2017 ANNUAL SECURITY REPORT

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES & CAMPUS CRIME STATISTICS ACT (20 U.S.C. § 1092(F))

CLERY CRIME STATISTICS 2014-2016
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Thank you for taking time to read this year’s annual security report. The Jeanne Clery Disclosure of Campus Security Policy 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, 2014- December 31, 2016.

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 safety and security on campus, please visit the University Police Department’s website at https://afd.calpoly.edu/police/.

Sincerely,

Jeffrey D. Armstrong
President
The University Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Housing and Residential Life, the Dean of Students Office, the Office of Equal Opportunity, and the Division of Student Affairs. Each 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 University 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 the University Police Department. These individuals include, but are not limited to the San Luis Obispo Police Department and the San Luis Obispo County Sheriff Office. Cal Poly campus security authorities (persons with significant responsibility for student and campus affairs) report crimes to UPD throughout the year to be included in this report and for timely warning consideration. These individuals include, but are not limited to Dean of Students, Residence Life staff, Athletics staff, Student Club Advisors and Student Affairs personnel.

Crimes that occurred in residence halls are reported both in the “On Campus” category and in the “Residence Hall” category. Thus, “Residence Hall” is a subset of “On Campus.” 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 other 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 on account of race, gender, religion, sexual orientation, ethnicity, national origin, gender identity or disability was a factor. If a campus security authority has knowledge of a reportable crime that was not reported for investigation or disciplinary action, that person is required, in most instances, to inform the University 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 or the institution’s police department 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 campus security authority 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 is have to be prosecuted by the jurisdictions District Attorney’s Office to be included in the report.
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2014 – There was 1 hate crime reported. The crime was vandalism on campus based on national origin.
2015 – There were 2 hate crimes reported. One crime was vandalism on campus based on race. One crime was a threat on campus based on religion and sexual orientation.
2016 – There were no hate crimes reported.

reporting criminal actions & emergencies

We encourage all students, employees, and visitors to report criminal incidents, suspicious activity, and emergencies promptly to the University Police Department either by phone or in person at the University Police Department or by any of the means listed below. Per Campus Administrative Policy 354.5, “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 and listed in this report. These reports can be made in person, via telephone, or to any campus official who is designated as a CSA. Campus members designated as CSA’s are required by the Clery Act to report the criminal activity to the University Police Department for inclusion in the annual campus crime statistics; however, the reporting person 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 University Police

The University 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. Additionally, the institution has installed several emergency two-way call boxes (Blue Light phones) around the campus for use during emergencies. Users are immediately connected with the University Police Dispatch Center. For non-emergencies call (805) 756-2281 or in person at the University Police Department located at Bld. 36, 24 hours a day/seven days a week.

Anonymous/Confidential Reports of Crimes to the Police

Persons who wish to make a voluntary, confidential anonymous report may do so directly through the TapSheild Safety App. TapShield is a free personal safety app for all campus community members. Further information and download instructions can be found at https://afd.calpoly.edu/police/safety/taps. 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 University Police.

Reports of Crimes to Campus Security Authorities (CSA’s)

CSA’s are generally defined as someone who has significant responsibility for student and campus activities. At Cal Poly this includes, but is not limited to, the following: The Dean of Students, University Police, Student Residential Housing staff, Athletic Directors and Coaches, Student Activities Coordinators, Student Judicial Officers, and Student Club Advisors. In most instances CSA’s are required to report Clery crimes to the University Police Department for inclusion in the annual crime report and potential campus timely warning notifications, however all information contained in Clery reports and/or campus timely warnings will not identify the reporting parties.

Cal Poly has identified and is providing training to CSA’s 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:
The university will issue a timely warning as soon as pertinent information is available when a Clery reportable crime is reported to UPD or a designated campus security authority, occurred in a Clery defined geographical area, and a case by case analysis of pertinent facts known is completed and a determination is made an ongoing or continuing threat to the community exists.

