
November 14, 2002

EXECUTIVE

MEMORANDUM

02-116



To: Campus Community

From: Manuel A. Esteban, President

Subject: Executive Memorandum 02-116, **Zero Tolerance Policy on Campus Violence and Campus Violence Prevention Program; Supercedes EM 98-09**

On the recommendation of the Provost, and with the approval of Cabinet, I approve EM 02-116 for immediate implementation. It supercedes EM 98-09. The EM does not change the campus policy of zero tolerance but changes the implementation of it. The campus violence policy and the Campus Violence Consultation Team will now be under the purview of the University Police.

ZERO TOLERANCE FOR CAMPUS VIOLENCE

California State University, Chico is committed to creating and maintaining an environment that is free from violence for all members of the university community. The University has zero tolerance for and prohibits violent acts or threats of violence against any member of the university community or property on university premises. The University has zero tolerance for and prohibits violence or threats of violence occurring off the university premises by an employee or person acting in the capacity of a representative or agent of the University if such violence or threat of violence affects the legitimate interests of the University.

Discipline, Expulsion and Prosecution

The University will work to prevent violence from occurring and will enforce federal and state laws as well as university regulations prohibiting violence and threats of violence.

Violent acts or threats of violence by any university employee or student are subject to disciplinary action up to and including dismissal from employment, expulsion from the University, and civil or criminal prosecution, as appropriate. Disciplinary action shall be conducted in accordance with applicable collective bargaining agreements or other appropriate university policies.

No person who files a complaint, testifies, assists, or participates in any manner in an investigation, proceeding, or hearing, shall be intimidated, threatened, coerced, or discriminated against by any other person within the university community. Such behavior shall be grounds for disciplinary action. In addition, the University Police Department will review any violations of law, and a criminal complaint will be filed with the Butte County District Attorney's Office. The filing of false and malicious complaints may also be grounds for disciplinary action. Nothing in this policy alters any other reporting obligations established in university policies or in applicable law.

Following fact-finding from the appropriate administrator, University Police shall determine whether a violation of this policy has occurred.

Violence and Threats of Violence Defined

For the purpose of this policy, violence and threats of violence include, but are not limited to,

- Any act that is physically assaultive or
- Any physical or verbal threat, behavior, or action which is interpreted by a reasonable person to carry the potential to
 1. harm or endanger the safety of others;
 2. result in an act of aggression; or
 3. destroy or damage property.

In determining whether conduct constitutes a credible threat or act of violence, the circumstances surrounding the conduct will be considered.

Reporting

It is the responsibility of every administrator, faculty member, staff member, and student to take any threatening behavior or violent act seriously and report it directly to the University Police or via their supervisor to the University Police. When confronted by an imminent or actual incident of violence, or a threat of possible violence, on campus, call 9-9-1-1 immediately. When appropriate, the Chief of Police shall convene the Campus Violence Consultation Team.

CAMPUS VIOLENCE CONSULTATION TEAM (CVCT)

The Campus Violence Consultation Team is charged with coordinating the university's response to potentially violent situations on the California State University, Chico campus, which involve students, staff, or faculty members collectively, individually, or any combination thereof.

Membership

The Campus Violence Consultation Team, coordinated by the Chief of Police, reports directly to the President through the Executive Assistant to the President. Members are

- Chief of University Police
- Investigator for University Police
- Executive Assistant to the President
- Vice Provost for Human Resources
- Director of Psychological Counseling
- Director of Staff Personnel Programs
- Director of Student Judicial Affairs
- Others as identified by the core membership (above), on a per-case basis, dependent upon the circumstances and person(s) involved.

CAMPUS VIOLENCE PREVENTION PROGRAM

The Campus Violence Prevention Program is integral to California State University, Chico's efforts to maintain a safe working and learning environment.

Responsibility

The Chief of University Police has authority and overall responsibility for implementing the provisions of the Campus Violence Prevention Program. All managers and supervisors are responsible for implementing and maintaining this program in their work areas and for answering employee questions about it.

All faculty, staff, and students are responsible for using safe practice, for following all directives, policies, and procedures, and for assisting in maintaining a safe and secure campus environment. This includes the reporting of security risks and cooperating in any investigation that may result. Managers and supervisors are responsible for ensuring that their employees are properly informed of the University's Zero Tolerance Policy on Campus Violence and the Campus Violence Prevention Program.

Further responsibilities of managers and supervisors include

- Evaluating the performance of employees in complying with the University's workplace security measures;

- Recognizing employees who perform work practices that promote a working and learning environment free from violence;
- Ensuring training or guidance counseling to employees whose performance is deficient in complying with work practices designed to promote a work place free from violence;
- Taking corrective measures or taking appropriate action against employees who violate the Zero Tolerance Policy on Campus Violence.

