

2018 ANNUAL SECURITY REPORT



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

CLERY CRIME STATISTICS 2015-2017

Table of Contents

Message from the President, Gayle E. Hutchinson.....	2
Preparing the Annual Security Report (ASR).....	3
Crime Statistics.....	4
Reporting Criminal Actions & Emergencies	6
Timely Warning.....	7
Voluntary Confidential Reporting	8
Security of and Access to Campus Facilities	8
Law Enforcement Authority.....	9
Security Procedures and Practices.....	9
Crime Prevention Programs.....	11
Criminal Activity at Noncampus Locations of Student Organizations	12
Alcohol and Drugs.....	12
Campus Alcohol Policy	12
Campus Policy on Controlled Substances	13
Campus Alcohol & Drug Education Center	13
Team ROAR! Reach Out and Respond	14
Brief Alcohol Screening and Intervention for College Students (BASICS).....	14
Employee Assistance Program (EAP)/LifeMatters.....	14
Sexual Violence	15
Prevention, Education, and Awareness	15
Definitions per Executive Orders 1095-1097 ¹	18
Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct	21
Privileged and Confidential Reports	22
Exceptions to Confidentiality	23
Reporting Options.....	23
Non-Reporting	27
Civil Lawsuit.....	27
Disciplinary Procedure	29
Appeal of President’s Sanction	33
Registered Sex Offenders.....	33
Emergency Notification	33
Missing Student Notification	34
Fire Safety Act	35

Message from the President, Gayle E. Hutchinson

CALIFORNIA STATE UNIVERSITY, CHICO
OFFICE OF THE PRESIDENT

September 24, 2018

Dear Chico State community,

California State University, Chico (Chico State) is committed to providing a safe and secure environment for our students, faculty, staff, and visitors. Through publication of our Annual Security Report, we look to provide transparency relative to the programs and policies we have in place to achieve this end, and to publicly share the crime statistics reported from the prior three years that we rely on as part of the evaluation of our efforts. To that end, we present the Annual Security and Fire Safety Report.

This report is provided in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*, the *Higher Education Opportunity Act (HEOA)*, and the *Violence Against Women Reauthorization Act of 2013 (VAWA)*. While not a complete safety profile of the University and the surrounding community, this report provides information on safety and security at all physical locations that are part of the Chico State campus, including our on-campus housing facilities. This report shares the policies and procedures for reporting crime and facilitating safety and security, programs geared toward the prevention of crimes and the protection of campus community members, available victim assistance services, fire safety information, and other resources that promote a safe campus community. We use the compiling of this report as an opportunity to think about these programs and ways that we can better serve our community and continue to make our community a safer place.

While the California State University, Chico Police Department has primary responsibility for providing security and law enforcement services for the University, and is generally tasked with protecting the Chico State community from all hazards and crimes, at Chico State we believe that everyone has a role to play in the prevention of violence, and have introduced some new programming to help get this message out to the community. We share these efforts in the report.

We encourage you to read this information and consider how we can all work together, through prevention, education, and timely reporting, toward a safe Chico State community.

Thank you.

Sincerely,



Gayle E. Hutchinson

Preparing the Annual Security Report (ASR)

California State University, Chico (Chico State) presents The Annual Security Report (ASR) to provide information about campus security, policy statements, and certain crime statistics related to our campus community and geography. The Annual Security Report is prepared with collaborative effort from all departments on campus that have a commitment to public safety. Chico State's Clery Compliance Team is responsible for the completion and publication of this report, including the gathering of policy statements. This report is prepared in compliance with ***The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act***, often referred to as the ***Clery Act***. The Clery Act is named after Jeanne Clery, who was a student at Lehigh University when she was raped and murdered in her residence hall in 1986. In her honor, her family petitioned the government to adopt the regulations of the Clery Act which includes the publication of The Annual Security Report by October 1 of each year. More information about the Clery Act can be found at Chico State's Clery website <http://www.csuchico.edu/clery/>

In this ASR, California State University, Chico is referred to as CSU, Chico, Chico State, and/or The University.

The Chico State Clery Compliance Team is responsible for gathering statistics for Clery Act crimes (including hate crimes and violations of state and local drug, weapon, and liquor laws) that occur within Clery Act geography. These statistics also include arrests and referrals for discipline. These statistics are gathered from direct reports to CSU, Chico Police Department (UPD), allied law enforcement agencies, and from Campus Security Authorities (CSAs) across campus. This is accomplished through the collection of reporting forms from CSAs, written requests from allied law enforcement agencies, and through the use of RIMS, a Record Management System managed by UPD. UPD has an established relationship with Chico Police Department that includes a Memorandum of Understanding that provides for joint patrol efforts for areas near campus (one-mile radius) that do not fall within UPD jurisdiction.

Deans, directors, department heads, resident directors, resident advisors, faculty advisors, and others are all considered CSAs. Clerical staff, food service staff, and faculty who have no responsibility outside of the classroom are some examples of roles on campus that do not meet the criteria for being CSAs. The Annual Security Report is available in print at CSU, Chico Police Department or on our website http://www.csuchico.edu/clery/_assets/documents/annual-security-report.pdf

The Annual Security Report includes statistics for crimes determined by the Clery Act. The statistics include crimes that occurred on campus, in certain off-campus locations, property owned or controlled by the University, and on public property within or immediately adjacent to (or accessible from) the campus. This report includes statistics from the previous three years.

This report also includes institutional policy statements concerning campus security, including those concerning alcohol and drug use, crime prevention, and the reporting of crimes including sexual misconduct, domestic violence, dating violence, and stalking.