The Chief of Police is responsible for the decision to issue a timely warning (or a management designee in the absence of the Chief) and will confer with the Clery Director if one is designated by the campus and available, upon receiving a report of an incident reported to a CSA and/or UPD. The Chief of Police, with the Clery Director if one is appointed and is available, will complete a case by case analysis utilizing open communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets all of the following factors: 1) is a Clery reportable crime; 2) occurred in Clery defined geography; and 3) poses a serious or ongoing threat to the community. If it is determined that any of the three factors are not met, then no timely warning will be issued.

If it is determined that all three factors are met, the Chief of Police (or management designee in the absence of the Chief) will determine the content of the timely warning bulletin, disseminate the timely warning expeditiously in a manner likely to reach the entire campus community utilizing one or more, and not limited to, the following methods to issue the timely warning bulletin:

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

For clarity to the community when a timely warning is issued it will be titled “Timely Warning Crime Bulletin” and include the following:
• A statement that the Timely Warning 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.
• The Clery Act reportable crime that occurred
• The date, time, and location the crime occurred
• The date the Timely Warning Bulletin is issued
• A description of the suspect, and name if known, when the suspect is at large and evading apprehension and/or law enforcement is seeking assistance from the public to locate
• Preventative information specifically related to the type of crime which occurred that could help others from becoming the victim of a similar crime

The Timely Warning Bulletins will not include, under any circumstances, the name of the victim, or information so specific that would or likely could identify the victim of the crimes of sexual violence to include rape, dating violence, domestic violence, or stalking. Issuance of timely warnings will be delayed only if the issuance would compromise the apprehension of the suspect or compromise the ability of law enforcement to investigate the crime.

VOLUNTARY CONFIDENTIAL REPORTING

Pursuant to California Education Code section 67380(a)(6)(A), 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 UPD 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:

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

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. Academic buildings are open Sunday through Saturday, 7:00 AM – 10:00PM and locked each evening. Administrative buildings are generally open Monday through Friday 7:00 AM – 5:00 PM and locked each evening. The Student University Union is open Sunday through Saturday, 7:00 AM – 1:00 AM. Persons without a lawful purpose may be removed from the campus per California Penal Code Section 626.6. Access to campus residence halls is restricted to hall residents and guests, and is regulated by University Housing.

All entrances to the residence halls and apartments are locked 24 hours a day. Students who live in on-campus housing may enter the building by using their room keys/key cards. Security phones are installed at the entrances of each building to allow visitors to contact residents in the building to be admitted. 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.

All campus facilities, including residence halls are patrolled 24 hours a day 7 days a week by UPD police officers. Facilities found unsecure are secured and maintenance problems (broken locks) are reported immediately to
facilities and secured as needed. In addition, Residence hall staff provide safety checks that include exterior
door security.

Security Considerations Used In Maintenance of Campus Facilities
On-campus residents 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 residence
hall staff. University Housing staff 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 the
campus Work Control Center at (805) 756-5555. Facility Services staff, including custodial workers, landscapers
and members of the building trades 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. UPD conducts patrols 24 hours a day 7 days a week of all campus grounds, 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, residential housing
staff is required to report any building safety concerns to the proper department for attention, repair, and/or
correction depending on the concern (UPD, 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 residence halls are closely supervised and do not enter private rooms without University
direction. Contractors in the residence halls 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 liaisons are provided for each contractor/project.

LAW ENFORCEMENT AUTHORITY

The University 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. UPD Officers are California Peace Officers pursuant to
California Penal Code section 830.2. 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. University 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, UPD works 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 accurately report all crimes, suspicious activity, and public
safety related incidents to the University Police Department and/or the appropriate law enforcement agencies
where the crime occurred, in a timely manner for prompt response by the police, including when the victim
elects to or is unable to make a report.
Law Enforcement Interagency Cooperation
The University Police Department enjoys an excellent rapport and effective relationship with allied law enforcement agencies as described below:

City of San Luis Obispo Police Department (SLOPD)
The University Police Department 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 University Police Officers throughout the year. Pursuant to a Memorandum of Understanding (MOU), UPD and SLOPD share congruent jurisdiction within a one mile radius extending from campus borders into the City of San Luis Obispo. UPD 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 an MOU, should a major crime occur on campus that exhausts the resources of the University 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 University Police Department. The University Police Department also partners with The County of San Luis Obispo in matters of 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 upon and utilized if needed. Additional information about the County of San Luis Obispo and the services provided by the Sheriff’s Office can be found at: www.slocounty.ca.gov.

