A Message from the Chief of Police

Thank you for taking time to read this year’s annual security report. The 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 statistics about crime on campus and certain off campus locations for the previous three calendar years of January 1, 2012-December 31, 2014.

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

When you review the statistics contained at the end of this report you will note that Cal Poly is a safe campus. The safety you experience is due in part to the combined efforts of many different departments and individuals. We rely on every campus member to contribute to security on campus by reporting suspicious activities and using common sense when going about their daily activities.

The University Police Department is committed to enhancing the quality of life for our campus community and primarily responsible for developing services, programs, and strategies for maintaining a safe learning and living environment. In order to meet this goal, the department focuses on many functions.

First and foremost is a strong working relationship with the campus community. We recognize that we provide services to our community and support the idea that all relationships require a partnership. We are committed to the philosophy of community policing. Through this philosophy, we have trained our officers to serve as partners with the campus community and promote various problem solving techniques while responding to its needs.

Secondly, the department is charged with the enforcement of campus policies, regulations, federal and state laws. This function is essential to maintaining an environment that is safe and allows our educational mission to occur without disruption.

We hope you find this report informative. If you have questions or would like further information about safety and security on campus, please visit our web site at https://afd.calpoly.edu/police/. You may also view the Annual Fire Safety Report at: https://afd.calpoly.edu/ehs/docs/fire_safety_report_2015.pdf

Sincerely,

George R. Hughes
Chief of Police
The Clery Act

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 crime that occurs on the campus and certain off campus locations. The Clery Act affects nearly all public and private institutions and is enforced by the U.S. Department of Education.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery who was sexually assaulted and murdered while in her Lehigh Campus residence hall in 1986. The Clery Act was amended in 2008 and requires institutions to provide timely warnings of dangerous situations threatening the campus community and collect, report, and disseminate certain crime data to everyone on campus annually. The Clery Act also requires reports of student disciplinary referrals in addition to arrests for drug, alcohol, and weapons offenses on campus.

Additional amendments occurred in 2013 when The Violence against Women Reauthorization Act (VAWA,) also known as the Campus SaVE Act, was signed into law which imposes additional obligations on colleges and universities under Title IX and Clery crime reporting. Under VAWA, colleges and universities are required to report Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking along with crime categories the Clery Act already mandated. A definition of these and all other Clery reportable crimes and statistics are found at the end of this report. If you have questions about this report, please contact us at (805) 756-6652.

This report includes the following important safety information:

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Collection and Disclosure of Crime Statistics

Campus Crime Statistics and Mandated Policy Statements:
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 Title IX and 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 and Cal Poly campus security authorities (persons with significant responsibility for student and campus affairs) 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, the San Luis Obispo County Sheriff Office, 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 at the end of 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 and listed by address and name on page 55-56 of this report. 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 is listed and 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 (added in 2013 under the VAWA amendments,) 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, she/he is required, in most instances, to inform the University Police Department for inclusion in the statistics.

Distribution of the Annual Security Report:
Each year, a campus-wide e-mail notification is made to all enrolled students, faculty, and staff that provide the direct web site access to this report. Copies of the report may also be obtained at the University Police Department located at 1 Grand Ave., Building 36, San Luis Obispo, California 93407 or by calling (805) 756-6652. All prospective students and employees may obtain a copy at the following web site address: https://afd.calpoly.edu/police/safety/reports/
Surrounding Community Crime Statistics:
Although this report only includes crimes on campus and certain off campus locations when known (such as fraternity and sorority houses) it is important to recognize crime occurring in the community surrounding campus that will have an impact on the campus community, including crimes of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. Additional data on crime statistics in the City of San Luis Obispo and County of San Luis Obispo not reflected in this report are maintained and available from those agencies. For information on crime or general questions about safety in the surrounding community, please contact:

- City of San Luis Obispo Police Department [http://www.slocity.org/police/](http://www.slocity.org/police/)
- San Luis Obispo County Sheriff [http://www.slosheriff.org/](http://www.slosheriff.org/)

For information regarding instances of off campus Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking not required or reflected in this report, please contact Cal Poly’s Safer Program at (805) 756-2282 safer@calpoly.edu or the San Luis Obispo sexual assault, abuse and violence program (RISE) at (805) 886-7473 www.riseslo.org. Detailed information about the University’s Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking prevention and education programs, reporting options, response policies, support services and more are found on pages 12-42 of this report.

Reporting Criminal Incidents

We encourage all students, employees, and guests 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.” However, in cases such as Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, the University recognizes that reporting to law enforcement is a personal decision and respects the right of the victim to make that decision. (See Sexual Misconduct reporting options described in pages 12-39 of this report.) Incidents that may or may not be crimes may also be reported to Campus Security Authorities (CSA’s) which are defined and listed on page 6-8 of this report. These reports can be made in person, via telephone, or to any campus official who is designated as a CSA. Most 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.

Reporting Options

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 of our capabilities. 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. By pressing the red button on the stations, users are immediately connected with the University Police Dispatch Center. For non-emergencies call (805) 756-2281, extension 6-2281 from any campus phone or in person at the University Police Department located at Bld. 36, 24 hours a day/seven days a week. In the case of a reported crime, a University Police Officer will respond, investigate the incident and may complete a written report. The officer will investigate the incident, including the potential arrest of the responsible party, or may conduct an initial investigation and forward the case to detectives/investigators for further action. Criminal charges, if warranted, are either filed directly with the courts or through the District Attorney’s Office. In addition to any potential criminal violations, the police may refer the incident to the Campus Office of Student Rights and Responsibilities for investigation of violation of the Universities student code of conduct.

**TapShield Safety App**
TapShield is a free personal safety app to all campus members that encourages information-sharing between the Cal Poly Community and University Police to build safer communities. Think of TapShield as a social safety network for the campus community and wherever they want to go. Features include options to:
- Immediately notify the police with the touch of a button
- Walk with a virtual entourage by sending your route, ETA, and notification of arrival to friends and family
- Receive crime alerts
- Instantly submit a crime tip to the police

For further information and download instructions can be found at [https://afd.calpoly.edu/police/safety/tapshield](https://afd.calpoly.edu/police/safety/tapshield)

**Anonymous Reports of Crimes to the Police**
Persons who wish to make confidential anonymous reports may do so directly through the TapSheild Safety App. Your tip will be forwarded anonymously to the University Police Department for investigation or other appropriate actions. Persons who wish to make voluntary, confidential reports of crime may also do so by calling Crime Stoppers at (805) 549-STOP (7867), by accessing the Crime Stoppers webpage at [http://sanluisobispocounty.crimestoppersweb.com](http://sanluisobispocounty.crimestoppersweb.com), or by texting “SLOTIPS (plus the message)” to CRIMES (274637.) Detailed reporting and response options for cases involving Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, including confidential and anonymous reporting, is found beginning on page 11 of this report.

**Reports of Crimes to Campus Security Authorities (CSA’s)**
Whether – and the extent to which – University employees, other than University Police Officers, may maintain confidentiality depends on the employee’s position and responsibilities at the University. Although CSA’s may not be able to keep all information completely confidential, only those University employees who have a legitimate reason to know will be notified. 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, 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 be anonymous and will not identify the parties involved.

Physicians, Medical Professionals, Pastoral Counselors (including Clergy), Professional Counselors, Licensed Clinical Social Workers, and Sexual Assault and Domestic Violence Counselors and Advocates are not required to report crimes to any other campus official or for inclusion into the annual security report. They are all mandated by law, with some narrow exceptions, to maintain confidentiality. These professionals are encouraged, if and when they deem it appropriate, to inform individuals who seek treatment of the procedure to report crimes on a voluntary basis for inclusion in the annual crime statistics report.

Cal Poly has identified and is providing training to nearly 500 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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jean DeCosta</td>
<td>Dean of Students</td>
<td>Bldg. 65 Rm 217</td>
<td>756-0327</td>
</tr>
<tr>
<td>Martha Cody</td>
<td>Director, Equal Opportunity &amp; Title IX Coordinator</td>
<td>Bldg. 33 Rm 290</td>
<td>756-6770</td>
</tr>
<tr>
<td>George Hughes</td>
<td>Chief of Police</td>
<td>Bldg. 36 Rm 107</td>
<td>756-6652</td>
</tr>
<tr>
<td>Carole Schaffer</td>
<td>Associate Director University Housing</td>
<td>Bldg. 31 Rm 220</td>
<td>756-5959</td>
</tr>
<tr>
<td>Keith Humphrey</td>
<td>Vice President, Student Affairs</td>
<td>Bldg. 01 Rm 209</td>
<td>756-1521</td>
</tr>
<tr>
<td>Duane Rohrbacher</td>
<td>Office of Student Rights &amp; Responsibilities</td>
<td>Bldg. 052 Rm E7</td>
<td>756-2794</td>
</tr>
<tr>
<td>Don Oberhelman</td>
<td>Director, Intercollegiate Athletics</td>
<td>Bldg. 42 Rm 206</td>
<td>756-1407</td>
</tr>
<tr>
<td>Debi Hill</td>
<td>Director, Disability Resource Center</td>
<td>Bldg. 124 Rm 238</td>
<td>756-5752</td>
</tr>
<tr>
<td>Andrene Kaiwi-Lenting</td>
<td>Director, New Student &amp; Transition Program</td>
<td>Bldg. 65 Rm 217</td>
<td>756-2014</td>
</tr>
<tr>
<td>Marcy Maloney</td>
<td>Executive Director, ASI</td>
<td>Bldg. 65 Rm 212G</td>
<td>756-1281</td>
</tr>
<tr>
<td>Gregory Avakian</td>
<td>Assistant Director, Recreational Sports</td>
<td>Bldg. 43 Rm 101101D</td>
<td>756-5846</td>
</tr>
<tr>
<td>Daren Connor</td>
<td>Assistant Director for University Union</td>
<td>Bldg. 65 Rm 114</td>
<td>756-5721</td>
</tr>
<tr>
<td>Tonya Iversen</td>
<td>Director of Children’s Center</td>
<td>Bldg. 133 Rm 114</td>
<td>756-1267</td>
</tr>
</tbody>
</table>
The University Police Department will investigate reports of missing persons as set forth in California

Each student, regardless of where he or she is living, has the option to register a confidential contact

The University Police Department will investigate reports of missing persons as set forth in California

The University Police Department maintains a Student Right to Know Daily Log that is available for

| Brian Tietje | Vice Provost, International, Graduate and Extended Education | Bldg. 116 - Rm 205 | 756-1757 |
| Kathleen Enz Finken | Provost | Bldg. 01 - Rm 305 | 756-2186 |
| Al Liddicoat | Associate Vice Provost for Academic Personnel | Bldg. 01 - Rm 314 | 756-5217 |

Missing Person 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 report may be initiated by calling the University Police Dispatcher at (805) 756-2281, or by dialing 9-1-1.

