

# ANNUAL SECURITY REPORT 2018

(2015 – 2017 Clery Crime Statistics)



Complies with the Jeanne Clery Disclosure of Campus Security Policies & Campus Crime Statistics Act (20 U.S.C. § 1092(F))

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# ANNUAL SECURITY REPORT

## MESSAGE FROM THE PRESIDENT OR THEIR DESIGNEE

The California State University, Dominguez Hills University Police Department is committed to assisting all members of the California State University, Dominguez Hills (CSUDH) community in providing for their safety and security. As part of this responsibility, this document has been compiled in compliance with federal law (the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act); the 2008 Revision to the Higher Education Opportunity Act and California Education Code section 67380, which informs members of the community of institutional policies concerning campus security (including University Police law enforcement authority, crime reporting policies, alcohol and drug use, crime prevention, sexual assault and other matters of related importance); and the Violence Against Women Reauthorization Act of 2013 (VAWA), which amends the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, commonly known as the Clery Act, under the Campus Sexual Violence Elimination Act provision (i.e., the Campus SaVE Act).

This report contains statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings, or in property owned or controlled by California State University, Dominguez Hills; and on public property within or immediately adjacent to and accessible from, the campus. This report is available to the CSUDH community both online at <http://www4.csudh.edu/dhpd/clery/security-report/index> and in person at the University Police station.

## PREPARING THE ASR

The Chief of Police and the Clery Coordinator prepare this report to comply with the Clery Act. The report is prepared in cooperation with University Housing, the Division of Student Affairs/Dean of Students, Human Resources, Faculty Affairs, Athletics, International Student Programming, Counseling Services, the Student Health Center, and the Title IX Office. These partners provide crime statistics and policy related information for Clery Act reportable crimes, hate crimes, and violations of state and local drug, liquor, and weapons laws occurring within Clery Geography where arrests or referrals for discipline were made.

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	0	0	0	0
	2016	1	0	0	0
	2017	1	1	0	0
Fondling	2015	2	2	0	1
	2016	1	0	0	0
	2017	2	0	0	0
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	0	0	0	1
	2016	1	0	1	0
	2017	4	0	0	0
Aggravated Assault	2015	5	2	0	0
	2016	3	0	2	0
	2017	3	1	0	0
Burglary	2015	6	3	0	0
	2016	6	0	5	0
	2017	3	2	0	0
Motor vehicle theft	2015	1	0	0	4
	2016	5	0	4	2
	2017	2	0	0	0
Arson	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

CRIME STATISTICS CONTINUED

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2015	2	1	0	0
	2016	1	0	0	0
	2017	5	3	0	0
Domestic Violence	2015	1	0	0	0
	2016	2	0	0	0
	2017	5	1	0	0
Stalking	2015	6	0	0	0
	2016	5	1	0	0
	2017	3	1	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2015	1	0	0	0
	2016	4	0	0	3
	2017	5	0	0	0
Liquor law referrals	2015	0	0	0	0
	2016	0	0	0	0
	2017	7	7	0	0
Drug law arrests	2015	7	0	0	3
	2016	6	0	1	0
	2017	4	0	0	0
Drug law referrals	2015	3	0	0	0
	2016	3	3	0	0
	2017	22	22	0	0
Weapons law arrests	2015	0	0	0	0
	2016	2	0	0	0
	2017	1	0	0	0
Weapons law referrals	2015	0	0	0	0
	2016	3	3	0	0
	2017	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2015	0
	2016	1
	2017	7

## HATE CRIME

A **hate crime** is a criminal offense committed against a person or property which is motivated in whole or in part by the offender's bias. Hate crime includes any offense in the following group: murder and non-negligent manslaughter, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damages/vandalism of property.

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

**2015** – There was one (1) hate crime reported. The crime was intimidation, on the CSUDH campus based on race.

**2016** – There were five (5) hate crimes reported. The crime was vandalism on the CSUDH campus and indicated bias based on race.

**2017** – There were no reported hate crimes.

## REPORTING CRIMINAL ACTIONS & EMERGENCIES

To report a crime or other emergencies:

Contact University Police at (310) 243-3333 or dial 9-1-1 in an emergency, or utilize one of the Blue Light emergency telephones located throughout campus, contact a police officer on patrol. All crimes or suspicious activity/persons should be reported to the University Police immediately.

A confidential "**We Tip**" line is also available at **(310) 243-3908**. Confidential digital reporting is also available through the University Police website. Crimes should be reported to the University Police for the purpose of making timely warning reports to the community and for disclosure in the annual crime statistics.

The Department will respond by taking the following action(s) as necessary:

- Dispatch a police officer(s) and/or the Los Angeles City Fire Department to the scene;
- Investigate the incident;
- Take appropriate action(s) to identify, apprehend, and prosecute the person(s) responsible;
- Notify or request the assistance of other law enforcement and/or other agencies and university resources when necessary; and/or,
- Make appropriate campus notifications.