Federal and State Law Enforcement
The University Police Department may also utilize the services of the California State Highway Patrol (CHP), U.S. Secret Service, and FBI while investigating major crimes or to provide security during events or for dignitaries who may visit our campus.

SECURITY PROCEDURES AND PRACTICES

The University 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, when possible. University Police works closely with Housing and Residential Life staff to provide training and educational information on crime prevention and personal safety techniques throughout the year. The University Police Department, Department of Emergency Management, Housing staff, and Safer staff provides presentations of campus safety policies and procedures to all incoming students and their parents at mandatory orientation sessions to all incoming students before they arrive at Cal Poly, and also during mandatory Week of Welcome sessions to 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 the University Police Department as well as the San Luis Obispo Police Department. Presentations outline ways to maintain personal safety and campus security. Students are told about crime on campus and in surrounding neighborhoods. 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, 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. Informal or formal lectures on personal safety, including active shooter training, can be scheduled throughout the year for any size group by contacting the University Police Department directly at (805) 756-6652. The campus has also placed Emergency Blue Light Phones throughout campus which connect a caller directly to UPD. UPD also provides a free safety van and walking escort program available to all students, faculty, and staff 7 days a week to any location on campus as an alternative to walking alone at night.

The Department of Emergency Management (DEM) provides campus preparedness training sessions to all designated new and returning EOC and building coordinator staff members on a monthly, quarterly, and
annual basis. These trainings are provided to staff/faculty assigned to these critical roles. In addition the DEM provides informal or formal lectures and discussions or personal preparedness that can be scheduled throughout the year for any size group by contacting the DEM directly at (805) 756-6652.

In addition to these safety presentations, safety information is disseminated to students, faculty and staff through advertisements, social media, and articles in the University newspaper, 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 additional programs, description and the frequency of the program offered by UPD. Each of these programs are offered to and intended for all students, faculty, and staff:

- Bicycle and skateboarding diversion and safety class, monthly
- Railroad Safety (bicycle and pedestrian), monthly
- Alcohol and drugs prevention, upon request (37 presentations 2016)
- Personal safety, quarterly and upon request (3 presentations 2016)
- Active shooter, quarterly and upon request (8 presentations 2016)
- Sexual assault prevention, quarterly and upon request
- Fire safety, quarterly and upon request (54 presentations 2016)
- ID theft prevention, upon request (1 presentation 2016)
- Property theft prevention, quarterly and upon request (4 presentations 2016)

CRIME PREVENTION PROGRAMS

The University Police Department stresses 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. The department coordinates and administers 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. University Police works closely with Residential Life staff to provide training and educational information on crime prevention throughout the year. The University Police Department offers crime prevention and awareness presentations to campus organizations, departments, clubs and groups upon request throughout the year. The University Police Department, Housing Staff, and Safer staff provides presentations available to all incoming students and their parents as part of Week of Welcome and other orientation activities before they arrive to Cal Poly. The campus has also placed Emergency Blue Light Phones throughout campus which connect a caller directly to UPD. UPD also provides a free safety van and walking escort program available to all students, faculty, and staff 7 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 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. Informal or formal lectures on crime prevention can be scheduled for any size group by contacting the University Police Department directly at (805) 756-6652. Additional programs, description and the frequency of the program offered by UPD are listed above. Each of these programs are offered to and intended for all students, faculty, and staff.
The campus records and monitors through 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, e.g., fraternity and sorority houses. These agencies include, but are not limited to the San Luis Obispo Police Department and the San Luis Obispo County Sheriff 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.