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.

Public Crime Log

The University Police Department maintains a Student Right to Know Daily Log that is available for public review. This log contains a record of all crimes, and other calls for service reported to the department, provides the nature of the initial complaint, the date and time reported the general location of the incident, the disposition of the incident and displays the identification number(s) assigned to the
incident. The log for the past 60 days is available for review on a public access computer terminal in the University Police Department reception area 24 hours a day. A printed copy may be obtained by request at the University Police Department reception counter during normal business hours. The log is also available 24 hours a day on the University Police web page: https://afd.calpoly.edu/police/safety/reports/.

**Timely Warning Notices**

In the event that a situation arises that is reported to the University, either on or off campus, that in the judgment of the Chief of University Police or his/her designee constitutes an ongoing or continuing threat to the campus community, a campus wide “timely warning” will be issued. Generally, the warning will be issued through the Cal Poly e-mail system to all students, faculty, and staff and/or any combination of additional means such as the Poly Alert system, the University Police web site, posted on campus and residential hall informational bulletin boards, and the campus newspaper (The Mustang News). Any such warning will not include any information that identifies a confidential victim.

The most expedient reporting point for a situation that may require a timely warning is generally the Police Dispatcher. Anyone with information warranting a Timely Warning should contact the University Dispatcher by calling (805) 756-2281 or 6-2281 from any campus phone to report non-emergency incidents or by calling 9-1-1 to report an incident in progress or other emergency. The decision to issue a Timely Warning will be made by the Chief of Police or his/her designee, generally following consultation with other campus authorities. If the threat has been mitigated and/or eliminated before a campus notification occurs, a timely warning notification is no longer mandated and may or may not occur at the discretion of the University. Additional notification protocols are described below in the campus emergency management procedures.

**Campus Emergency Management**

Emergencies or disasters can happen anytime and they usually occur with little or no warning. When an emergency occurs at Cal Poly, our safety and speedy recovery is of utmost priority, and will depend on a coordinated response from students, faculty and staff.

Many emergencies will be minor in nature, requiring a limited amount of personnel to be responsible for the majority of the incident management tasks. In the event of a major emergency, one in which the campus cannot operate normally, the Campus Emergency Management Plan will be activated and emergency activities will be coordinated from the Emergency Operations Center (EOC). A major emergency may include, but not be limited to:

- Earthquakes
- Hazardous Materials Releases
• Floods
• Active Shooters
• Fires and Explosions

The campus emergency management team works to continually evaluate potential hazards, and seek ways to keep the campus community and emergency responders prepared for both natural and manmade disasters. 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://emergency.calpoly.edu/ including, but not limited to, instructions on:

• Evacuation Preparedness
• Building Evacuation and Sheltering
• Testing and Training Procedures
• Publishing of Plans and Procedures
• Individuals Requiring Assistance During Evacuations
• Designated San Luis Obispo County Evacuation Staging Areas
• Campus Evacuation Maps

The effective dissemination of information to campus employees is critical during an emergency. The campus has in place many ways to communicate (PolyAlert text and e-mail, 756-NEWS, the public address system, campus telephone and voice mail, bull horns, local radio stations, a network of campus Building Coordinators, electronic message boards, the Cal Poly AM radio station – KCPR.) The use of each of these depends on the resources available during an emergency situation. It is recognized that in a major disaster these communication channels may not be available. If that occurs, the campus will communicate to its employees via a campus communication tree.

The communication tree follows the campus organizational structure. The President will communicate with the Vice Presidents and Auxiliary Executive Directors, who will in turn communicate with their direct reports. This process will continue throughout the organization until all employees have been contacted. It is the responsibility of each member of the organization to make sure that any employee who reports directly to them receives the appropriate information in whatever manner is available to her/him.

University Police personnel have received training in emergency response and how to respond to critical incidents. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the University Police Department, San Luis Obispo Police Department, and the San Luis Obispo Fire Department who will work together to manage the incident. Depending on the nature of the incident, other county, local or federal agencies could also be involved in responding to the incident.
**Campus Emergency Notifications**

The University will upon confirmation of a significant emergency or other dangerous situation involving an immediate threat to the health or safety of students, employees, and/or the general campus community, occurring on or affecting the campus, use The PolyAlert Campus Notification System to notify as many people as possible in a timely manner. Confirmation means that an institution official (University Police Official, or Environmental Health and Safety Official, or non-campus officials (local law enforcement, San Luis Obispo County Health and Safety Officials, and/or Cal Fire officials) has verified that a legitimate emergency or dangerous situation exists.

The University will, through the University Police Department and/or the campus Emergency Operations Center, determine the content of the notification and will initiate the notification as soon as possible. The University may delay notification in cases in which, in the professional judgment of responsible authorities, immediate notification would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The content and scope of the notification will be determined at the earliest possible point in an event, and the notification may be initiated by the University Police Dispatcher, the UPD Watch Commander, the UPD Officer in Charge, the UPD Operations Commander, the Chief of University Police or the Emergency Operations Director/EOC Incident Commander, as determined by the particular circumstances. The scope of the notification – who/which segments of the community will be notified – will be determined by the same people and will reflect the nature and scope of the event. An event contained in a small area or a single building will likely dictate a smaller scope of notification than would an uncontained or dynamic event. Subsequent notifications to the larger community will generally be made by the Cal Poly Public Affairs Office.

The PolyAlert Emergency Notification System is a messaging service that will distribute brief messages via text and more detailed messages via the campus email system. By using Short Messaging System (SMS) technology, the system can convey messages to registered mobile phones, Blackberries, wireless PDAs, smart phones and satellite phones. To receive SMS messaging you must have your cell phone registered to receive the emergency text message notifications. To register your cell phone visit: [https://my.calpoly.edu](https://my.calpoly.edu) and click on the Personal Info tab. All Cal Poly students, faculty and staff with a registered Cal Poly email are automatically enrolled to receive email notifications. The PolyAlert text and e-mail Emergency Notification System is tested annually.

In addition to the PolyAlert system, the University may potentially use any combination of (depending on the scope and type of situation) the University Police Department AM radio station available at AM 1610, exterior loudspeakers/public address systems, a network of campus Building Coordinators, electronic message boards, the Cal Poly AM radio station – KCPR, the regional Emergency Alert System – AM 920, AM 1400 and FM 98.1, Pacific Gas & Electric Company Early Warning System sirens, the UPD 756-News Line and the campus telephone system to notify the campus community.
Evacuation Drills
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.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Cal Poly, evacuation drills are used as a way to educate and train occupants on issues specific to their building. In addition to educating the occupants of each building about the evacuation, procedures during the drills, the process also provides Cal Poly an opportunity to test the operation of fire alarm system components. During the drill, occupants learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility including various designated emergency gathering locations on campus. Evacuation drills are monitored by Environmental Health and Safety to evaluate egress and behavioral patterns. Residential halls evacuations are unannounced and monitored by Environmental Health and Safety, University Police, San Luis Obispo Fire, and Housing staff who communicate information to students regarding the evacuation drill and designated emergency gathering locations on campus.

Preventing and Responding to Sexual Misconduct, Dating Violence, Domestic Violence and Stalking

The California State University does not discriminate on the basis of sex, gender, 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 or gender identity from Sex Discrimination, which includes Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence, and Stalking.

Cal Poly 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. The University views any act identified as Sexual Misconduct, Dating Violence, Domestic Violence and Stalking as an extremely serious matter. 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 at Cal Poly and are prohibited by federal and state law and University policy. As members of the University community, students shall comply with and abide by University policies and guidelines in addition to federal, state, and local laws whether on or off campus. The University will strongly discipline persons identified responsible for Sexual Misconduct as described in this report and University policy.
In an ongoing effort to prevent Sexual Misconduct, including 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.

Cal Poly remains committed to empowering victims of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking by providing ample supportive services, and encouraging their choice of action. Cal Poly will endeavor to support all victims, 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.