The statistical charts on the following pages are representative of all Clery Act crimes reported to a CSA that occurred in Clery Act geography. For information about crime and geography definitions, please visit http://www.csuchico.edu/clery/_assets/documents/crimes-and-geography.pdf

It is important to note that the "Campus Residential" category is a subset of "Campus."

Crime Statistics

CLERY CRIME STATISTICS 2015 – 2017					
OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Manslaughter by negligence	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Rape	2015	3	2	1	0
	2016	6	6	4	0
	2017	9	9	3	0
Fondling	2015	1	1	0	0
	2016	2	2	1	0
	2017	1	0	0	1
Incest	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Statutory Rape	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
Robbery	2015	1	0	0	0
	2016	1	0	0	1
	2017	1	0	0	3
Aggravated Assault	2015	2	1	1	2
	2016	2	1	0	0
	2017	4	1	0	0
Burglary	2015	8	0	5	0
	2016	5	0	4	0
	2017	13	2	0	0
Motor vehicle theft	2015	6	0	0	2
	2016	8	0	1	1
	2017	9	0	0	1
Arson	2015	1	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

CLERY CRIME STATISTICS 2015 – 2017 (con't)

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2015	0	0	0	0
	2016	1	1	0	0
	2017	0	0	0	0
Domestic Violence	2015	1	0	3	0
	2016	5	2	0	0
	2017	4	3	1	0
Stalking	2015	1	0	0	0
	2016	2	0	1	0
	2017	6	0	0	0
Liquor law arrests	2015	3	0	0	13
	2016	1	0	0	3
	2017	0	0	0	0
Liquor law referrals	2015	2	0	0	0
	2016	3	0	0	0
	2017	3	0	0	0
Drug law arrests	2015	9	0	2	9
	2016	15	1	4	5
	2017	14	1	7	0
Drug law referrals	2015	13	12	8	0
	2016	5	4	0	0
	2017	1	0	0	0
Weapons law arrests	2015	3	0	1	3
	2016	8	0	2	1
	2017	4	0	0	0
Weapons law referrals	2015	1	1	3	0
	2016	0	0	0	0
	2017	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded crimes	2015	1
	2016	0
	2017	0

Hate Crimes

- 2015: There were no reported hate crimes.
- 2016: There were no reported hate crimes.
- 2017: There were no reported hate crimes.

Reporting Criminal Actions & Emergencies

UPD has primary law enforcement jurisdiction for all criminal incidents occurring on campus. This includes incident investigation, follow-up, and resolution. UPD works in conjunction with outside agencies, such as the Butte County Sheriff's Department, the City of Chico Police Department, and local fire and emergency medical services.

All crime reports and emergencies occurring on-campus should be reported to UPD immediately. UPD officers respond to all on-campus reports of fires, criminal and suspicious activity, and medical emergencies. Reports can be made in person in the UPD lobby on the corner of 2nd and Chestnut Streets, or by any of the options below:

On-Campus Emergencies

The on-campus emergency telephone number is **9-1-1**. Use this number for reporting on-campus fires, criminal or suspicious activity, and medical or other emergencies. This number goes directly to UPD if dialed from a campus phone. Dispatchers are trained to respond appropriately to emergencies of any nature.

Off-Campus Emergencies

The off-campus emergency telephone number in Butte County is **9-1-1**. Use this number from home phones, cell phones, and all off-campus locations for community-based fire, police, and emergency medical services. Refer to your local telephone directory for further information.

On-Campus Non-Emergencies

The non-emergency telephone number to contact UPD is **(530) 8985555**. This number should be utilized to obtain non-emergency, on-campus police services or to report any non-emergency crime.

Other Options

Chico State recognizes that not all people in all situations will report all crimes to UPD. If you are unable or unwilling to report a crime to UPD, you may choose to report to the individuals listed here. Be aware that these individuals may not be able to respond as quickly as UPD.

CSU, CHICO TITLE IX COORDINATOR

Dylan Saake

*Director of Labor Relations
and Compliance*

Kendall Hall, Room 220
Chico, CA 95929-0010
Phone: 530-898-4949

dsaake@csuchico.edu

DEPUTY TITLE IX COORDINATORS

Gloria Godinez

*Labor Relations and
Compliance Manager*

Kendall Hall, Room 220
Chico, CA 95929-0010
Phone: 530-898-5195

ggodinez5@csuchico.edu

Denise M. Hardy

Title IX Investigator

Kendall Hall, Room 220
Chico, CA 95929-0105
Phone: 530-898-5195

dmhardy@csuchico.edu

Robert Morton

Title IX Investigator

Kendall Hall, Room 220
Chico, CA 95929-0105
Phone: 530-898-5195

ramorton@csuchico.edu

Timely Warning

The university will issue a timely warning as soon as pertinent information is available when a Clery reportable crime is reported to UPD or a designated campus security authority, occurred in a Clery defined geographical area, and a case by case analysis of pertinent facts known is completed and a determination is made an on-going or continuing threat to the community exists.

The Chief of Police is responsible for the decision to issue a timely warning (or a management designee in the absence of the Chief) and will confer with the Clery Director (if available), upon receiving a report of an incident reported to a CSA and/or UPD. The Chief of Police, with the Clery Director if one is appointed and is available, will complete a case by case analysis utilizing open communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets all of the following factors: 1) is a Clery reportable crime; 2) occurred in Clery defined geography; and 3) poses a serious or ongoing threat to the community.

If it is determined that any of the three factors are not met, then no timely warning will be issued.