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. Such laws are strictly enforced by the University Police Department. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

The possession, sale or the furnishing of alcohol on the University campus is governed by Cal Poly policy 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 may be located at http://policy.calpoly.edu/cap.

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, as those terms are used in California statutes, 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.

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.

Alcohol and Other Drug 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. Employee 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 (Health Center, Building 27, (805) 756-2511), or P.U.L.S.E. in the Health Center, (805) 756-6181). Staff and faculty members are encouraged to contact the Department of Human Resources or Cal Poly’s Employee Assistance Program provider.

**Campus Resources**

Among its many services, P.U.L.S.E. serves as a clearinghouse for information and referral resources regarding AOD services, both on campus and in the community. P.U.L.S.E. is available to students, faculty, and staff and provides information on support groups dealing with AOD topics. A wide range of written material on the areas covered by Peer Health Teams is available as well as one-on-one consultations with Team members. Health and Counseling Services provides short-term counseling and referral for students in the area of AOD issues.

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, Counseling Services or P.U.L.S.E. The services listed below are provided for informational purposes only, and no specific endorsement is implied.

**Community Resources**

- 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 friends and family of people with AOD problems): (805) 543-7924
- Narcotics Anonymous: (805) 549-7730

**Substance Use and Abuse Advisory Committee**

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.

**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), and protect all people regardless of their gender from Sex Discrimination, including Sexual Harassment, Sexual Misconduct, including Sexual Assault, Dating or Domestic Violence, and Stalking.

The University seeks to provide an education environment in which students, faculty, and staff work together in an atmosphere free of Sexual Misconduct, including Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence and Stalking. Every member of the University community shall be aware that Sexual Misconduct, and/or acts of violence with 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 Sexual Misconduct, Dating or Domestic Violence, or Stalking as described in this report and University policy.
In an ongoing effort to prevent Sexual Misconduct, Dating Violence, Domestic Violence and Stalking, the University provides education and prevention programs, 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 on pursuing criminal action and obtaining protective orders if needed. University officials who are responsible for investigating and/or adjudicating cases of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking receive annual training for compliance with federal, state and CSU system regulations.

The University is committed to empowering victims of Sexual Misconduct, Dating Violence, 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). 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 Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking ensures appropriate education as well as support services and creation of an environment that does not tolerate Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. Safer, the Title IX Coordinator, University 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 training, and ongoing prevention and awareness campaigns for the campus community. Some are voluntary and others are mandatory. Staff and faculty are required by the CSU to complete various trainings to identify, prevent, and report sexual harassment and sexual misconduct. In addition, SAFER, UPD, and the campus Title IX office provide Sexual Misconduct workshops available to all faculty and staff throughout the year. Descriptions of some of these programs are:

**Greeks Against Sexual Assault**

This training occurs annually for fraternity men who want to actively change the cultural norms that perpetuate sexual assault. This 4-week educational program focuses on educating and empowering individuals to take action in risk reduction and ending Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. Topics of discussion include a basic education on gender-based violence, gender norms that contribute to sexual assault, relationships, and positive masculinity. This program is 4 weeks with 2 hours for each session.

**Men and Masculinity - 6 Week Program**

The Men and Masculinity 6-Week Program offered throughout the year is a rehabilitative training for student of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. The training takes an in-depth look at masculinity, gender socialization, sexual violence, healthy relationships, and bystander intervention. The goal is to provide a new lens through which the student can examine their actions, evaluate their identity, and use the knowledge gained to become a more positive participant in the Cal Poly community.

**LEAD Training**

LEAD (Love, Empower, Affirm, Decide) Training is a 6-hour long program offered throughout the academic year that helps guide students to understand how their actions today impact their future. This program aims to raise consciousness of how external influences impact our self-understanding and actions by deconstructing college culture, and addressing factors that impact self-esteem, conflict, and resolution. Each student that goes through this program will leave an empowered individual with the confidence and inspiration to achieve their long- and short-term goals. The program for each student runs for 6 weeks, one hour per week.
**Student Orientation Programs:** All students and parents who attend mandatory orientation receive information on consent, safety, resources and how to help if made aware of any Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. These programs occur annually throughout the summer orientation before newly admitted and transfer students begin fall quarter.