Any combination of the following offices may be involved in the University’s response to reported instances of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking:

- University Police Department
- Health and Counseling Services
- The Dean of Students Office
- Office of Students Rights and Responsibilities
- Safer (on-campus sexual assault victim’s advocate office) or RISE (off-campus sexual assault victim’s advocate office)
- Title IX Coordinator
- Office of Student Affairs
- Human Resources

Policy Definitions as outlined by CSU Executive Orders 1095, 1096, and 1097

Sex Discrimination, means 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. Both men and women can be victims of Sex Discrimination

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1 As mandated by the Clery Act’s Violence Against Women Act (VAWA)/Campus SaVE Act, these policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth at the end of this report for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Handbook.
Sexual Harassment, a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature where:

a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Student's 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 the Student's 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 that are unrelated to the coursework.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

The University’s policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to University policy.

Sexual Misconduct: All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. 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. Men as well as women can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the Complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.
Sexual Assault is a form of Sexual Misconduct and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person’s gender or sex.

Sexual Battery is a form of Sexual Misconduct and is 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.

Rape is a form of Sexual Misconduct and is 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 s/he is incapacitated from alcohol and/or drugs, is 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.)

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

Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that s/he has the Affirmative Consent of 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 s/he is asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that s/he could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if s/he lacks 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.

**Domestic Violence** is 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 himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

**Dating Violence** is 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 himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

**Stalking** means engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his/her 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.

Primary prevention programs include programming, initiatives, and strategies informed by research or assessed for value, effectiveness or outcome that are intended to stop Sexual Misconduct, Dating or Domestic Violence, or Stalking before they occur through the promotion of positive and healthy behaviors that foster mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Sexual Misconduct, Dating or Domestic Violence, or Stalking. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening and identifying safe and effective intervention options, and taking action to intervene.

Awareness programs include community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Reporting Options
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.

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 he/she 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.

Privileged and Confidential Reports
Physicians, psychotherapists, professional counselors, licensed clinical social workers, and clergy who
work or volunteer on or off campus, and who provide medical or mental health treatment or counseling
(including those who act in that role under their supervision, and those who work or volunteer in these
centers and offices) 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, licensed clinical social workers 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.

Sexual Assault and Domestic Violence counselors and advocates who work or volunteer on or off campus
in sexual assault centers, victim advocacy offices, women’s centers, and health centers (including all
individuals who work or volunteer in these centers and offices, as well as non-professional counselors or
advocates, and those who act in that role under their supervision) may talk to a victim without revealing
any information about the victim and the 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 these counselors and advocates without
triggering a University investigation that could reveal his/her identity or that a victim disclosed an
incident to them. However, see limited exceptions below regarding when Sexual Assault and Domestic
Violence counselors and advocates must report to local law enforcement agencies. Counselors and
advocates should explain these limited exceptions to victims, if applicable.

Cal Poly Safer is our primary confidential campus sexual assault victim’s advocate office and resource
center and can be located at the University Union room 217 at (805) 756-2282. Confidential Cal Poly
Counseling Services available to all currently enrolled students can be located in Building 27 at (805) 756-2511. For services and support after business hours, victims may contact RISE at 855-886-RISE (7473).

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 physician, professional counselor, clergy member, licensed clinical social worker, sexual assault counselor, Domestic Violence counselor or advocate; 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. Counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

**Exceptions to Confidentiality**
Under California law, any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a patient/victim who he or she knows 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, all professionals described above (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.
**Reporting to the Police**

As soon after the incident 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 or (805) 756-2281. 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 his/her identity be kept confidential, his/her 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. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with University Police or other law enforcement to preserve evidence in the event that the victim changes her/his 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. Safer (Cal Poly’s on campus resource) and RISE (off-campus) are the campus’ primary Sexual Misconduct, Dating Violence, Domestic Violence and Stalking resource for advocacy, counseling, and prevention resources. Safer and/or RISE provides a confidential advocate for the victim 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 the San Luis Obispo County Victim Witness Program services, including assistance in obtaining emergency protection orders and restraining orders.

**Reporting to a Campus Security Authority**

Any member of the Cal Poly community who believes that she/he is the victim of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking on the Cal Poly campus may report the incident to any one of the designated 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.

**Reporting to the Title IX Coordinator or Any Other Employee Not Mentioned Above**

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, all University employees except physicians, licensed counselors, sexual assault counselors and advocates, and licensed clinical social workers 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 his/her 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, all 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.”

**Reporting to the Office of the Ombuds**
The University Ombud provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking cases, the Ombuds, as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates, and licensed clinical social workers) must report incidents to the Title IX Coordinator.

NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, a designated Campus Security Authority under the Clery Act may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

**University Response to Reported Incidents**
The CSU strives to be free of all forms of unlawful Discrimination, Harassment and Retaliation. University policy is established in compliance with the California Equity in Higher Education Act (Education Code § 66250 et seq.), Title IX, VAWA/Campus SaVE Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975, among other applicable state and federal laws. It is CSU policy that no student shall, on the basis of any protected status, be unlawfully excluded from participation in, or be denied the benefits of, any CSU program or activity. Nor shall a student be otherwise subjected to unlawful Discrimination, Harassment, or Retaliation for exercising any rights under this policy.

Except as noted above in the privileged and confidential reporting section, any employee who knows or has reason to know of allegations or acts that violate this policy, shall promptly inform the Title IX Coordinator (where the allegations involve Sex Discrimination, Sexual Harassment or Sexual Misconduct) or the Discrimination, Harassment and Retaliation (DHR) Administrator (where allegations involve any other forms of DHR based on protected status). Except as noted above in the privileged and confidential reporting section, all employees are required to disclose the name of a possible victim of Sex Discrimination, Harassment, Retaliation or Misconduct to the Title IX Coordinator **even where the victim has requested that his/her name remain confidential.** The Title IX Coordinator will determine whether confidentiality is appropriate given the circumstances of each such incident as set forth in Executive Order 1095, in consultation with the victim.
What CSU Procedures are Available

The University has formal written procedures that provide for an administrative investigation of reports of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, and written findings 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. The procedure for CSU employees and third parties is separate from but similar to the procedure for CSU students. The campus Title IX Coordinator and Safer’s sexual assault victim advocates can explain these procedures in detail.

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.

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/complainants are not required to participate in any University disciplinary procedure 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, or Stalking and how to conduct a hearing process that protects the safety 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.

Complaint Procedures

The CSU has adopted and published complaint procedures that provide for prompt and equitable resolution of Sex Discrimination complaints, including Sexual Misconduct, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking.

**Complaints made by students**

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students" is the appropriate systemwide

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, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party. Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf.

Complaints made by student-employees
Executive Order 1096 is the appropriate systemwide procedure for all complaints of Sex Discrimination, including Sexual Harassment or Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not his/her status as a student. Executive Order 1096 can be viewed at http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf.

Complaints made by third parties
Executive Order 1096 is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking filed by third parties against the CSU, a CSU employee or a CSU student. Executive Order 1096 can be viewed at http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf.

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.
Student Disciplinary Proceedings
The following procedures govern all student disciplinary matters systemwide involving allegations of Sexual Misconduct, Dating or Domestic Violence, or Stalking. See http://www.calstate.edu/EO/EO-1098-rev-6-23-15.pdf.

Title IX Coordinator
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 a Student violated the Student Conduct Code, and prepares a report that includes findings of facts and conclusions about whether the Student violated the Student Conduct Code. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings.

Complaint/Investigation/Findings
Complaints by Students against Students shall be investigated according to the procedures set forth in Executive Order 1097. The DHR Administrator or the Title IX Coordinator shall notify the Student Conduct Administrator of the status of any such Complaint, including any appeal to the Chancellor's Office (CO), as well as the investigation results (including findings, conclusions, and any Interim Remedies afforded to the Complainant). Where the investigative report finds a violation or the finding of a violation is sustained after appeal, the Student Conduct Administrator will initiate student conduct proceedings. The Student Conduct Administrator and the DHR Administrator or Title IX Coordinator will consult with respect to appropriate sanctions and Remedies.

Complaints by California State University (CSU) employees or Third Parties, as defined in Executive Order 1096 (e.g., vendors, auxiliary employees or Campus visitors) against Students shall be investigated according to the procedures set forth in Executive Order 1096. The DHR Administrator or the Title IX Coordinator shall notify the Student Conduct Administrator of the status of any such Complaint, including any appeal to the CO, as well as the investigation results (including findings, conclusions, and any Interim Remedies afforded to the Complainant). Where the investigative report finds a violation or the finding of a violation is sustained after appeal, the Student Conduct Administrator will initiate student conduct proceedings. The Student Conduct Administrator and the DHR Administrator or Title IX Coordinator will consult with respect to appropriate sanctions and Remedies.

Unless the CO 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.

Conference with Complainant
The Student Conduct Administrator shall offer the Complainant(s) the opportunity to confer with the Student Conduct Administrator. Any conference with the Complainant(s) shall occur within 10 Working
Days after the Student Conduct Administrator receives the final investigation report – or, if an appeal was filed, the final appeal outcome. The purpose of the conference is to provide an opportunity for the Complainant to provide input concerning appropriate sanctions and Remedies in light of the investigative findings. Therefore, it should take place before the Notice of Conference, described below, is served on the Student charged. The Complainant may be accompanied by an Advisor.

Notice of Conference and Conference with the Student Charged
Within 10 Working Days after the Student Conduct Administrator receives the final investigation report – or, if an appeal was filed, the final appeal outcome, and after the Complainant has been given 10 Working Days to have a Conference with the Student Conduct Administrator, the Student Conduct Administrator shall notify the Student charged in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the Student Conduct Administrator.