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

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

For clarity to the community when a timely warning is issued it will be titled "Timely Warning Crime Bulletin" and include the following:

- A statement that the Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime.
- The Clery Act reportable crime that occurred
- The date, time, and location the crime occurred
- The date the Timely Warning Bulletin is issued
- A description of the suspect, and name if known, when the suspect is at large and evading apprehension and/or law enforcement is seeking assistance from the public to locate
- Preventative information specifically related to the type of crime which occurred that could help others from becoming the victim of a similar crime

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

Voluntary Confidential Reporting

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

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

Security of and Access to Campus Facilities

Chico State is deeply committed to the safety of its faculty, staff, and students. We employ several programs designed to promote campus-wide safety. The CSU, Chico Police Department provides 24-hour patrol protection of University buildings, property, parking lots, and residence halls. Officers investigate crimes, alarms, suspicious incidents and persons, and respond to fires and medical aid requests.

Most buildings on campus are equipped with card access, which works to provide the highest degree of security possible for our students, faculty, staff, and guests. Campus facilities and buildings are generally open to the campus community and visitors during regular business operation hours. Thereafter, access is only available to individuals with authorized access cards or keys. Facilities Management and Services (FMS) is responsible for programming most University (non-housing) access cards. The Facilities Management and Services' Key Shop is responsible for issuing and keeping a record of all campus keys and provides access to key boxes.

Access to campus residence halls is restricted to residents, their guests, and University officials. Residents have access to residence halls with their authorized access cards, and are issued keys for their rooms. Lending room keys or access cards to any individual for any reason is prohibited.

All campus residence hall guests must check in at the service desk 24 hours a day. All guests being checked in after 8 p.m. must be at least 18 years of age. Guests under 18 must be accompanied by a parent or guardian at all times. Guests are issued wrist bands at check-in, which must be worn at all times and returned to the service desk when the guest leaves.

Campus shrubbery, trees, and other vegetation are routinely trimmed and artificial lighting maintained with safety issues in mind. The campus community is encouraged to report unsafe conditions, safety concerns, exterior lighting issues, or telephone malfunctions to Facilities Management and Services at (530) 898-6222 or UPD at (530) 898-5555.

Chico State employs a robust security camera system in many areas on campus, including University Housing. Most cameras have the capability of being monitored by University Police dispatchers and footage from these cameras are often used in University Police investigations.

Law Enforcement Authority

UPD is a full-service state police agency staffed 24 hours a day, 7 days a week by sworn state police officers and state certified public safety dispatchers.

Police officers and dispatchers meet all certification and training requirements as mandated by the California Commission on Peace Officer Standards and Training (POST).

UPD officers are vested with law enforcement powers pursuant to California Penal Code Section 830.2. Their authority extends throughout the state, and they possess full powers of arrest. They are primarily tasked with enforcing campus regulations and state laws on the property owned or controlled by CSU Chico, but their jurisdiction also includes the areas within the City of Chico that are within a one-mile radius of the campus.

An existing *Joint Public Safety Agreement* between UPD and the City of Chico Police Department clarifies the roles and responsibilities of each police department for crimes or incidents requiring police attention that occur within the area of concurrent jurisdiction. As part of that agreement, Chico State police officers have the authority to enforce a number of City of Chico public peace and public property municipal ordinances in the same manner as the City of Chico Police Department.

The Chico Police Department provides copies of its police reports to UPD when the reports involve either identifiable student(s) or in such cases where there is strong reason to believe the individuals involved are students. Police officers from both police departments act as trainers and/or participants in joint training sessions. Chico State police officers participate on regional enforcement teams to include those focused on reducing and/or responding to property, violent, alcohol or other drug crimes and violations in the areas adjacent to the campus.

Two UPD police officers are assigned to the California State University's Critical Response Unit (CRU). CRU is tasked with responding to crowd control and civil unrest situations as they occur on any of the system's twenty-three campuses throughout the state.

The Chico State Chief of Police meets monthly with the City of Chico Police Chief, the Butte County Sheriff and District Attorney, and other local, state, and federal law enforcement partners to discuss public safety concerns and activities from a regional perspective.

UPD accepts anonymous reporting by phone at (530) 898-5555, via email at dispatch@csuchico.edu, or online at www.csuchico.edu/up.

Security Procedures and Practices

Presentations at New Student Orientations

UPD provides an officer for the annual Summer Orientation Program to inform prospective students and their parents/guardians of available police services and safety programs. Similar presentations have been tailored for graduate students or international students and are provided on an as needed basis.

Safety talks are available upon request (to UPD) for any office, organization, or classroom on campus (based on the availability of a police department presenter).

MOONLIGHT SAFETY WALK

Each year, the members of the Public Safety Advisory Board and the University President lead the campus on the Moonlight Safety Walk. The purpose of the program is to identify areas of concern regarding safety issues on campus. Participants divide into teams to walk through areas of campus in the mid-evening to help identify safety hazards, including inadequate lighting or overgrown brush. Any safety concerns identified during the walk are entered into a database and reviewed by UPD, Facilities Management and Services (FMS), and other relevant campus departments.

BLUE LIGHT PHONE TESTING

Each month, UPD tests all blue light phones on campus. The outcome of testing for each phone is logged and will be maintained and filed for a minimum of seven years. If there is a malfunction with any blue light phone, an equipment request will be sent to the appropriate office (Facilities Management and Services for lighting malfunctions or User Services for telephone malfunctions). Follow up testing is conducted during the following month to ensure the phone or light has been fixed.