**Haven Online Program:** 45 minute mandatory interactive modules given annually to all incoming students before they arrive at Cal Poly. The educational modules focus on education and risk reduction on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.

**Week of Welcome (WOW):** Annually, all incoming students attending mandatory WOW receive a 1-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 stop Sexual Misconduct. In addition, all WOW leaders have been trained by Safer in the spring.

**Residence Hall Safety Meetings:** Every student living in a residence hall receive a personal safety presentation on an annual basis and upon request throughout the year.

**KINE 250 Healthy Living:** This general education requirement is a class offered throughout the academic year that many freshmen take. Safer presents the Healthy Living courses.

**University Events:** Students, faculty and staff are encouraged to attend Safer events occurring throughout the academic year sponsored by the University to promote education and awareness on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking such as:
- Take Back the Night.
- Clothesline Project.
- Quarterly Self Defense workshops.

**Housing Programming:** University Housing in collaboration with Safer, offers multiple programs throughout the academic year in the Residence Halls that focus on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, Bystander Intervention and Consent.

**Athletics:** Annually, all athletes will receive a 1 hour Safer presentation on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, Bystander Intervention and Consent.

**Fraternity and Sorority Life:** Annually, all fraternity and sorority new members will receive a Safer presentation on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, Bystander Intervention and Consent.

**RA/CA’s/CSD:** Annually, all Housing staff receives a two-hour long Safer training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.

**Associated Students Incorporated (ASI) staff:** Annually, all ASI student staff receives a Safer training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.

**DEFINITIONS PER EXECUTIVE ORDERS 1095-1097**

**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.
A form of Sex Discrimination, unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual advances, requests for sexual favors, offering benefits or giving preferential treatment in exchange for sexual favors and any other conduct of a sexual nature where:

a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a person’s employment terms or conditions, academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or

b. 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, as limiting their ability to participate in or benefit from the services, activities or opportunities offered by the University; or

c. 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, 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.

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. When based on gender, Domestic Violence or Stalking also constitute Sexual Misconduct. 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.
A form of Sexual Misconduct, an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

A form of Sexual Misconduct, any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex, as well as touching an intimate part of another person against that person's will and for the purpose of sexual arousal, gratification or abuse.

A form of Sexual Misconduct, non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute Rape. Sexual acts including intercourse are considered non-consensual when a person is incapable of giving consent because they are incapacitated from alcohol and/or drugs, are under 18 years old, or if a mental disorder or developmental or physical disability renders a person incapable of giving consent. The respondent's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)

A form of Sexual Misconduct committed by an individual known to the victim. This includes a person the victim may have just met or; i.e., at a party, introduced through a friend, or a social networking website.

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:
  - The person was asleep or unconscious;
  - 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;
  - 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:
  - The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
  - The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

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**DOMESTIC VIOLENCE**

Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the abuser has a child; someone with whom the abuser 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. 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 husband and wife, (5) the continuity of the relationship, and/or (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 themselves or others. Abuse does not include non-physical, emotional distress or injury.
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 themselves or others. Abuse does not include non-physical, emotional distress or injury.

Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for their own or others' safety, 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, Gender, 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, 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. University police can also provide access to a Sexual Assault Victim Advocate. Victims who prefer not to notify the police, 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.

Victims have the right to decide who and when to tell about Sexual Misconduct, Dating and Domestic Violence, and Stalking. 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. Except in extreme circumstances, University students or employees who are victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline.
The University encourages victims of Sexual Misconduct, 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.

University 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 under their supervision may not report any information about an incident of Sexual Misconduct, 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 University 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.
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, 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.

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.

**CRIMINAL**

Reporting to University 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, Dating Violence, 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.

**REPORTING TO THE POLICE**

As soon as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking may be reported to the University Police Department by dialing 911. The University Police will support all victims of Sexual Misconduct, 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. University 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 University Police about Sexual Misconduct, 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. University 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.