The Notice of Conference shall include:

- The sections of the Student Conduct Code and other Campus policies that are the subject of the proposed discipline;
- The proposed sanction or range of sanctions, including sanctions designed to provide Remedies to the Complainant(s);
- The location on the Campus where the Student can view his or her discipline file, including the location (or copies) of the Campus policies that were violated;
- Notification of any immediate, interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus;
- Notification of the Student’s right to be accompanied at the conference by an Advisor; and
- A copy of Executive Order 1098 or notice of where the Student may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Conference is sent, a copy of Executive Order 1098 shall be enclosed, along with any other Campus policy referenced in the Notice of Conference.

The conference with the Student and any conference with the Complainant(s) shall be conducted as follows:

- The conference shall not be recorded.
- The Student Conduct Administrator controls the conference and may exclude any Advisor who materially disrupts the conference.
- The conference requirement is waived if the Student or Complainant(s) fails to attend the conference or otherwise declines to cooperate.

The Student Conduct Administrator shall, in consultation with and agreement from the Title IX Coordinator, determine which cases are appropriate for resolution (via written resolution agreement), taking into consideration the investigation report and any additional information provided by the Student charged and the Complainant(s) during any conferences. If a proposed resolution agreement can be reached with the Student charged as to an appropriate disposition, the terms of the proposed
disposition shall be put in writing and signed by the Student and the University after the Student has been given a reasonable opportunity to review the proposed resolution agreement with an Advisor of the Student’s choice. The Student charged must be informed that any proposed resolution may be appealed by the Complainant and is not final until any such appeal is exhausted. Suspension of one academic year or more or expulsion, withdrawal in lieu of suspension or expulsion, and withdrawal with pending misconduct investigation or disciplinary proceedings shall be entered on the Student’s transcript permanently without exception; this requirement shall not be waived in connection with any resolution agreement.

The Student Conduct Administrator shall promptly notify the Title IX Coordinator of the outcome of the conferences with the Student and the Complainant(s). If the case does not proceed to hearing, the Title IX Coordinator shall at that time:

- Notify the Complainant(s) of the outcome of the conference, including any proposed resolution agreement as well as the Complainant’s right to appeal any proposed resolution agreement to the CO pursuant to Article IV. J.
- Take any appropriate further steps to address the effects of any Sexual Misconduct, Dating or Domestic Violence, or Stalking.
- Identify and address any remaining systemic or other patterns of Sexual Misconduct, Dating or Domestic Violence, or Stalking at the Campus.

Discipline cases may be resolved through the conference process. It is, however, not appropriate for a Complainant to be required to "work out the problem" directly with the Student charged, and in no event should any meeting between Complainant and the Student be required.

Notice of Hearing on Sanctions
If not resolved, the Student Conduct Administrator shall issue a Notice of Hearing promptly after the conference. Simultaneous notice shall also be provided to the Complainant and the Title IX Coordinator. The Notice of Hearing shall be issued within 5 Working Days after the conference has concluded.

The Notice of Hearing shall be issued under the following circumstances:

- If the Student charged fails to attend the conference or otherwise declines to cooperate;
- If the matter is not closed or the disposition is not memorialized in writing promptly after the conference; or
- No agreement can be reached with respect to the sanction.

The Notice of Hearing shall include the following information:

- The sections of the Student Conduct Code and other Campus policies that are the subject of the proposed sanctions;
- The proposed sanctions, including sanctions designed to provide protection/Remedies to the Complainant(s);
• Notification that neither the Hearing Officer nor the president is bound by the proposed sanction, and that the Hearing Officer may recommend, and/or the president may set, a more severe sanction;
• The date, time and place of the hearing;
• The location on the Campus where the Student may view his or her discipline file, including the location (or copies) of the Campus policies that were violated, and any related investigation report;
• Notification that the Student charged and the Complainant each may be accompanied at the hearing by an Advisor. Notification shall be given that any person who intends to bring an attorney must inform the Student Conduct Administrator of the attorney’s name, address and phone number at least 5 Working Days before the hearing. Failure to provide this notice in a timely manner will result in exclusion of the attorney from the hearing;
• Notification that the Student can waive the right to a hearing by accepting the proposed sanction, subject to the Complainant’s right to appeal (subject to the approval of the Title IX Coordinator);
• Notification of any immediate, interim suspension (see Article VI of Executive Order 1098) and/or withdrawal of consent to remain on Campus; and
• A copy of Executive Order 1098 or notice of where the Student and/or Complainant may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Hearing is sent, a copy of the Executive Order shall be enclosed, along with any other Campus policy referenced in the Notice of Hearing.

The Student Conduct Administrator 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.

A notice to appear at hearing shall be sent to any University-related witnesses and to the Complainant(s) at least 5 Working Days before the hearing at the University-assigned or other primary e-mail addresses linked to these persons’ University accounts.

The Notice of Hearing may be amended at any time, and the Student Conduct Administrator may (but is not required to) postpone the hearing for a reasonable period of time. If the notice is amended after a hearing is underway, the Hearing Officer may (but is not required to) postpone the hearing for a reasonable period of time.

The Title IX Coordinator retains ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider will vary based on the facts and circumstances of the specific case.

_Hearing on Sanctions_

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 is closed to all persons except the Student Conduct Administrator; the Student charged; the Complainant(s); their respective Advisors; appropriate witnesses while they are testifying; any other alleged victims while they are testifying, together with their Advisors; the Hearing Officer; and one person to assist the Hearing Officer in recording the hearing. All parties and witnesses who will testify must attend the hearing in person unless the Student Conduct Administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the vice president for Student Affairs or Hearing Officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least 5 Working Days before the hearing.

The Hearing Officer controls the hearing. Except as provided in Article IV. H, sections 6-8 of Executive Order 1098, 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, the Complainant, Student Conduct Administrator, or the Title IX Coordinator.

The Complainant(s) may be present while evidence is being presented concerning the charges that relate to him/her, unless the Hearing Officer grants a request that the Complainant(s) be excused during certain testimony to protect privacy rights and/or pursuant to FERPA.

The Title IX Coordinator may attend the hearing in its entirety.

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), unless the Complainant(s) or witness expressly waives this requirement and consents to questioning directly by the Student.

The Hearing Officer shall ask any questions of the Student and other witnesses on behalf of the Complainant (who shall give the Hearing Officer a written list of any such questions), unless the Complainant in question expressly waives this requirement.

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 or as otherwise required by law.

Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of
serious affairs is considered. Hearsay may be considered and will be given the weight appropriate under all of the circumstances. Unduly repetitive information may be excluded.

The Hearing Officer shall make an official audio recording of the hearing (with assistance, at the Hearing Officer's discretion). The recording is University Property. No other recording of the hearing is permitted. The audio recording shall be retained by the Student Conduct Administrator in accordance with the Campus records/information retention and disposition schedule.

If the Student charged fails to appear at the hearing without good cause, the hearing shall nevertheless proceed.

The Hearing Officer is responsible for maintaining order during the hearing and makes whatever rulings are necessary to ensure a fair hearing. Abusive or otherwise disorderly behavior that causes a material disruption is not tolerated. The Hearing Officer may eject or exclude anyone (including the Student, the Complainant, and Advisors) whose behavior causes a material disruption.

Where there is more than one Student facing sanctions in connection with a single occurrence or related multiple occurrences, the Student Conduct Administrator and the Students charged may agree to a single hearing. A Student may request consolidation of his or her case with others, or the Student Conduct Administrator may initiate the consolidation (subject to FERPA and other applicable privacy laws). The Student Conduct Administrator makes consolidation decisions, which are subject to review by the Hearing Officer and thereafter are final.

At any time during the hearing, and subject to the approval of the Title IX Coordinator, the Student charged may waive the right to a hearing and accept the proposed sanction, subject to the Complainant’s right to appeal. Such a waiver must be in writing. The Title IX Coordinator retain ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider will vary based on the facts and circumstances of the specific case.

The Hearing Officer shall submit a written report to the president recommending sanctions, if any, as well as any recommendations regarding additional Remedies, including but not limited to restricting the Student’s contact with, or physical proximity to, the Complainant or other persons. 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.

The Hearing Officer's report shall be based only on the investigative report and the information received at the hearing. The Hearing Officer shall not, prior to preparing the report, have substantive communications about the facts of the case with the Student Conduct Administrator, the Complainant, the Student, the witnesses, or DHR Administrator or the Title IX Coordinator, unless both the Student Conduct Administrator and the Student are present.
**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 may impose the recommended sanctions, adopt a different sanction or sanctions, or reject sanctions altogether. If the president adopts a different sanction than what is recommended by the Hearing Officer, the president must set forth the reasons in the decision letter. 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) at the University-assigned or other primary e-mail address linked to their University accounts. The decision shall also be sent to the Student Conduct Administrator and the Hearing Officer. The decision letter shall include:

- The outcome of the hearing on sanctions, including any sanction imposed and the name of the Student charged; and
- A copy of the Hearing Officer’s report, redacted as appropriate or as otherwise required by law.
- Notice of the Complainant’s and Student’s right to appeal to the CO.

The president shall also send the decision to the Title IX Coordinator so that s/he may determine whether any additional Remedies or steps shall be afforded or undertaken in order to maintain a safe and nondiscriminatory University environment.

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.

**Appeal of Sanction to the Chancellor’s Office (CO)**

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 either in the conference procedure described above or at any time thereafter. Such an appeal must be filed within 10 Working Days after the date of notice to the Complainant of the proposed resolution agreement.