ACTIVE SHOOTER TRAINING

UPD offers the campus community Active Shooter Training using the “19 seconds” framework. This course provides attendees with information on how to best protect themselves in the event of an active shooter on our campus. “19 Seconds” was designed by the police department at CSU, Fresno specifically for personnel working in academic and educational environments.

This instructor-led course is facilitated by UPD staff and is offered as frequently as can be organized, advertised, and staffed; typically, 2-3 times per calendar year. The audience is primarily campus staff, faculty, and student employees, but others may be invited depending on availability. Chico State also hosts an informational video about active shooter preparedness on our website at the following link: <http://www.csuchico.edu/emergencyprep/index.shtml>.

DISASTER DRILL AND PREPAREDNESS EXERCISES

All disaster drills and large scale preparedness exercises are scheduled and planned by UPD, the Department of Environmental Health and Safety Emergency Preparedness Coordinator, and/or campus Emergency Manager, depending on the type of drill or exercise. A description and plan for the scenario of each event will be reviewed by a member of the UPD staff at the level of Sergeant or above and/or the Emergency Preparedness Coordinator, or campus Emergency Manager. Building evacuation drills, including all University Housing student residence buildings, are overseen by the Emergency Preparedness Coordinator. Building evacuation drills are a cooperative effort between UPD, Environmental Health and Safety, Facilities Management Services, and University Housing, as applicable to the event.

Campus building evacuation drills include the participation of campus Floor Evacuation Coordinators (FECs) who are trained by the Emergency Preparedness Coordinator. The FEC team of each building meet with the Emergency Preparedness Coordinator to plan prior to each drill.

Each building’s team of FECs are trained in the prompt and safe evacuation of buildings, assisting persons with disabilities, and have knowledge of building specific fire and life safety features.

Planning for each exercise or drill will include a description of the event, the building or location of the event, the date, time, and any related announcement information.

Following each exercise or drill, an After Action Report will be completed and kept on file by the

Department of Environmental Health and Safety for a period of seven years.

The Campus publishes an Emergency Response Guide which is available for review here: <http://www.csuchico.edu/emergencyprep/Emergency%20Response%20Guide.shtml>.

ACCESS TO DAILY LOG OF POLICE AND FIRE CALLS FOR SERVICE

UPD maintains Chico State's daily crime log for the most recent 60-day period. The log is open for public inspection during normal business hours or by accessing this link:

<https://csucpd.crimegraphics.com/2013/default.aspx>

Log entries older than 60 days can be obtained by request and are usually fulfilled within two business days.

Crime Prevention Programs

BICYCLE THEFT PREVENTION

Bicycle theft is one of the most frequent crimes committed on campus. UPD offers bicycle license and registration throughout the year. Specific times and dates are posted on the UPD bike registrations website at http://www.csuchico.edu/up/bike-skate-info/bike_reg.shtml.

During the license and registration process, information is provided to educate students, staff, faculty, and the general public. This includes bike-locking tips, bicycling maps, and safe bicycling rules on campus. Licensing and registering a bicycle greatly reduces the risk of theft and provides a mechanism for return if a stolen bike is recovered.

R.A.D.

UPD offers a Rape Aggression Defense (R.A.D.) course. R.A.D. is a system of self-defense designed specifically for women. It combines risk-reduction strategies with basic physical defense techniques, making it one of the most comprehensive courses of its kind. The course is taught by certified instructors and is the only women's self-defense program ever to be endorsed by the International Association of Campus Law Enforcement Administrators (IACLEA).

The course concludes with realistic scenarios performed in a safe environment by trained police department staff. R.A.D. is offered to women within the campus community. R.A.D. is typically offered 1-2 times per year depending on staffing and demand. If a class does not fill up, UPD will open it up to other citizens. More information about R.A.D can be found at:

http://www.csuchico.edu/up/safety_programs/rad.shtml.

CAMPUS CONNECTION

Campus Connection is the campus safety shuttle. It runs during the fall and spring academic semesters, 7 days a week, from 6:00 p.m. to midnight and is available to students, staff, and faculty. The shuttle drivers, who are trained police department student-level Community Service Officers (CSOs), follow a predesignated route consisting of 15 stops throughout the main campus, campus parking lots, and off-campus University-owned apartments. All of the Campus Connection stops are located near University blue light phones, so that riders have emergency access to UPD while they are waiting for the shuttle.

'NOT ANYMORE' INTERPERSONAL VIOLENCE PREVENTION PROGRAM

As part of CSU, Chico's commitment to the safety, health, and wellness of our campus community, the University requires all incoming students to complete *Not Anymore*, an online interpersonal violence

prevention program providing information about consent, bystander intervention, sexual assault, dating and domestic violence, stalking and more. Completion of the *Not Anymore* online program is mandatory for all incoming students, and should be completed prior to the first day of classes. Failure to complete the program with at least an 80% score results in an academic hold being placed on the student's records and will prevent the student from registering for classes the following academic period.

Not Anymore refresher training is assigned to all continuing students annually. The refresher versions focus on specific topics for which they had previously received an overview. Campus policies and resources are also highlighted. Completion of the annual *Not Anymore* refresher program is mandatory for all continuing students. Failure to complete the program with at least an 80% score results in an academic hold being placed on the student's records and will prevent the student from registering for classes the following academic period.

CHICO STATE CARE TEAM

The CSU, Chico Campus Assessment Response and Education (CARE) team promotes the safety and wellness of the campus community by collaboratively addressing situations where students are displaying disruptive, threatening, or other troubling behavior. The team investigates reports, performs threat assessments, and determines methods of support, intervention, or takes other appropriate measures to promote safety. A report of CARE team work is published annually.