In cases of Sexual Misconduct, 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 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 University Police or other law enforcement to preserve evidence in the event that they change their mind and wishes 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 TO A CSA

Any member of the University community may report incidents of Sexual Misconduct, 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, 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.
ADMINISTRATIVE
Victims may report to the campus Title IX Coordinator, who will provide written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident.

The Title IX Coordinator will also provide information regarding resources available to victims, as well as information regarding their rights and options. Contact information for the Title IX Coordinator is listed above.

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, 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 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.

Most University employees have a duty to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incidents 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, 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, 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, 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 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. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct, 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 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 interim remedies requested by the victim, 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;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

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, 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, 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.

Victims are strongly encouraged to report any incident of Sexual Misconduct, 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.
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, 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.

**DISCIPLINARY PROCEDURES**

The University has procedures that provide for an administrative investigation of reports of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, and written findings based on the preponderance of the evidence standard, provided to the complainant and respondent. Both the complainant and respondent may appeal written findings to the CSU Chancellor’s Office, as well as the ultimate sanction for violation of CSU policy in student misconduct cases. The procedure for CSU employees and third parties is separate from but similar to the procedure for CSU students.

When a student or employee reports to the University that the student or employee has been a victim of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options. The investigation process from initial complaint to final result shall be prompt, fair, and impartial. The investigator will meet separately with the complainant and the respondent and other potential witnesses to gather information. The investigation shall be completed no later than 60 Working Days after the intake interview, unless the timeline has been extended. The timeline should not be extended for a period longer than an additional 30 Working Days from the original due date.

Before reaching a final conclusion or issuing a final investigation report, the Investigator shall have: a) advised the Parties, or have offered to do so, verbally or in writing, of any evidence upon which the findings will be based; and, b) given the Parties an opportunity to respond to the evidence, including presenting further relevant evidence, information or arguments that could affect the outcome. The Investigator will not reach a final conclusion or issue an investigation report until giving careful consideration to any such relevant evidence, information or arguments provided by the Parties. The Investigator retains discretion and authority to determine relevance.

At the conclusion of the University’s complaint and investigation procedure, any employee or student found to have violated University policy against Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will be subject to discipline. For employees, discipline would be administered consistent with applicable collective bargaining agreements, University policies and legal requirements. For students, discipline would be administered in accordance with CSU Executive Order 1098 (discussed below). Victims are not required to participate in any University disciplinary 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, Dating Violence,
Domestic Violence, and Stalking and how to conduct a hearing process that protects the of victims 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:
  - The outcome of the disciplinary proceeding;
  - The University’s procedures to appeal the results of the disciplinary proceeding;
  - Any change to the disciplinary results that occurs prior to the time such results become final; and
  - When disciplinary results become final.

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**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, including Rape and 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 Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking, it must 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 Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

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**COMPLAINTS MADE BY STUDENTS**


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**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, 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, Sexual Violence, 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.

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 http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf.

DISCIPLINARY PROCEDURE

The Title IX Coordinator (or designee) is responsible for investigating complaints of Gender Discrimination, Harassment and Retaliation, including Sex Discrimination and Sexual Harassment, as well as Complaints of Sexual Misconduct, Domestic and Dating Violence, and Stalking. (See Executive Orders 1095, 1096 and 1097.) In accordance with Executive Orders 1096 and 1097, the Title IX Coordinator investigates those complaints, determines whether the accused violated the applicable Executive Order(s), and prepares a report that includes findings of facts and conclusions about whether the applicable Executive Order was violated. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings.

Where a complaint is made against a student and the applicable Executive Order is found to have been violated, the Title IX Coordinator shall also notify the Student Conduct Administrator of the investigation outcome and provide a copy of the investigation report.

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. Sanctions are 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

Unless the Chancellor’s Office notifies the campus that an appeal has been filed, investigative findings pursuant to Executive Orders 1096 or 1097 become final 11 working days after the date of the Notice of Investigation.