The appeal request shall be in writing and shall indicate the basis of the appeal. 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 may conduct an interview with the appealing party to clarify the written appeal, at the Chancellor’s Office discretion.

A sanction decision appeal shall be addressed to: Equal Opportunity and Whistleblower Compliance Unit, Systemwide Human Resources Office of the Chancellor, 401 Golden Shore, 4th Floor Long Beach, California 90802 eo-wbappeals@calstate.edu
The Chancellor’s Office shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party, and will provide written notification of the appeal to the other party, the campus Title IX Coordinator, and the Campus president (or designee).

The Chancellor’s Office will provide reasonable accommodations to any party or witness with a qualified Disability during the appeal process upon request by the person needing the accommodation. A reasonable accommodation may include an extension of time to file or respond to an appeal. The timeframe for Chancellor’s Office response to an appeal will automatically be adjusted for the time needed, if any, to provide reasonable accommodations.

The Chancellor’s Office appeal review shall be limited in scope to determining 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 to the parties, the Title IX Coordinator, and the campus president (or designee) no later than 10 Working Days after receipt of the written appeal unless the timeline has been extended under Article V. E of Executive Orders 1096 or 1097.

The Chancellor’s Office Appeal Response shall include a summary of the issues raised on appeal, a summary of the evidence considered, the determination(s) reached regarding the issues identified within the written appeal, a decision about whether the president’s sanction decision is reasonable, and, where applicable, a decision regarding the final sanction.

A copy of the Chancellor’s Office final appeal response shall be forwarded to the Complainant and Student charged, the Title IX Coordinator, and the president (or designee).

Other Student Conduct Code Violations Related to Incidents of Sexual Misconduct, Dating or Domestic Violence, or Stalking
Alleged victims and witnesses should not be deterred from reporting any incidents of Sexual Misconduct, Dating or Domestic Violence, or Stalking out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. The University’s primary concern is the safety of the Campus community; therefore, a person who participates as a Complainant or witness in investigations or proceedings involving Sexual Misconduct, Dating or Domestic Violence, or Stalking shall not be subject to discipline for related violations of the Student Conduct Code at or near the time of the incident unless the University determines the violation was egregious, including but not limited to plagiarism, cheating, academic dishonesty, or conduct that places the health and safety of another person at risk.

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 and sororities), and/or University events, or other remedies intended to discourage similar 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 polices) 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.

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

**Good Standing**
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 his or her admission or re-admission has been qualified.

**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 set forth herein, including the completion of all sanctions imposed.

**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.

**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.

A Student placed on interim suspension shall be given prompt notice of the charges pending against him or her as enumerated in Title 5, California Code of Regulations section 41302 and a factual description of the conduct alleged to form the basis for the charges. The Student may request a hearing to determine whether continued interim suspension is appropriate by filing a request with the Student Conduct Administrator. The Student Conduct Administrator will notify the Hearing Officer.
In matters subject to Article IV of Executive Order 1098, the Student Conduct Administrator will also notify the Complainant and the Title IX Coordinator. The Complainant may participate in any hearing conducted pursuant to this section.

Within 10 Working Days of the request, the Hearing Officer shall conduct a hearing to determine whether there is reasonable cause to believe that the continued interim separation of the Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order. The hearing is conducted pursuant to the Executive Order 1098; provisions of Article III. D or Article IV. H of these procedures, as appropriate.

The president shall review the Hearing Officer’s report and shall promptly issue a final decision regarding interim suspension. Notice to the Student charged and to the Complainant (in matters subject to Article IV, EO 1098) shall be sent to the University-assigned or other primary e-mail address linked to the party’s University account. The final decision shall also be provided to the or the Title IX Coordinator where appropriate.

If the University establishes that there is reasonable cause for the interim suspension to continue, it shall remain in effect until the University closes the disciplinary matter, whether by resolution agreement, final decision or dropped charges, but in no case longer than the president has determined is required to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order.

**Denial of Presence on Campus during Interim Suspension**

During the period of an interim suspension, the Student charged may not, without prior written permission from the Campus president, enter any Campus of the California State University other than to attend the hearing regarding the merits of his or her 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.11

**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. Any such sanction shall be determined by a hearing held pursuant to Article III or Article IV, as appropriate. For Students who withdraw while a disciplinary matter is proceeding, the Campus has discretion whether to continue proceedings or hold proceedings in abeyance.

**University Assistance and Support**

The University is committed to providing students with a variety of support, advocacy options and medical assistance. In addition, the University can accommodate victims by assisting in the modification of classes, reducing course load, instigating a campus housing change, work situation change, implement stay away orders, and assist with the leave of absence process and more. Any victim seeking support,
advocacy, accompaniments, information, referrals or crisis counseling may contact the following resources:

**Cal Poly Safer**
Safer is Cal Poly’s on campus and primary confidential resource for addressing. Safer provides confidential support through education, advocacy and crisis counseling. Services are free. (805) 756-2282. safer@calpoly.edu.

**R.I.S.E. Program**
RISE is the county-wide confidential resource for victims of Sexual Misconduct, Dating Violence, Domestic Violence and Stalking, and offer sexual assault, abuse and intimate partner violence programs, counseling, shelters and more. Services are free. (855) 886-RISE (7473.) www.riseslo.org.

**Cal Poly Counseling Services**
Services are free, confidential, and available to all currently enrolled students. (805) 756-2511 http://www.hcs.calpoly.edu/content/counseling.

**Residence Halls**
On campus residents may seek assistance through the residence hall staff in addition to directly reporting to the University Police Department, the Title IX Coordinator, and/or any CSA. Any report of Sexual Misconduct, Dating Violence, Domestic Violence and Stalking is treated as a mandated report by residence hall staff and thus the Title IX Coordinator will be notified. University Housing staff will work with victims and alleged perpetrator(s) (if residential hall students) to immediately refer them to appropriate campus and community resources.

**Collection of Forensic Evidence or Medical Treatment**
Cal Poly Health Services can conduct the medical-legal exam to collect evidence and to check the health of Sexual Misconduct, Dating Violence, Domestic Violence and Stalking victims. Cal Poly student victims who choose not to file a police report, but want to be tested and/or treated for sexually transmitted disease, pregnancy, or injuries resulting from a Sexual Misconduct, Dating or Domestic Violence may seek treatment at Cal Poly’s Health Services at (805) 756-1211 http://www.hcs.calpoly.edu.

**Suspected Abuse Response Team (S.A.R.T.)**
SART exams are done at the request of the victim, law enforcement, or Child Welfare Services. The exam itself becomes part of the investigation, if reported to the Title IX Coordinator and/or law enforcement. Confidential SART exams are also available at the victim’s request without law enforcement or University involvement. Call the office directly during office hours or call the Rape-Crisis hotline at (805) 545-8888 and they will explain the options available. If a SART exam is done, it is still reportable to law enforcement but the client doesn’t have to speak to law enforcement and may do so confidentially. Suspected Abuse Response Team (SART,) (805) 781-4878 or after hours (805) 781-4550.
Additional resources within the community include:

San Luis Obispo Police (805) 781-7317
San Luis Obispo Sheriff’s Department (805) 781-4550
Rape, Abuse, and Incest National Network (RAINN) (800) 656-1673 (hope)
National Sexual Violence Resource Center (NSVRC) (877) 739-3895
National Sexual Assault Hotline (800) 656-4673
Victim and Witness Assistance Services (805) 781-5821

**Sexual Misconduct Prevention and Education**

The California Polytechnic State University, San Luis Obispo is acutely aware that Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking are of critical concern at colleges and universities throughout the United States and that no institution is immune from these incidents. Despite our zero tolerance policy for Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking in any form, we realize this is an extremely underreported crime. The University takes seriously its obligation to be proactive in educating students, faculty and staff about Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. 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. Executive Order 1095, the University’s Systemwide Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking Policy, sets forth an extensive array of training, prevention and education efforts and requirements (http://www.calstate.edu/EO/EO-1095-rev-6-23-15.pdf).

*What should I do in the instance of Sexual Misconduct, Dating or Domestic Violence, or Stalking, and what rights do I have?* Call 9-1-1 if you are in the midst of any kind of emergency, immediate harm or threat of harm. If you have experienced Sexual Misconduct (e.g., Rape, Dating Violence, Domestic Violence, or Stalking), you are encouraged to seek immediate assistance from police and healthcare providers for your physical safety, emotional support and medical care. University or local police can escort you to a safe place and transport you to a hospital for medical treatment, if needed. University police can also provide access to a confidential Sexual Assault advocate. If you would prefer not to notify the police, you are strongly encouraged to seek assistance from the campus Title IX Coordinator who can provide you with information on your options, rights and remedies, and/or a Sexual Assault counselor or advocate.

You 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 you get medical attention after being assaulted. Following the incident, you may be physically injured, there may be a chance you contracted a sexually transmitted disease, or that you may become pregnant.

*Who should I contact?*

You have many resources and options available to you both on and off campus including confidential and privileged communication options. These resources are described in detail on pages 13-26 of this report. The University has designated a Title IX Coordinator as the primary point of contact to provide you 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. Your campus Title IX Coordinator is available to explain and discuss your right to file a criminal complaint and assistance in doing so; the University’s relevant complaint process, and your right 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.