Communication and Training

Training and information on campus violence and safe practices will be provided periodically. It shall include, but not be limited to,

- New employee orientation on CSU, Chico's campus violence prevention program;
- New student orientation on CSU, Chico's campus violence prevention program;
- Periodic review of the University's Campus Violence Prevention Program;
- Recognition of campus security hazards, including procedures for reporting campus violence or threats to managers and supervisors;
- Regularly scheduled training available for employees and students on campus violence prevention, including ways to defuse hostile or threatening situations and measures to summon others for assistance;
- A system to ensure that university employees (through their managers and supervisors) and students understand and observe the University's zero tolerance policy on campus violence;
- Posted and distributed materials on security information;
- A guideline encouraging campus employees and students to inform university management promptly about threats of violence;
- Procedures for protecting members of the university community who report violence or threats of retaliation by the person engaging in such conduct.

Upon request of the supervisor or employee, CSU, Chico provides specific instructions to campus employees regarding campus violence issues that may be unique to their work assignments, to the extent that such information was not already covered in other training.

Assessment

Categories of Workplace Violence

Cal-OSHA has classified three categories of workplace violence. All three types exist to varying degrees in a typical campus environment. However, it is important to keep in mind that a particular university workplace, situation, activity, or personnel classification may be subject to more than one type.

In **Type I** workplace violence, an individual with no legitimate business relationship to the workplace enters the workplace specifically to commit a criminal act. While the assailant may feign being a consumer of university goods or services as a pretext to enter a campus building, office, or department, he or she has no legitimate relationship to the workplace.

University employees who have face-to-face contact and exchange money with the public, who work late at night and into the early morning hours, and who often work alone or in very small numbers are at greatest risk of a Type I event.

Areas on the CSU, Chico campus that have been identified as being particularly susceptible to Type I workplace violence include

- Parking areas and loading docks
- Campus bookstore and cafeteria/food services
- First-floor rest rooms and buildings open for after-hours maintenance
- Concerts, dances, athletic areas, and events
- Boiler/chiller plant

In **Type II** workplace violence, the individual who perpetrates the violence is the recipient of a service provided by a department or employee. These events chiefly involve threats, intimidation, or assaults on university employees who provide services to the public (i.e., students, community members, visitors).

Unlike Type I events, which often represent irregular occurrences in the life of any particular at-risk university office, department or employee, Type II events occur on a daily basis in many campus service areas and therefore represent a more pervasive risk for campus personnel. Areas on the CSU, Chico campus that are particularly susceptible to Type II workplace violence include

- Administrative and academic department offices
- Student Affairs offices
- Library
- Public Safety (e.g., parking violations)
- Cafeteria/food services

In **Type III** workplace violence, the individual has some employment-related involvement with the affected workplace and may be a current or former employee or some other person who has a dispute involving an employee. Type III events usually involve threats of violence or physical acts of violence by a current or former university employee, supervisor, or manager; a current or former spouse or lover; a relative or friend; or some other person who has a personal dispute involving an employee of the workplace.

A Type III event is not associated with a specific type of university workplace or occupation. Any campus workplace can be at risk for a Type III event.

Symptoms of Potential Violent Behavior

Through careful observation of behavior, the risk of campus violence can be minimized.

The Association of Threat Assessment Professionals recognizes three levels of behavior that may be symptomatic of workplace violence (G. Kraemer, *Legal Dimensions of Workplace Violence*, 1999).

Level I includes verbal abuse, excessive use of profanity, consistently argumentative interactions, inappropriate sexual comments, instigating harmful rumors, expressing suicidal thoughts, and frequent displays of anger.

Level II includes expressing a desire or intent to harm others, open disobedience of policies or procedures, vandalizing or stealing property for revenge, feeling persecuted by others, sending sexual or violent notes to others, making suicidal threats or gestures, and consistently acting out anger.

Level III includes minor physical assaults such as spitting, hitting, fighting; more major physical assaults such as murder or rape, major destruction of property; attempting/committing suicide; and armed robbery.

Intervention at Level I may prevent escalation to physical violence. Employees who observe these symptoms are encouraged to report them to their manager/supervisor. A number of the symptoms in Level I and Level II may be personnel issues to be dealt with by the appropriate manager. However, in cases where the employee feels a threat to his or her physical safety, the employee, along with his/her supervisor, is encouraged to consult with the Campus Violence Consultation Team via University Police.

Early intervention and assertive supervision are key components of a successful violence prevention program, and those who serve in supervisory or management positions, whether temporary, full-time or part-time, are critical players in the prevention of campus violence. All faculty and staff, including supervisors and managers, must be aware of personnel activities and must act responsibly at the first sign of inappropriate conduct.