Outcome issued pursuant to those Executive Orders. If an appeal is filed, the investigative findings do not become final until the appeal has been exhausted.
APPEAL OF FINDING IN INVESTIGATION OUTCOME

Any complainant or respondent who is not satisfied with a campus investigation outcome may file an appeal with the Chancellor’s Office (CO) within 10 working days after the date of the Notice of Investigation Outcome. The appeal is limited to one or more of the following issues: 1. The investigation outcome is unsupported by the evidence, based on the preponderance of the evidence standard; 2. Prejudicial procedural errors impacted the investigation outcome to such a degree that the investigation did not comply with the relevant Executive Order; or 3. New evidence not available at the time of the investigation. The CO shall respond within 30 working days. The CO appeal response is final.

STUDENT CONDUCT PROCEEDINGS

Where the investigative report finds a violation of Executive Order 1096 or 1097 and any appeal has been exhausted, the report is referred to the Student Conduct Administrator to initiate student conduct proceedings. The Student Conduct Administrator will offer to conduct pre-hearing conferences separately with the complainant and respondent to review information concerning the charges, interim remedies, proposed sanctions or range of sanctions, the nature of further proceedings, and possible disposition without hearing.

The Student Conduct Administrator shall, in consultation with and agreement from the Title IX Coordinator, determine which cases are appropriate for disposition without hearing, taking into consideration the investigation report and any additional information provided during any conferences. If a proposed resolution agreement can be reached, the terms shall be put in writing and signed by the student charged and the University (after a reasonable opportunity to consult with an advisor). Any proposed resolution may be appealed by the complainant and is not final until any such appeal is exhausted.

If not resolved, the Student Conduct Administrator will issue a Notice of Hearing and shall schedule the hearing promptly, but in any event no sooner than 10 working days after, and no later than 20 working days after, the date of the Notice of Hearing. The findings and conclusions of the investigations conducted in accordance with Executive Orders 1096 and 1097, once any appeals are exhausted, are final and binding. The hearing is limited to determining appropriate sanctions; the findings of the investigation are not under review.

The Hearing Officer controls the hearing. The Student Conduct Administrator and the student charged each put on the evidence in their case and may each ask questions of the witnesses in whatever manner the Hearing Officer deems appropriate. The Hearing Officer may ask questions of any witness, the student charged, the complainant, Student Conduct Administrator, or the Title IX Coordinator.

Questions may not be posed to complainants about their past sexual behaviors involving any persons other than the student charged. The Hearing Officer shall ask any questions of the complainant and other witnesses on behalf of the student charged (who shall give the Hearing Officer a written list of questions).

The investigation report and any Chancellor’s Office Appeal Response prepared pursuant to Executive Orders 1096 or 1097 shall be entered into evidence at the hearing, redacted as appropriate to protect private (e.g. contact) information as otherwise required by law. If the student charged fails to appear at the hearing without good cause, the hearing shall nevertheless proceed.

The Hearing Officer shall submit a written report to the president recommending sanctions, if any, as well as any recommendations regarding additional remedies. The report shall include any mitigating or aggravating factors relied upon by the Hearing Officer in reaching the recommendations. The report shall be submitted within 10 working days after the hearing.
PRESIDENT’S SANCTION DECISION/NOTIFICATION

The president shall review the investigative report and the Hearing Officer’s report and issue a decision concerning the appropriate sanction. The president’s decision letter shall be issued within 10 working days after receipt of the Hearing Officer’s report. The president shall simultaneously send the decision electronically to the student charged and complainant(s).

Unless the Chancellor’s Office notifies the campus that an appeal has been filed, the president’s sanction decision becomes final 11 working days after the date of the decision letter.

STUDENT SANCTIONS

The following sanctions may be imposed for violation of the Student Conduct Code:

1. RESTITUTION.
   Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.

2. 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.

3. 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.

4. 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.

5. 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.

6. SUSPENSION
   Temporary separation of the student from active student status or student status.
   a. 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.
   b. 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.
   c. 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.
7. 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.

