearing outcome to such a degree that the hearing did not comply with this Executive Order;
3. New evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer’s decision about whether the Respondent violated CSU policy; or
4. The sanction(s) imposed constituted an abuse of discretion based on the substantiated conduct.
ADDENDUM B

Any Complainant or Respondent who is not satisfied with a Campus hearing outcome may file an appeal with the Chancellor’s Office (CO) no later than 10 Working Days after the date of the Decision Letter.

The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below:

APPEAL GROUNDS

1. the hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions);

2. a procedural irregularity occurred that affected the outcome of the matter; new evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer’s decision about whether the Respondent violated the Executive Order, including addendum B;

3. the Title IX Coordinator, Investigator, or Hearing Officer had a Conflict of Interest or Bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter;

4. and the sanction(s) imposed as part of the outcome of the Formal Complaint process constituted an abuse of discretion based on the substantiated conduct.

ISSUES AND EVIDENCE ON APPEAL: EXECUTIVE ORDER 1096 AND 1097

The issues and evidence raised on appeal shall be limited to those raised and identified during the investigation, unless new evidence becomes available after the Campus investigation process and is made part of the appeal by the appealing party. The CO may conduct an interview, at the CO’s discretion, with the appealing party to clarify the written appeal.

The CO shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party, and will provide written notification of the appeal to the other party and the Campus Title IX Coordinator.

If an investigation is to be reopened, the CO will return the matter to the Campus and will specify in writing the timeline by which a reopened investigation must be completed. The CO will notify the Parties of the reopening of the investigation and the timeline for completion of the reopened investigation. The Campus will complete the reopened investigation and provide the CO with an amended investigation report. The Campus will also provide the Parties with amended Notices of Investigation Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with this Executive Order. Upon receipt of the amended investigation report, the CO will contact the appealing party to determine whether that party wishes to continue with the appeal.
A copy of the final CO Appeal Response shall be forwarded to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO will respond to the appealing Party no later than 30 Working Days after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.

** ISSUES AND EVIDENCE ON APPEAL: ADDENDUMS A & B: **The issues and evidence raised on appeal will be limited to those raised and identified during the Campus hearing, unless new evidence becomes available that was not reasonably available at the time of a Campus hearing that could affect the outcome of the matter and is submitted by the appealing party. The CO may communicate, at the CO’s discretion, with the appealing party, the responding party, and/or the Campus to clarify the written appeal.

The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within **10 Working Days** of the date of the notice.

In relation to an appeal under Addendum B, the appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

If a matter is to be reopened, the CO will return the matter to the Campus and will specify in writing the timeline by which a reopened hearing must be completed. The CO will simultaneously notify the Parties of the reopening of the hearing and the timeline for completion of the reopened hearing. The Campus will complete the reopened hearing and provide the CO with an amended Hearing Officer’s Report. The Campus will also provide the Parties with amended Notices of Hearing Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with the Executive Order. Upon receipt of the amended hearing report, the CO will contact the appealing party to determine whether that Party wishes to continue with the appeal.

If the hearing outcome (determination regarding policy violation) is not supported by the facts as determined by the Hearing Officer, the CO may vacate and reverse the Hearing Officer's decision, but only with respect to whether University policy was violated. The CO may reverse the Hearing Officer’s decision under extremely limited circumstances, and the factual findings will remain intact.

A copy of the final CO Appeal Response will be sent simultaneously to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO Appeal Response is final and concludes the Complaint and CO review process under the Executive Order. The CO will respond to the appealing Party no later than **30 Working Days** after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.
Additional detail about the processes described above can be found in the following university policies governing complaints made by students; employees, former employees, third parties, and applicants for employment; and student-employees, respectively.

**REGISTERED SEX OFFENDERS**

California’s sex offender registration laws require convicted sex offenders to register their status with the Cal Poly Police Department if they are enrolled, residing, attending, carrying on a vocation (i.e. contractor or vendor on campus for more than 30 days in the year), or working with or without compensation for the institution. All public information available in California about registered sex offenders, to include the ability to look-up offenders by name, residence address, and zip code, is on the California Department of Justice Megan’s law web site at [https://www.meganslaw.ca.gov/](https://www.meganslaw.ca.gov/).

**EMERGENCY NOTIFICATION POLICY**

The primary intent of this policy is to provide uniformity in the manner in which emergency notifications required under the Clery Act are processed. The systemwide Emergency Notification Policy shall serve as the authoritative statement of policy on Emergency Notifications for each campus. This policy outlines the procedures campuses will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and/or employees occurring on the campus.

Any member of the campus community with information believed to constitute a significant emergency or dangerous situation that poses an imminent or immediate threat shall report the information to CPPD and/or by calling "911." Examples include, but are not limited to, the following types of incidents:

- Severe weather warning (e.g., flash flooding, tsunami, hurricane, etc.).
- Environmental emergency within an on-campus facility (e.g., hazardous chemical spill, fire, earthquake, building collapse).
- Criminal activity with an imminent threat to campus community (e.g., active shooter, murder, fleeing suspect with a weapon).
- Health pandemic (e.g., measles outbreak, swine flu outbreak, etc.).

Once CPPD has received the report, the Chief of Police (or management designee) will, without delay and taking into account the safety of the community, confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, to confirm both: 1) a legitimate emergency or dangerous situation exists impacting on-campus geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community. This confirmation process may include, but is not limited to, visual observation, officer investigation,
the assistance of key campus administrators, local or campus first responders, and/or official
government reporting through agencies such as the National Weather Service.

If both of the above factors are not met, no emergency notification is required. If it is determined
that both of the above factors are met, then an emergency notification as described below shall be
issued. The Chief of Police (or management designee) will confer with the Clery Director, if
available, to prepare the content of the notification and determine which members of the campus
community are threatened and need to be notified. The content of the message will be
developed based on a careful but swift analysis of the most critical facts.