Crime prevention pamphlets are available in the UPD lobby at the corner of 2nd and Chestnut streets.

Criminal Activity at Noncampus Locations of Student Organizations

UPD has primary jurisdiction for non-campus locations of recognized student organizations, such as fraternity and sorority housing, and therefore monitors and responds to criminal activity for those locations within UPD patrol jurisdiction. For certain serious crimes such as homicide, UPD works in conjunction with Chico Police Department to investigate.

Alcohol and Drugs

Preventing alcohol and drug use and abuse, particularly in campus residence communities, is a significant focus of the Campus Alcohol & Drug Education Center (CADEC), University Housing, University Police, and the greater campus community. Although criminal incidents of alcohol and drug possession on campus remain infrequent, each semester a significant number of students face discipline from University Housing and/or Student Conduct, Rights and Responsibilities for violations of campus policy, including the possession or use of alcohol and drugs. The relevant policies and programs the campus uses to address these matters are described below.

Campus Alcohol Policy

Chico State complies with the Drug Free Workplace Act of 1990 and the Higher Education Act section 120a. This law requires institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. Students and employees must receive materials annually that contain standards of conduct, a description of the various laws that apply in the jurisdiction regarding alcohol and drugs, a description of the various health risks of drug and alcohol abuse, a

description of counseling treatment programs that are available, and a statement on the sanctions the University will impose for a violation of the standards of conduct.

The possession, consumption, sale or transportation of alcoholic beverages on Chico State campus or in campus-owned facilities is generally prohibited as a matter of institutional policy. This policy is formalized in [Executive Memorandum 99-011](#). Chico State and UPD are very concerned about abuse and over consumption of alcoholic beverages by students and devote a great deal of attention and resources to this serious issue. It is the belief of UPD that education, as well as strict enforcement of local, state, and federal laws, will help to control the abuse of alcohol on campus. Education regarding the dangers of alcohol abuse will provide students with the opportunity to make informed choices regarding its use, while strict enforcement will help to ensure the safety and security of the campus community.

Campus Policy on Controlled Substances

The unlawful manufacture, distribution, sales, possession or use of a controlled substance is prohibited on campus, at any University-sponsored off campus event, and on any workplace site of employees of the University. UPD strictly enforces local, federal, and state laws, as well as the University's zero-tolerance policy, for the use and sale of illegal drugs.

Student violators are subject to criminal prosecution, and/or discipline, including removal from University Housing, suspension, and expulsion. Staff and faculty violators may also face criminal charges, reprimand, demotion, suspension without pay, or dismissal. This policy is formalized in [Executive Memorandum 89-012](#).

Campus Alcohol & Drug Education Center

The Campus Alcohol & Drug Education Center (CADEC) is committed to providing educational programs and services to the students, staff, and faculty of Chico State. CADEC has the dual purpose of preventing substance misuse and promoting awareness and outreach within the community. The Campus Alcohol & Drug Education Center includes professional staff, student peer educators, and volunteers who focus on prevention, early intervention, and support for any member of the campus community.

Chico State students, faculty and staff will work collaboratively to develop a comprehensive, evidence-based approach to reducing the harm associated with high-risk alcohol consumption. This approach will include both prevention and intervention on the environmental, individual and systems levels. All students will receive information regarding campus strategies to prevent harm associated with alcohol misuse. Students who have engaged in high-risk alcohol consumption will participate in programs appropriate to their individual needs.

Research has shown that toxic alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include low academic performance, unintentional injury, assault, and alcohol poisoning. Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems.

Chico State currently employs AlcoholEdu for all new and transfer students. AlcoholEdu is an interactive online program designed to reduce the negative consequences of alcohol amongst students. The online programs delivers a personalized experience to all types of students dependent on their current drinking choices, and has been proven effective in numerous independent studies.

CADEC's Peer Educators implement educational programming on the interpersonal level with the

nationally-recognized Wildcat ROAR! (Reach Out and Respond) Bystander Intervention Training program (formerly Red Watch Band) utilized by hundreds of universities across the nation. The Wildcat ROAR! movement is an educational intervention led by peers designed to end alcohol overdose deaths by teaching students how to handle alcohol emergencies and summon professional help. The mission of the Wildcat ROAR! program is to provide campus community members with the knowledge, awareness, and skills to prevent student toxic drinking deaths and to promote a student culture of kindness, responsibility, compassion, and respect. Wildcat ROAR! trainings are offered six times throughout the semester and available upon request. To date, CADEC has trained over 7,179 students and staff on campus.

Team ROAR! Reach Out and Respond

Team ROAR! Reach Out and Respond is a field student course composed of student leaders who conduct outreach to their peers in multiple settings. Team ROAR! facilitates participation in the Wildcat ROAR! training program and other harm-reduction activities. This is an opportunity for students to engage with CADEC and was requested by students on campus.

Students can meet privately with a student peer educator or a licensed alcohol and drug counselor to discuss alcohol and drug questions. The Campus Alcohol and Drug Education Center uses Motivational Interviewing to illicit behavior change in a non-judgmental and non-confrontational environment. A one-on-one meeting with a CADEC staff member is often used as a sanction or for personal growth, helping friends or family, class research, or for options and referrals for more intense treatment.

Brief Alcohol Screening and Intervention for College Students (BASICS)

Brief Alcohol Screening and Intervention for College Students (BASICS) is a service for students in which they explore their alcohol use on an individual level. It is evidence-based and designed to assist students in examining their own substance use behaviors in a non-judgmental and non-confrontational environment. The goal of BASICS is to help students reduce risky behaviors and harmful effects from drinking. BASICS provides students with personalized feedback about individual alcohol use and compares the students' alcohol use to other college students. BASICS offers students the opportunity to explore their level of risk, identify possible changes, and helps them to reduce their risk in developing future problems. BASICS can serve as a "check-up" on students drinking.