A student is not considered to be in good standing for purposes of admission to the University while under a sanction of suspension or expulsion, or while admission or re-admission has been disqualified.

MORE THAN ONE SANCTION MAY BE IMPOSED FOR A SINGLE VIOLATION.

OTHER CONSIDERATIONS RELATED TO SANCTIONS

1. 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 imposed.

2. 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 exception. These requirements shall not be waived in connection with any resolution agreement.

3. 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.

4. 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.
5. 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.

APPEAL OF PRESIDENT’S SANCTION

The complainant and student charged each may file an appeal of the president’s decision of appropriate sanctions to the Chancellor’s Office no later than 10 working days after the date of the president’s decision letter. The complainant may also appeal any proposed sanctions agreed to as part of a proposed resolution agreement with the student charged.

Sanction appeals are limited to a determination as to whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The Chancellor’s Office appeal review will not involve a new investigation and will not consider evidence that was not introduced during the investigation or hearing. The record will be limited to the record at the hearing.

The Chancellor’s Office shall issue a final appeal response no later than 10 working days after receipt of the written appeal

REGISTERED SEX OFFENDERS

California’s sex offender registration laws require convicted sex offenders to register their status with the University 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 http://www.meganslaw.ca.gov/

EMERGENCY NOTIFICATION

The University will issue emergency notifications, without delay, in response to a confirmed significant emergency or a dangerous situation, occurring in the Clery defined on campus geography that, in the judgment of the University, constitutes an immediate threat to the health or safety of members of the on-campus community.

Once UPD has received the report, the Chief of Police, (or management designee in the absence of the Chief), will 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) an emergency or dangerous situation in fact exists in on-campus geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community.

If both of the above factors are not met, no emergency notification will be issued.
If it is determined that both of the above factors are met, then an emergency notification will be issued to the community. The Chief of Police (or management designee in the absence of the Chief), will confer with the Clery Director if one is designated and if available, to prepare the content of the notification taking into account the safety of the on-campus community. They will also determine, based on the confirmed facts of the emergency, if the entire campus community or only a specific segment of the on-campus community is threatened and need to be notified. Examples of emergencies where only a segment might be alerted would be a fire contained in a dorm laundry room where only the residents of that one dorm floor or of that one dorm building are at risk and need to evacuate, or a chemical spill in a lab where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.

Once the notification is prepared, the Chief of Police or the Clery Director if one is designated, or in their absence, the management designee(s) 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.

Distribution methods of emergency notifications may include but are not limited to one or more of the following methods:

- The 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
- Other means appropriate under the circumstances

Student and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit [https://my.calpoly.edu](https://my.calpoly.edu) and click on the Personal Info tab. Or call the on-campus Department of Emergency Management Office at 805-756-6652 for assistance.

The Chief of Police or the Clery Director if one is designated, or in their absence, the management designee(s) will provide follow-up notifications and information until the emergency is mitigated and no longer poses a threat.

If an emergency notification is issued, a timely warning will not be issued to the community for the same incident.

**Emergency Drills, Evacuation and Testing:**

Cal Poly has a dedicated and comprehensive Emergency Management plan. Campus emergencies are managed through the Emergency Management team and Emergency Operations Center (EOC). Training exercises are coordinated by the Emergency Operations Director (EOD) and conducted at least once annually to help maintain staff proficiency and response capability. The EOD conducts follow-through activities after testing designed for assessment and evaluation of emergency plans and capabilities. Additional information on the campus emergency management plan can be located at: [http://afd.calpoly.edu/emergency/](http://afd.calpoly.edu/emergency/)

Planned emergency response notification and evacuation drills of the on-campus resident halls are conducted three times each academic year (each fall, winter, and spring quarters). 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 are conducted annually. Every on-campus fire alarm is tested at least once annually.
MISSING STUDENT NOTIFICATION

Campus Administrative Policy 354.5.1 requires that any incident involving missing or potentially missing persons be reported directly to the University Police Department 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 University 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 University 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; https://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, the University Police Department 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, UPD shall notify the registered confidential contact person.

The University Police Department 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