Cal Poly San Luis Obispo Title IX Coordinator:
Martha Cody, 1 Grand Ave. Bldg. 33 - Rm 290 San Luis Obispo CA 93407
805-756-6770
Office hours M-F 8AM-5PM

What reporting options do I have?
You have several reporting options including those with confidentiality, and you may pursue one or all of these options at any time. It is your right to have a friend, family member, sexual assault advocate, or other representative present with you while reporting the incident. You also have the right to have a sexual assault counselor and support person of your choice present with you during a rape examination. The campus Title IX Coordinator can assist you in notifying the police or any other reporting source if you choose. You may also take the following actions:

**Criminal:** Reporting to University Police and/or local police is an option at any time. If you choose not to report to the police immediately following a Sexual Misconduct, Dating and Domestic Violence, and Stalking incident, you 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 your behalf.

**Administrative:** You may report to the campus Title IX Coordinator, who will provide you with written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident. The Title IX Coordinator will also provide you with information regarding resources available to you, as well as information regarding your rights and options. Contact information for the Title IX Coordinator is listed above.

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

**Civil Lawsuit:** You may choose to file a civil lawsuit against the perpetrator, whether or not criminal charges have been filed. A civil lawsuit provides you the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress.
You 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, and Stalking. The campus Title IX Coordinator and/or the San Luis Obispo Victims Services Office can offer assistance with obtaining a protective or restraining order.

Sexual Misconduct, Dating Violence, Domestic Violence & Stalking Educational Programming
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, the University Police and Student Affairs offer presentations, workshops, and other educational events for the Cal Poly community including but not limited to:

- University Housing
- Athletics
- Greek Life
- Student Clubs and Organizations

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 required. Descriptions of some of these programs are:

**Greeks Against Sexual Assault**
This training is 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 Masculinities 6 Week Program**
The Men and Masculinities 6-Week Program 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 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 (SOAR):** All students and parents who attend SOAR will receive information on consent, safety, resources and how to help if made aware of any Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking.

**Haven Online Program:** 45 minute interactive modules given 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):** All students who attend WOW will 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 will receive a personal safety presentation.

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

**University Events:** Students are encouraged to attend Safer events throughout the academic year sponsored by the University to promote education and awareness such as:

- Take Back the Night.
- Clothesline Project.
- Quarterly Self Defense workshops.

**Housing Programming:** University Housing in collaboration with Safer, offers multiple programs in the Residence Halls that focus on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.

**Athletics:** 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:** 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:** All Housing staff receive a two-hour long Safer training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.
**Associated Students Incorporated (ASI) staff:** All ASI student staff receives a Safer training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, bystander intervention and consent.

**How to be an Active Bystander**

Bystanders play a critical role in the prevention of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. Cal Poly wishes to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. These bystanders may not always know what to do even if they want to help. Below is a list of some ways to be an active bystander:

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe and listen to someone who discloses Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking.
- Refer people to on or off campus resources listed in this report for support in health, counseling, or with legal assistance.
- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Additional educational and training information in video format on the topics of Bystander Intervention, Consensual Sex, and Title IX can be found at:

[http://www.deanofstudents.calpoly.edu/content/safer/videos](http://www.deanofstudents.calpoly.edu/content/safer/videos)

**Sexual Harassment in the Workplace**

Cal Poly is committed to creating and maintaining a learning and working environment in which faculty, staff, and students work together in an atmosphere of mutual respect and free from unlawful harassment. In addition to mandatory training for all employees related to Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, California Government Code section 12950.1 is a state law that mandates all employees identified as supervisors to take two (2) hours of sexual harassment prevention training. Each individual identified as a supervisor will be required to take this training on a two (2) year cycle, as well as within the first six (6) months of their assumption of supervisory duties.
Workplace Violence Prevention

Cal Poly is committed to maintaining a civil and non-violent learning, working, and social environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive. Civility and mutual respect toward all members of the University community are intrinsic to the establishment of excellence in teaching and learning. They also contribute to the maintenance of a safe and productive workplace and overall healthy campus climate for everyone. All employees are expected to conduct themselves in a professional, civil and non-violent manner. Program managers and departmental administrators have the responsibility of preventing and eliminating unprofessional or threatening behavior and other inappropriate conduct within their respective areas.

Inappropriate violent conduct may include, but is not limited to, acts of intimidation, threats, or acts of violence committed against any person on the property of Cal Poly, affiliated site, or sanctioned event. In support of this endeavor, Cal Poly has a university recognized Advisory Committee on Workplace Violence Prevention whose function is to implement and coordinate the Workplace Violence Prevention Program Guidelines. The committee is appointed by the President and reports to the Vice President for Administration and Finance. Meetings are held quarterly or more frequently as scheduled by the chair. The Executive Director for Human Resources serves as the chair and can be reached at (805) 756-2236.

Workplace Violence includes, but is not limited to, intimidation, threat of violence and or an act of violence.

*Intimidation*
An intentional act toward another person, the result of which causes the other person to reasonably fear for his/her safety or the safety of others.

*Threat of Violence*
An intentional act that threatens bodily harm to another person or damage to the property of another.

*Act of Violence*
An intentional act that causes bodily harm to another person or damage to the property of another.

**Procedures**
To address incidents of workplace violence and to ensure speedy and effective resolution of these incidents, the University has established the following process for an individual that has knowledge of, has witnessed, or been subject to workplace violence:

- Immediately report the situation to University Police if there is a sense of fear for your safety or the safety of others.
- If he/she is an employee (including faculty, staff and student assistants) the individual should report the situation to his/her supervisor or Human Resources as soon as possible. If the individual is a student, he/she should report the situation to Office of the Vice President of Student Affairs, as soon as possible.
• Human Resources and/or Office of the Vice President of Student Affairs will immediately consult with the Vice President for Administration and Finance on all incidents and, if appropriate, members of the Incident Response Team will be convened.

Responsibilities and Assignments

General
It is everyone’s responsibility to conduct themselves in such a way as to contribute to an environment that is free of violence, intimidation and threat. No individual shall be subjected to reprisal, retaliation, or disciplinary action for reporting acts pursuant to these guidelines. Periodic training will be made available for employees to attend. The University will also determine appropriate sanctions, including discipline, in situations where malicious and/or false allegations of violent conduct, threats or intimidation are confirmed.

Executive Director for Human Resources
The Executive Director for Human Resources acts as the chairperson for the Advisory Committee and is responsible for overall coordination of the University’s Workplace Violence Prevention Program.

The Executive Director for Human Resources will:
• Summon members of the Incident Response Team (IRT), as needed.
• Work with the Cal Poly Public Affairs office in the release of information to the media and others with appropriate information.
• Convene the Advisory Committee on Workplace Violence Prevention at regular intervals.

University Administrators and Supervisors
Once an administrator or supervisor has knowledge of workplace violence under his or her administrative jurisdiction, the administrator or supervisor must take timely steps to deal with the matter appropriately by consulting with Human Resources. Program administrators are responsible for taking positive steps to educate and sensitize employees and students with respect to this issue. Administrators and supervisors are encouraged to attend workshops on the issue of workplace violence and prevention and to make training opportunities accessible to their staff.

University Police
University Police will take an active role in addressing acts of campus violence by providing immediate intervention in crisis situations, coordinating appropriate support services in situations of on-going safety concerns and by providing notification to the applicable human resources office of reports of acts of violence, intimidation and threat.

Human Resources
Human Resources will investigate allegation and determine if action needs to be taken by either Human Resources or Academic Personnel. Human Resources will be responsible for appropriate personnel documentation.

Human Resources Coordinator (ASI), Safety Fitness and Training Administrator (Corporation) and University Training Officer (State)
These positions will be responsible for the development and implementation of programs and training (i.e., new employee training, etc.).

**Office of the Vice President of Student Affairs**
Office of the Vice President of Student Affairs will investigate allegation, consult with Human Resources and determine if action needs to be taken.

**Workplace Violence Prevention Advisory Committee**
The Advisory Committee on Workplace Violence Prevention shall have overall responsibility for the following:

- Monitoring and assessing campus-wide efforts to address issues of workplace violence.
- Developing, and recommending modification of University guidelines and procedures related to workplace violence.
- Reviewing and recommending programs and training (i.e., employee orientation, etc.).

**Incident Response Team**
The Executive Director for Human Resources, as Chair of the Workplace Violence Prevention Advisory Committee, may call together the Incident Response Team. There may be times when only one or two team members will be called to respond. Functions of the team include the following:

- Assist with intervention.
- Provide a broad perspective on how to handle a problem.
- Maintain confidentiality.
- Make recommendations to the Vice President of Administration and Finance for future actions based upon a post-incident evaluation.

The members of an Incident Response Team shall be individuals from the following nominating authorities:

- Executive Director, Human Resources
- Chief, University Police
- Risk Manager
- Director, Health & Counseling Services
- Director, Judicial Affairs
- Executive Director, University Housing
- Associate Vice Provost, Academic Personnel
- Director, Human Resources, Corporation
- Human Resources Coordinator, ASI
- Director, Public Affairs
- Director, Emergency Operations
The University Police Department

The University Police Department is committed to the safety and well-being of the campus community. We are a full service, community oriented law enforcement agency providing service to the campus 24/7. There is always University Police Officers on duty to assist a student, faculty, guest, or staff member. It is a goal of the department to provide an environment in which all people feel safe and secure, and to maintain a professional workforce that is responsive to the needs of the campus community. In addition, we work closely with the City of San Luis Obispo Police Department to safeguard the campus.

The campus community and guests are encouraged to report all crimes, suspicious activity, and public safety related incidents to the University Police Department (UPD) in a timely manner for prompt response by the police, inclusion in the annual crime statistics and aid in providing timely warning notices to the campus community.