CADEC employs the Socio-Ecological System Framework to reach students at multiple levels. The individual level is reached through customized one-on-one support and interpersonal engagement through our workshops and presentations. Prevention policies, social marketing and outreach, and consistent enforcement allow CADEC to provide support at the institutional level. CADEC engages on the community level by serving on Butte Youth Now Coalition, Town and Gown Committee, and the Nicotine Action Alliance. These initiatives work in concert to effectively change how our students engage with alcohol and other drugs throughout their college career.

It is important to note that UPD will investigate and prosecute violations of local, state, or federal laws pertaining to the use/abuse of alcohol, including California underage drinking laws. Successful prosecution can lead to fines or incarceration in county jail or state prison, depending on the violation committed. Students may also face sanctions from Student Conduct, Rights & Responsibilities, including disciplinary probation, suspension, or expulsion.

Employee Assistance Program (EAP)/LifeMatters

The University offers an Employee Assistance Program (EAP) by partnering with LifeMatters. The services

provided include in-person counseling options, addiction cessation programs, as well as access to literature and resources to help individuals understand problems related to addiction, seek support for addressing the problem, and generally explore avenues for finding solutions to problems related to alcohol and controlled substances.

More information about programming is available at <https://www.csuchico.edu/cadec/index.shtml>.

Sexual Violence

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

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

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

The University is committed to empowering victims of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking by providing ample supportive services, and encouraging their choice of action, regardless of their decision to seek criminal prosecution of offender(s). If requested by the victim, University personnel will assist the victim in notifying the appropriate law enforcement authorities.

Prevention, Education, and Awareness

CSU, Chico has adopted a number of preventive education programs to promote awareness of CSU policies that prohibit Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, and to increase awareness of resources available to victims. The training programs use the jurisdictional definitions required by the Clery Act, and those definitions are set out in their entirety in the sections titled, "[Definitions Per Executive Orders 1095-1097](#)" of this report. Within the programs, information is included to help campus community members understand what conduct is

prohibited, define the scope of a problem that is encountered, identify problem behavior when they see it, and be aware of the campus and community resources that are available to victims.

Our programs include risk reduction strategies, which often include educating attendees on the definition of consent that is used throughout our jurisdiction and in our campus policies, as well as actions that can be taken to improve the climate on campus and in the community. Our bystander programs encourage students to A.C.T. (Assess the situation, Choose the best option, Take action) when they see a potentially dangerous situation. We promote safe and positive options for intervention including Distraction, Delegation, and Directly intervening when safe to do so. More detailed descriptions of some of the specific programs are included below.

'NOT ANYMORE' INTERPERSONAL VIOLENCE PREVENTION PROGRAM (PREVIOUSLY MENTIONED)

As part of CSU, Chico's commitment to the safety, health, and wellness of our campus community, the University requires all incoming students to complete *Not Anymore*, an online interpersonal violence prevention program providing information about consent, bystander intervention, sexual assault, dating and domestic violence, stalking and more. Completion of the *Not Anymore* online program is mandatory for all incoming students, and should be completed prior to the first day of classes. Failure to complete the program with at least an 80% score results in an academic hold being placed on the student's records and will prevent the student from registering for classes the following academic period.

Not Anymore refresher training is assigned to all continuing students annually. The refresher versions focus on specific topics for which they had previously received an overview. Campus policies and resources are also highlighted. Completion of the annual *Not Anymore* refresher program is mandatory for all continuing students. Failure to complete the program with at least an 80% score results in an academic hold being placed on the student's records and will prevent the student from registering for classes the following academic period.

WILDCATS ACT (ALCOHOL AND CONSENT TRAINING)

The Campus Alcohol & Drug Education Center (CADEC) partners with Safe Place to offer Wildcats ACT to incoming residential students. The mission of Wildcats ACT is to provide education and tools for students to understand sexual consent in their own lives. In addition, they teach skills for preventing student drinking deaths and promote a culture of kindness, responsibility, compassion, and respect through bystander intervention. This program is offered annually.

ANNUAL PREVENTION AND AWARENESS TRAINING

Student Athletes, Resident Advisors, members of club sports, and members of fraternities and sororities are provided annual training to promote awareness of affirmative consent, sexual misconduct, dating violence, domestic violence, and stalking. CSU and campus policy information is provided. By focusing on situations that members of these groups may encounter, they are provided information regarding safe and positive options for bystander intervention, myths and facts about sexual misconduct, risk-reduction tips to avoid becoming a victim and to avoid becoming a perpetrator, and resources for victims. Resident Advisors and athletic coaches also receive training to help ensure that they handle incidents of sexual harassment, sexual misconduct, dating or domestic violence, and stalking appropriately.

NEW EMPLOYEE ORIENTATION

New Employee Orientation provides general information to new employees. During the orientation, new employees are provided information on campus safety, discrimination, harassment, retaliation, child abuse and their obligation to report. CSU and campus policy information is provided. An emphasis is

placed on discussion of employee rights to be free from these types of violations and rights/responsibilities to report to the Title IX coordinator *and* share confidential resources with victims of sex discrimination, sexual harassment, sexual misconduct, dating or domestic violence, and stalking.