Once the notification is prepared, the Chief of Police and/or the Clery Director (or their
management designees) will, without delay and taking into account the safety of the community,
transmit the emergency notification unless doing so would delay the ability to mitigate and/or
contain the emergency, including the ability to provide immediate, life saving measures. If an
emergency notification is issued, a Timely Warning shall not be issued for the same incident.

CONTENTS OF THE EMERGENCY NOTIFICATION

The emergency notification shall contain the following information:

- A statement as to what the emergency or dangerous situation is, in specific terms (e.g.,
  chemical spill, active shooter, building fire)
- A statement providing direction as to what actions the receiver of the message should do to
take precautions for their own safety
- A statement as to where or when additional information may be obtained

The Clery Director (or management designee) will provide updates to the emergency notification
with pertinent updates or direction to persons for their safety when new information becomes
available. Updates will be provided in regular intervals until the emergency has been mitigated or
no longer poses an imminent threat, e.g., fire is out and building has re-opened.

METHODS OF DISTRIBUTION

Emergency Notifications will be distributed as quickly as possible in a manner that will likely reach
the segment(s) of the on-campus community threatened by the emergency. Segmentation will be
considered by the Chief of Police (or management designee) by evaluating which persons are likely
to be at risk, and notifying those persons. Segmentation should not be considered if making this
determination would delay issuing the emergency notification. The Chief will determine if
notification to the larger community is appropriate. Distribution methods, including distribution to
the larger community, depending on the nature of the emergency, may include:
• A campus mass notification system, including but not limited to phone, campus email, or text messaging
• Audio/visual message boards
• Audible alarms/sirens
• Campus public address systems
• In person or door-to-door notifications in a building or residence halls
• Local media
• Social media
• Other means appropriate under the circumstances

Students, faculty, and staff can update their emergency notification contact or choose to “opt out” of notifications by visiting their POLYALERT Contacts under the Personal Info tab in their Cal Poly Portal (my.calpoly.edu). For more information on Poly Alert or other emergency notification methods please visit emergency.calpoly.edu or contact the Department of Emergency Management at dem@calpoly.edu.

TESTING AND EVACUATION SYSTEM

Cal Poly has a dedicated and comprehensive Emergency Operations plan. Campus emergencies are managed through the Department of Emergency Management (DEM) and Emergency Operations Center (EOC). Training exercises are coordinated by the Director of Emergency Management and conducted at least once annually to help maintain staff proficiency and response capability. The DEM conducts follow-through activities after testing designed for assessment and evaluation of emergency plans and capabilities. The emergency response notification system is tested by DEM three times each academic year (fall, winter and spring quarters). Additional information on the campus emergency management plan can be located at: http://afd.calpoly.edu/emergency/.

Cal Poly Police and Environmental Health & Safety (EH&S) coordinate with University Housing to conduct planned evacuation drills of the on-campus housing three times each academic year (each fall, winter, and spring quarters). EH&S conducts planned emergency response notification and evacuation drills of high-occupancy facilities including Kennedy Library, the Administration Building, University Union, Christopher Cohan Performing Arts Center, Recreational Sports Building, ASI Children’s Center, all Campus Dining facilities, and the Facility Services buildings annually. Every on-campus fire alarm is tested at least once annually. These drill dates are sent out via the Facilities-cbs-notifications email address in the weeks prior to each round of drills.

Each test or drill will be documented to include a description of the exercise, the date of the test, the start and end times of the test, and whether the test was announced or unannounced. It is standard practice that the Department of Emergency Management consistently tweets about emergency response drills, including those performed by the Emergency Operations Center team and various public safety departments. Their Twitter can be found here: twitter.com/calpolydem.
For all Emergency Operations Center functional exercises, the Department of Emergency Management also works with University Communications to create press releases.

**MISSING STUDENT NOTIFICATION**

Campus Administrative Policy (CAP) 351.5.1 requires that any incident involving missing or potentially missing persons be reported directly to Cal Poly Police without delay. There is no requirement that a person be missing for 24 hours before a report is made. The University requires all on-campus housing missing student reports to be immediately referred to Cal Poly Police. The local law enforcement agency will also be notified within 24 hours of the official determination that they are missing. The report may be initiated by calling the Cal Poly Police Dispatcher at (805) 756-2281, or by dialing 9-1-1. Every student has the option to register a confidential contact person (separate from an emergency contact number) to be notified not later than twenty-four hours after the student is determined to be missing. Students may register a confidential contact person by logging into the Student Center and navigating to the “Missing Person Contact” link under “Personal Information” within their portal; my.calpoly.edu. Missing person contact information is retained and confidential, accessible only to the authorized University officials who retain the information, and may not be disclosed except to law enforcement personnel in furtherance of an official missing person investigation.

Even if a confidential contact person has not been named, Cal Poly Police shall be notified if a student is missing. A parent or guardian will be notified not later than twenty-four hours after the student is determined to be missing if the missing student is less than 18 years of age and is not emancipated in addition to any confidential contact person named by the student. If a person has been missing for twenty-four hours, Cal Poly Police shall notify the registered confidential contact person.

Cal Poly Police will investigate reports of missing persons as set forth in California Penal Code and other applicable regulations and protocols. Depending on the circumstances an investigation may involve, but not be limited to: timely notification to local law enforcement agencies, entry of the missing person and his/her vehicle into a state or nation-wide law enforcement missing person database, and involvement of other law enforcement agencies outside the local area.

**FIRE SAFETY ACT**

The 2020 Fire Safety Report is available at the following link:

https://afd.calpoly.edu/clery/reports/fire-safety-report.pdf