To report a crime or an emergency on the Cal Poly campus dial 9-1-1 from any phone or at extension 6-2281 from any University phone or, (805) 756-2281 from any off campus phone. University Police dispatchers are available at these numbers 24 hours a day to answer your call, provide assistance, and dispatch a police officer or the appropriate resource, as needed.

All UPD investigated incidents of which may include potential student code of conduct violations are forwarded to the Dean of Students office for review and potential action by the Office of Student Rights and Responsibilities. If assistance is required from an allied police or fire department, UPD will contact the appropriate agency.

The University Police Department is located at 1 Grand Avenue, Bldg. 36, San Luis Obispo, California 93407. The administrative office hours are Monday – Friday 8:00 am to 5:00 pm. The office phone number is (805) 756-6652. After hours, an on-duty officer may be reached through the University Police Dispatch directly at (805) 756-2281 or 6-2281 from any campus phone. For additional information on the University Police Department, services provided, and news and information, please visit the website: https://afd.calpoly.edu/police/.

Enforcement and Arrest Authority of University Police Officers

Officers of the Cal Poly State University Police Department are California Peace Officers per 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 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 may refer students to the disciplinary division of Student Affairs for violations of the campus regulations and the Student Code of Conduct.
Addressing Criminal Activity at Off Campus Organizations

Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Greek Affairs Advisors. University Police members do not provide law enforcement service to off-campus residences of recognized fraternity and sorority organizations. These residences are located within the City of San Luis Obispo and criminal activity at these locations is monitored and recorded by the San Luis Obispo Police Department. The San Luis Obispo Police Department is surveyed annually for Clery reportable crimes at these locations to be included in the annual crime statistics. Student Affairs and University Police members enjoy a close working relationship with the San Luis Obispo Police Department and coordinate efforts when violations of federal, state, or local laws occur.

Law enforcement interagency cooperation

The University Police Department enjoys an excellent rapport and effective relationship with allied law enforcement agencies.

City of San Luis Obispo Police Department

The University Police Department maintains an excellent relationship with the City of San Luis Obispo, which our campus borders. 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. Additional information about the City of San Luis Obispo and the services provided by the Police Department can be found at: [http://www.slocity.org/](http://www.slocity.org/)

San Luis Obispo County Sheriff’s Office

By an MOU agreement, 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 countywide 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](http://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 for dignitaries who may visit our campus.

Crime prevention education and awareness

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. University Police works closely with Residential Life staff to provide training and educational information on crime prevention and personal safety techniques throughout the year.
The University Police Department offers crime prevention and awareness presentations to campus organizations, departments, clubs and groups upon request throughout the academic year and in partnership with University Housing. 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 to all incoming students before they arrive to Cal Poly. The educational modules focus on education on sexual violence, Dating Violence, Domestic Violence, Stalking, bystander intervention and consent.

During orientation, students and parents are informed of services offered by the University Police as well as the San Luis Obispo Police Department. Presentations outline ways to maintain personal safety and residence hall 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, 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 or personal safety can be scheduled for any size group by contacting the University Police Department directly at (805) 756-6652.

In addition to these safety presentations, information is disseminated to students, faculty and staff through advertisements and articles in the University newspaper the Mustang News, through security alerts posted prominently throughout campus and/or via electronic format through the campus email system.

**Sex offender registration and information**

Convicted sex offenders are required by law to register with the law enforcement agency having jurisdiction where the offender lives. Convicted sex offenders are also required to register with the University Police Department if they are residing on the University campus, enrolled as a student of the University, employed by the University (either full-time or part time, including paid employees or volunteers), or working or carrying on a vocation at the University (e.g., contractors) for more than fourteen days or for an aggregate period exceeding thirty days in a calendar year.

In addition, Megan’s Law makes information on "serious" and "high-risk" sex offenders in their local community available to adults and organizations. The information available regarding a registered sex offender includes:

- Name and known aliases.
- Age and sex.
- Physical description, including scars, marks and tattoos.
- Photograph, if available.
- Crimes resulting in registration.
- County of residence.

The University Police Department does not maintain a public database of registrants at Cal Poly. Information regarding registered sex offenders on campus may be obtained by viewing the Megan’s Law
web site: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov) an offender’s campus involvement will be listed as a secondary registration location.

**Access to Campus Facilities**

Campus facilities are provided primarily for the education-related needs of enrolled students. Use and allocation of University Facilities is governed by section 240 of the Campus Administrative Policy, et al. 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 friends 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. For more information, please call University Housing at (805) 756-1226, or visit the website: [www.housing.calpoly.edu](http://www.housing.calpoly.edu)

*Security Considerations Used In Maintenance*

The University takes appropriate precautions to provide security during maintenance of facilities. Routine maintenance of facilities is primarily by full-time University employees. Maintenance and custodial employees in the residence halls are closely supervised, work routine business hours, and do not enter private rooms without direction. Contractors in the residence halls work either in empty buildings or directly under supervision of University employees. General contractors on campus are responsible for security to the facilities in which they are working. Specific direction and a university liaison are provided for each contractor/project.

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 deficiency 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.

**Alcohol and Other Drugs Policy**

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. Cal Poly is fully committed to achieving an
alcohol abuse and other drug (AOD) free environment for its students and employees. 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. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control (ABC). Possession or consumption of alcoholic beverages on the campus is prohibited. Exception to this policy may be granted by the President or his designee to allow the service (sale or non-sale) of alcoholic beverages under established guidelines. Factors to be considered in granting exceptions include the nature of the event, the adequacy of supervision, and the benefit to the university. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal.

As an institution, Cal Poly acknowledges the serious issues concerning the use of illegal drugs and the abuse of alcohol; factors which have clear links to a myriad of negative effects in a person’s life. These effects can range from poor academic performances to serious legal consequences for violations of law while under the influence. A direct correlation exists between alcohol and other drug usage and crime. Simply put, the more you drink or use drugs, the more likely you are to be involved in a crime of violence; either as a victim or as a perpetrator, both with potentially tragic and life-changing consequences.

Cal Poly encourages persons of legal drinking age to carefully consider the options open to them when they are making decisions regarding if and how much alcohol will be a part of their lives off campus. Many substance free events are offered on campus throughout the year, and members of the university community are encouraged to get involved. Education and support for those who have questions or problems related to AOD are available and strongly encouraged.

Academic, personal and professional success is Cal Poly’s goal for all of its students, faculty, and staff. This goal cannot be achieved if AODs are allowed to hinder each person’s natural abilities.

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. In all cases, the possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age is strictly prohibited.

**Standards of Conduct**

Cal Poly employees and students are expected to comply with campus rules and regulations at all times, including student-sponsored social activities, professional meetings attended by employees, and school-sponsored off campus activities.

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.

Persons who are engaged in work on a federal contract or grant shall abide by the above standards of conduct as a condition of employment, and shall notify the University of any criminal drug statute violations occurring in the workplace or while on University business no later than 5 days after conviction. Cal Poly is required to initiate appropriate corrective action within 10 days of receiving such notice of conviction (see Disciplinary Actions).

*Description of Health Risks*
Alcohol and other drug use poses serious health risks for the individual and for the safety of others. The effects of psychoactive drugs such as marijuana, cocaine, amphetamines, barbiturates, or hallucinogens on the body and psyche are dangerous, and some damage is irreversible. Common effects associated with drug use are distortions of time perception, increased heart rate, dilation of blood vessels, loss of short-term memory, inability to study or concentrate, insomnia, hyperactivity, depression, and even death.

Although alcohol is a legal drug in our culture, its harmful potential is great. Alcohol is a drug that slows down bodily functions such as heart rate, pulse, and respiration. Alcohol can seriously impair judgment, motor skills, and coordination. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as violent behavior and psychological depression. In addition, any amount of alcohol consumed by a pregnant woman may be harmful to the fetus causing Fetal Alcohol Syndrome.

*Student Response Procedures*
A student should not hesitate to report an incident of possible alcohol poisoning or other drug overdose due to concerns about potential disciplinary action for violating the Standards for Student Conduct. Student safety and health are paramount considerations. Obtaining necessary medical assistance could be considered a mitigating factor on a case-by-case basis when evaluating the imposition of campus disciplinary charges for consuming or providing alcohol or other drugs. Even if no disciplinary charges are imposed, students may still be required to participate in educational programs designed to promote student safety. This protocol does not preclude disciplinary action for other violations such as assault, hazing, or Sexual Misconduct that might arise from the same incident. A student reporting another student’s alcohol poisoning or other drug overdose must take the following steps:

- Contact emergency personnel immediately by calling 9-1-1.
- Stay with the incapacitated student until told by the responding officials to leave.
- Cooperate with emergency personnel and University employees during the incident and during any subsequent investigation.
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. More information on Aware Awake Alive can be found at: http://awareawakealive.org/

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. Cal Poly may also accommodate employees by allowing the approved use of sick leave or unpaid time off to participate in such 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, Empathia, directly at 1 (800) 367-7474.

The following is a partial 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 (Administration Building, Room 110, (805) 756-2236), Counseling Services or P.U.L.S.E. The services listed below are provided for informational purposes only, and no specific endorsement is implied.

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. Located in the Health Center and staffed by students and professionals, P.U.L.S.E. is available to students, faculty, and staff and provides information on support groups dealing with AOD topics. Peer Health Teams offer information and educational workshops presented by students who are trained in the area of AOD use, sexuality, nutrition, and wellness. This program is located on the lower level of the Health Center. 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. To learn more or to schedule a workshop, call (805) 756-6181.