ANNUAL TITLE IX ONLINE COMPLIANCE TRAINING FOR EMPLOYEES

The CSU Chancellor's Office provides mandatory Title IX online training to employees. The objective of the training is to help CSU employees identify sex discrimination, sexual harassment, sexual misconduct, domestic or dating violence, and stalking. The training also provides general Title IX information, resources for reporting, and ways employees can help victims. A learning management system is used to automatically assign the training to all employees (including student employees) on a yearly basis, provide notices of deadlines, and track completion of training.

ANNUAL ANNOUNCEMENT TO EMPLOYEES

CSU, Chico sends an annual announcement to all employees highlighting the CSU policies regarding sex discrimination, harassment, sexual misconduct, domestic and dating violence, and stalking. The announcement also serves as a reminder of their obligation to report such incidents and the resources available to victims.

If you have questions about education, prevention, and awareness programs, you may contact:

Dylan Saake

Director of Labor Relations and Compliance/Title IX Coordinator/Clery Director

Kendall Hall, Room 220

Chico, CA 95929-0010

Phone: 530-898-4949

dsaake@csuchico.edu

Curtis Pahlka

Clery and Compliance Training Manager

Kendall Hall, Room 220

Chico, CA 95929-0010

Phone: 530-898-4949

cpahlka@csuchico.edu

Alix MacDonald

Safe Place Advocate

Student Services Center, Room 430

Chico, CA 95929-0261

Phone: 530-898-3030

safeplace@csuchico.edu

Definitions per Executive Orders 1095-1097¹

SEX DISCRIMINATION

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

SEXUAL HARASSMENT

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

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

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment.

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

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

¹As 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 in the next section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Handbook.

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. Persons of all genders can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

SEXUAL ASSAULT

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

SEXUAL BATTERY

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

RAPE

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

ACQUAINTANCE RAPE

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

AFFIRMATIVE CONSENT

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 Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent. Affirmative Consent must be voluntary, and given without coercion, force, threats, or intimidation.

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative

Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.

- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions,
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.
- A person with a medical or mental disability may also lack the capacity to give consent.
- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.
- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
 - The person was asleep or unconscious;
 - The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
 - The person was unable to communicate due to a mental or physical condition.
- It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
 - The respondent's belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
 - The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

DOMESTIC VIOLENCE

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

DATING VIOLENCE

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

STALKING

Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for their own or others' safety, or to suffer Substantial Emotional Distress. For purposes of this definition:

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

Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct

CALL 9-1-1 IN ANY KIND OF EMERGENCY, OR WHEN FACING IMMEDIATE HARM OR THREAT OF HARM.

Persons who have experienced Sexual Misconduct, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a Sexual Assault Victim Advocate. Victims who prefer not to notify the police, are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or counselor who can provide information on options, rights and remedies.

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

The University's primary concern is the safety and well-being of every member of the campus community. The use of alcohol or drugs never makes the victim at fault. If a campus community member has experienced Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking they should not be deterred from reporting the incident out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. Except in extreme circumstances, University students or

employees who are victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline.

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

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

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

Privileged and Confidential Reports

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

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

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. Counselors and advocates

can provide victims with that assistance if requested. Treating physicians, psychotherapists, professional counselors, and clergy will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

Exceptions to Confidentiality

Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspect is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct, Domestic Violence, and Dating Violence). This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

Additionally, under California law, physicians, psychotherapists, professional counselors, licensed clinical social workers, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable. Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the sexual violence incident. If applicable, these professionals will explain this limited exception to victims.

Reporting Options

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

CRIMINAL

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

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. The University Police will support all victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution

remains with the victim. University Police will protect the confidentiality of the victim to the extent permitted by applicable California State law.

If a victim reports to a local police agency or the University Police about Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself, including the identity of the perpetrator if known, to the Title IX Coordinator being sure not to reveal the victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

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

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

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

REPORTING TO A CSA

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

NOTE: If the University determines that the perpetrator poses a serious or ongoing threat to the campus community, under the Clery Act the campus may be required to issue a timely warning to the

community. Any such warning will not include any information that identifies the victim.

ADMINISTRATIVE

Victims may report to the campus Title IX Coordinator, who will provide written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident.

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

REPORTING TO A TITLE IX COORDINATOR OR RESPONSIBLE EMPLOYEE

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

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

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

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy.

A Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the

incident to the police.

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

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate. The University will not generally notify parents or legal guardians of a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

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

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

Non-Reporting

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

Civil Lawsuit

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

RESTRAINING ORDERS

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

DISCIPLINARY PROCEDURES

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

When a student or employee reports to the University that the student or employee has been a victim of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options.

The investigation process from initial complaint to final result shall be prompt, fair, and impartial. The investigator will meet separately with the complainant and the respondent and other potential witnesses to gather information. The investigation shall be completed no later than 60 Working Days after the intake interview, unless the timeline has been extended. The timeline should not be extended for a period longer than an additional 30 Working Days from the original due date.

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

At the conclusion of the University's complaint and investigation procedure, any employee or student found to have violated University policy against Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will be subject to discipline. For employees, discipline would be administered consistent with

applicable collective bargaining agreements, University policies and legal requirements. For students, discipline would be administered in accordance with CSU Executive Order 1098 (discussed below). Victims are not required to participate in any University disciplinary proceeding and may choose not to be a part of it.

Disciplinary procedures will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking and how to conduct a hearing process that protects 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, impartial, and equitable resolution of complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, including Rape and Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

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

COMPLAINTS MADE BY STUDENTS

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students" is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be viewed at <https://www.calstate.edu/eo/EO-1097-rev-10-5-16.html>

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 <https://www.calstate.edu/eo/EO-1096-rev-10-5-16.html>.

COMPLAINTS MADE BY STUDENT-EMPLOYEES

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person's status as an employee and not their status as a student. Executive Order 1096 can be viewed at <https://www.calstate.edu/eo/EO-1096-rev-10-5-16.html>.

Disciplinary Procedure

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

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

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

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

Unless the Chancellor's Office notifies the campus that an appeal has been filed, investigative findings pursuant to Executive Orders 1096 or 1097 become final 11 working days after the date of the Notice of Investigation Outcome issued pursuant to those Executive Orders. If an appeal is filed, the investigative findings do not become final until the appeal has been exhausted.

APPEAL OF FINDING IN INVESTIGATION OUTCOME

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

STUDENT CONDUCT PROCEEDINGS

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

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

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

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

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

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

The Hearing Officer shall submit a written report to the president recommending sanctions, if any, as well

as any recommendations regarding additional remedies. The report shall include any mitigating or aggravating factors relied upon by the Hearing Officer in reaching the recommendations. The report shall be submitted within 10 working days after the hearing.

PRESIDENT'S SANCTION DECISION/NOTIFICATION

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

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

STUDENT SANCTIONS

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

1. RESTITUTION
Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
2. LOSS OF FINANCIAL AID
Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled or denied.
3. EDUCATIONAL AND REMEDIAL SANCTIONS
Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities misconduct or as deemed appropriate based upon the nature of the violation.
4. DENIAL OF ACCESS TO CAMPUS OR PERSONS
A designated period of time during which the student is not permitted: (i) on University Property or specified areas of campus; or (ii) to have contact (physical or otherwise) with the complainant, witnesses or other specified persons.
5. DISCIPLINARY PROBATION
A designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to violate the Student Conduct Code or any University policy during the probationary period.
6. SUSPENSION²
Temporary separation of the student from active student status or student status.
 - a. A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible

to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.

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

7. EXPULSION²

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.

²A student is not considered to be in good standing for purposes of admission to the University while under a sanction of suspension or expulsion, or while admission or re-admission has been disqualified.

OTHER CONSIDERATIONS RELATED TO SANCTIONS

1. ADMINISTRATIVE HOLD AND WITHOLDING A DEGREE

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

2. RECORD OF DISCIPLINE

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

3. INTERIM SUSPENSION

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

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

to ensure the maintenance of order.

4. DENIAL OF PRESENCE ON CAMPUS DURING INTERIM SUSPENSION

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

5. ADMISSION OR READMISSION

Applicants for admission or readmission into any University program are subject to appropriate sanctions for violations of the Student Conduct Code, including qualification, revocation or denial of admission or readmission. For students who withdraw while a disciplinary matter is proceeding, the campus has discretion whether to continue proceedings or hold proceedings in abeyance.

Appeal of President's Sanction

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

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

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

Registered Sex Offenders

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

Emergency Notification

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

Once UPD has received the report, the Chief of Police, (or management designee in the absence of the

Chief), will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, to confirm both: 1) an emergency or dangerous situation in fact exists in on-campus geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community. If both of the above factors are not met, no emergency notification will be issued.

If it is determined that both of the above factors are met, then an emergency notification will be issued to the community. The Chief of Police (or management designee in the absence of the Chief), will confer with the Clery Director if one is designated and if available, to prepare the content of the notification taking into account the safety of the on-campus community. They will also determine, based on the confirmed facts of the emergency, if the entire campus community or only a specific segment of the on campus community is threatened and need to be notified. Examples of emergencies where only a segment might be alerted would be a fire contained in a dorm laundry room where only the residents of that one dorm floor or of that one dorm building are at risk and need to evacuate, or a chemical spill in a lab where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.

Once the notification is prepared, the Chief of Police or the Clery Director if one is designated, or in their absence, the management designee(s) will, without delay and taking into account the safety of the community, transmit the emergency notification unless doing so would delay the ability to mitigate and/or contain the emergency, including the ability to provide immediate, life-saving measures.

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

- The campus mass notification system, including but not limited to phone, campus email, or text messaging
- Audio/visual message boards
- Audible alarms/sirens
- Campus public address systems
- In person or door-to-door notifications in a building or residence hall
- Other means appropriate under the circumstances

Student and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit <https://www.csuchico.edu/alerts/> or call the on campus ITSS Office at (530) 898-4357 for assistance.

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

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

Missing Student Notification

The CSU, Chico Police Department is committed to ensuring that students who are reported missing are located as quickly as possible.

Any time that a member of the University community believes (or receives a report) that a resident of an on-campus housing facility has been out of contact and cannot be reached, that person should immediately notify University Housing. On campus housing official missing student reports are immediately referred to campus police. UPD will initiate a missing person investigation, will notify local law enforcement agencies, and will enter the missing student into the national law enforcement Missing and Unidentified Person System (MUPS) within 24 hours.

A student who resides in an on-campus student housing facility has the right to confidentially register the name and contact information of an individual whom he or she would like to have contacted, within 24 hours, if it is determined that he or she is missing or his or her whereabouts are unknown. This information will be accessible only to authorized campus officials and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Students complete this information upon registration for on-campus housing facilities. It can be updated by completing a missing person contact form (available in the University Housing office) or by visiting the online Resident Center at <http://www.csuchico.edu/housing/>.

Parents and/or confidential contacts of on-campus housing students who are minors under the age of 18 and not emancipated, will be notified within 24 hours of the official determination that they are missing.

Fire Safety Act

The 2018 Annual Fire Safety Report is available at the following link:

<http://www.csuchico.edu/clery/assets/documents/annual-fire-safety-report.pdf>