Health and Counseling Services provides short-term counseling and referral for students in the area of AOD issues. Health and Counseling Services is located in the Health Center (Building 27).

Recreational Sports offers many opportunities to get involved in substance-free healthy fun. Choices range from informal drop-in activities such as swimming, weight lifting, and tennis to structured activities such as intramural team sports, aerobics, fun runs and special events. Visit the Recreation Center (Building 43, South Perimeter and Via Carta), view the Recreation Center website: http://www.asi.calpoly.edu/rec_center_facility, or call (805) 756-1366.
Associated Students, Inc. (ASI) and University Union (UU) offer frequent and varied entertainment options which do not rely on AOD to be fun. Activities include the UU Games Area (bowling, billiards, and video games), concerts, movies, and live entertainment throughout the year. Call (805) 756-1112 for more information.

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

Tax-Supported Agencies

- SLO Co Drug & Alcohol Services: (805) 549-4296
- Cambria Connection: (805) 927-1654
- North County Connection: (805) 461-6084
- Mariposa Center: (805) 473-7082

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.

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that, as a condition of receiving funds or financial assistance under any federal program, 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.

Questions concerning this policy may be directed to the Office of Student Affairs (students), (805) 756-1521, or Human Resources (employees), (805) 756-2236.

Hazing Policy

Hazing refers to any activity that causes physical or emotional harm, degradation, or humiliation during initiation into a student organization. The various actions that may constitute hazing, regardless of a person’s willingness to participate, include binge drinking, sexual harassment and assault, ridicule, sleep
or food deprivation, personal servitude, physical beatings, embarrassing outfits or actions in public. This
definition applies to incidents that occur both on and off campus involving members of the campus community.

Hazing is a violation of Cal Poly’s Standards for Student Conduct, as well as the California Penal Code
Section 245.6. Students who participate in hazing, even if only as an observer, may face sanctions from
both the university and the criminal justice system.

The safety of members of the University community is of primary importance. Any Cal Poly student or
any person involved with Cal Poly students who becomes aware of hazing should notify the Office of
Student Rights & Responsibilities. While the Standards for Student Conduct prohibit alcohol use on
campus or at University related activities and prohibit the use of illegal drugs, these regulations should
not be a barrier to reporting an incident of hazing.

**Firearms and Weapon Policy**

*The Gun-Free School Zone Act-California Penal Code 626.9*
No person, while on University property, shall possess, carry or have control of any firearm, whether
loaded or not, unless it is with the written permission of the University President or designee (Chief,
University Police). Exceptions are: sworn peace officers of the State of California, full-time paid peace
officer of another state or the federal government who is carrying out official duties while in California,
an armored vehicle guard engaged in the performance of his or her duties, an honorably retired peace
officer authorized to carry a firearm, and where otherwise provided by the California Penal Code. The
University Police Department does not provide storage for firearms.

*Possessing Other Weapons on Campus*
Weapons are prohibited on campus by California Penal Code 626.10. No person, while on University
property, shall possess, carry or have control of any weapon defined as:

- Any knife that has a blade longer than 2 1/2 inches or opens automatically.
- Any dirk, dagger or ice pick.
- Any razor with an unguarded blade.
- Taser or stun gun.
- Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air
  pressure, CO2 pressure or spring action.
Crime Definitions and Statistics

The following are locations that federal law requires institutions to report

**On-Campus**
Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes.

**Residence Community**
For the purposes of this report ‘Residence Community’ offenses are defined as those offenses occurring in Residence Halls or other residential facilities for students located on campus. These offenses are included in the number of ‘on-campus’ offenses.

**Non-Campus Property**
Any building or property owned or controlled by a student organization recognized by the institution; and any building or property owned or controlled by the institution that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution. Cal Poly’s non-campus properties are located at the following addresses in city or county jurisdiction:

- 132 California Boulevard; Alpha Gamma Rho Fraternity
- 180 California Boulevard; Kappa Alpha Theta Sorority
- 244 California Boulevard; Delta Sigma Phi Fraternity
- 280 California Boulevard; Alpha Epsilon Pi Fraternity
- 1264 Foothill Boulevard; Alpha Omicron Pi Sorority
- 1290 Foothill Boulevard; Alpha Phi Sorority
- 1292 Foothill Boulevard; Lambda Chi Alpha Fraternity
- 1304 Foothill Boulevard; Sigma Nu Fraternity
- 1335 Foothill Boulevard; Phi Kappa Psi Fraternity
- 1464 Foothill Boulevard; Alpha Chi Omega Sorority
- 740 West Foothill Boulevard; Phi Kappa Alpha Fraternity
- 615 Grand Avenue; Sigma Kappa Sorority
- 700 Grand Avenue, Chi Omega Sorority
- 1326 Higuera Street; Gamma Phi Beta Sorority
- 1230 Monte Vista; Phi Sigma Kappa Fraternity
- 1236 Monte Vista; Delta Chi Fraternity
- 125 and 228 Swanton Road; Swanton Pacific Ranch, Davenport, CA
• 7985 Santa Rosa Road; H.R. & E.J Hay ‘Skytherm’ House, Atascadero, CA
• 3275 Avila Beach Drive, Avila Beach, CA
• 489 – 647 Paseo Bella Montana, San Luis Obispo, CA

Public Property
All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational and/or offenses occurring in city or county jurisdiction (within the boundaries described below) and reported to the San Luis Obispo Police Department or the San Luis Obispo Sheriff’s Department:

• California Boulevard: North of the intersection with Monte Vista.
• Crandall Avenue: North of the intersection with Foothill Boulevard.
• Private Road between 1318 and 1320 Foothill Boulevard: North of the intersection with Foothill Boulevard.
• Private Road between 1328 and 1332 Foothill Boulevard: North of the intersection with Foothill Boulevard.
• Longview Lane: North of the intersection with Slack Street.
• Slack Street: East of the intersection with Longview Lane and west of the east side of the intersection with Grand Avenue.
• Grand Avenue: North of the intersection with Hays Street.
• Highland Drive: East of the intersection with North Chorro Street.
• Stenner Creek Road: East of Highway 1, San Luis Obispo, CA.

Note: Crimes reported to ‘other security authorities’ are not always reported to, or verified as having occurred by the University Police Department or other law enforcement agencies having reporting jurisdiction over the locations addressed in this report. Statistics reported to contributors, other than the University Police Department, are not independently verified by the University. Statistics reported to contributors are requested by the University, but may not have been supplied by the contributing agency.

The following are crimes that federal law requires institutions to report, as defined in the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Handbook, as required by the Clery Act regulations:

Murder
The willful (non-negligent) killing of one human being by another.

Manslaughter
The killing of another person through gross negligence.
Sex Offenses-Forcible
Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

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

Sodomy
Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object
The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Battery
The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses-Non-Forcible
Unlawful, non-forcible sexual intercourse:
- Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault
The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
**Burglary**
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned. An incident must meet the following three conditions to be classified as a burglary:

- There must be evidence of unlawful entry (trespass). Both forcible and non-forcible entry is included.
- The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door.
- The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined the proper classification is larceny.

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

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

**Weapon Law Violations**
The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: possession and carrying of deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations**
Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations**
The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor. Driving under the influence is not included in this definition – these violations are excluded by language of the Campus Security Act.

**Domestic Violence**
A felony or misdemeanor crime of violence committed by - a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies or any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
Dating Violence
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

Stalking
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

Hate Crimes
Of the crimes described above, and any other crime involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity or disability of the victim that are reported to campus security authorities or the University Police, the data shall be collected and reported according to category of prejudice. In 2013, the VAWA provision added “national origin” and “gender identity” to the hate crime categories, involving intentional selection of a victim based on actual or perceived characteristics.

Unfounded Crimes
If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded” and will not be included in the annual crime statistics. Only sworn or commissioned law enforcement personnel may “unfound” a crime after a complete investigation into the incident has been completed. The refusal of the victim to cooperate with the prosecution, the failure to make an arrest, or the failure of the district attorney to file or prosecute a case does not automatically “unfound” a legitimate offense. To comply with recent change in legislation the number of unfounded crimes are included in a separate category beginning with the year of 2014 crimes and also reported annually to the department of education.
# Campus Crime Statistics
## 2012 through 2014

### California Polytechnic State University, San Luis Obispo

#### On Campus

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#### Special Category Arrests (Liquor, Drug and Weapons)

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#### Campus Disciplinary Action - Disciplinary referrals (non-arrests) from UPD, Housing and other University Officials

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*Beginning with 2014 reporting, the two categories of forcible and non-forcible sex offenses have been combined into one category: sex offenses (with subcategories: rape, fondling, incest and statutory rape)

**Beginning with 2014 reporting, if a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded”

***Clarification of California State Code Section 25662 (a) & (b) resulted in higher numbers of liquor law violations referred for disciplinary actions in 2014
### Hate Crimes
California Polytechnic State University, San Luis Obispo

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<td>NC0</td>
</tr>
<tr>
<td>Nonforcible Sex Offenses</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Robbery</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
</tr>
<tr>
<td>Burglary</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Arson</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Larceny-Theft</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Simple Assault</td>
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<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Intimidation</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
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<tr>
<td>Destruction/Damage/Vandalism of Property</td>
<td>OC0</td>
<td>RF0</td>
<td>NC0</td>
</tr>
</tbody>
</table>

**Race**

**Gender**

**Religion**

**Disability**

**Ethnicity**

**Gender Identity**

**PP = Public Property**

**OC = On Campus**

**RF = Residence Facility**

**NC = Non-Campus**

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