## TIMELY WARNINGS

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

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

If it is determined that all three factors are met, the Chief of Police (or management designee is 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 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

The California State University, Dominguez Hills University Police Department provides 24-hour patrol of University property, including academic and administrative buildings, parking lots, and residence halls. Security and safety conditions on campus are continually evaluated by members of Environmental Health and Safety, Facilities Services, and University Police Department personnel.

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors, Monday through Saturday until 10 p.m., and as certain special events dictate. The University recognizes that there will be some need for after-hour and weekend access to buildings. Anyone working late or on weekends

should notify the University Police Department. Some offices, labs, computer rooms, and other areas of campus have alarms. All staff and faculty are encouraged to secure offices and classrooms. Access to University housing apartments is limited to residents, guests, and University staff.

## LAW ENFORCEMENT AUTHORITY

CSU Dominguez Hills University Police Officers are vested with full law enforcement powers of arrest and meet or exceed training mandated by the California Commission on Peace Officers Standards and Training, as well as training designed to meet the needs of the university community. As state peace officers, they are graduates of a California Peace Officers Standards Training Academy. All sworn employees have been trained in first aid, CPR, and AED. University police officers are vested with full law enforcement powers and responsibilities, identical to the local police or sheriff departments in your home community, and are authorized to enforce all regulations on the university campus and an immediate one-mile radius. California Penal Code 830.2 (c) states the following persons are peace officers whose authority extends to any place in the state: A member of the California State University Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code. University Police Department police officers enforce California State University policies, California state laws, as well as Federal laws.

It is the policy of the CSU Dominguez Hills University Police Department to comply with applicable federal, state and local laws. In keeping with this requirement, a memorandum of agreement (MOA) has been crafted with the Los Angeles County Sheriff's Department. The Department prepares and submits a monthly Uniform Crime Report to the California Department of Justice and the Federal Bureau of Investigation. The Department also enters reported stolen vehicles and property with serial numbers into the National Crime Information Center computer, allowing for recovery throughout the United States.

As an active member of the criminal justice system, the University Police Department interacts and cooperates with other state and local law enforcement agencies. Cases are filed with the Los Angeles County District Attorney. Information may also be given to the Office of the Vice President for Student Affairs for internal judicial process involving students.

The University requests that all crimes or suspected crimes be reported accurately and promptly to the University Police Department and/or the appropriate law enforcement agency where the crime occurred, to include when the victim elects to or is unable to make a report.

Two police investigators are assigned full-time to follow up on crime and incident reports. They are responsible for follow-up investigations, apprehending suspects, recovering property, preparing cases for filing, and making crime prevention recommendations.

There are very limited circumstances in which investigators of the University Police Department may remove reports of crime that have been determined as "unfounded." "Report Unfounded" shall only be indicated within the department's records management system when:

- The crime or incident alleged in the original report did not occur, or did not occur in the Department's jurisdiction.
- The same crime or incident has been reported more than once. (The most accurate and thorough crime report shall be retained. Any additional report should be unfounded).
- "Specific intent" is a necessary element of the original crime, and the district attorney, city attorney or Investigations Unit commander determines that investigative efforts have failed to prove that specific intent exists.



## SECURITY PROCEDURES AND PRACTICES

**NOTE:** Even if the incident, absent the element of specific intent, is still a crime, the original report shall be reclassified to that crime. All reported Clery crimes determined as “unfounded” and subsequently withheld from the reported crime statistics are disclosed within the Crime Statistics section of this Annual Security Report.

Members of the CSUDH community must take responsibility for their own personal safety, the safety of others, and their property (when possible), as they do when away from the University. Members of the community are strongly encouraged and reminded by the University Police to:

- Promptly report all crimes and suspicious persons or activity to University Police.
- Always be aware of your personal safety and your surroundings.
- Never leave your property unattended lock windows to your car, office, and residence.
- Keep all valuables with you or leave them at home.
- Walk on well-traveled pathways and in well-lit and populated areas. Walk with friends or groups when possible.
- Call the University Police for a safety escort if you feel afraid or need to walk in isolated areas or at times when areas are unpopulated or closed.
- Engrave owner identification numbers onto electronics and items of value and keep a list of serial numbers and description of property and provide it to the Police in the event your property is stolen.
- Use the internet wisely and never send money or provide personal identifying information, credit card information, or bank information to someone you do not know or to a company or person you did not initiate contact with on your own (such as Airlines, Department Stores, Amazon, etc.).

## CRIME PREVENTION PROGRAMS

Program Type	Frequency/	Conducted By	To Whom	Description
New Student Orientation	Each Semester	UPD/ Title IX Officer	New and Transfer Students	General crime prevention and emergency preparedness. Title IX information.
New Employee Orientation	Once a month	HR/UPD	New Employees	General crime prevention and emergency preparedness
Campus Safety Town Hall meeting	Once a semester	UPD/Emergency Preparedness/Student Affairs	Students/Staff/ Faculty	Meeting addresses actions to take in event of active shooter, general crime prevention and emergency preparedness
R.A.D Self Defense for Women	Once a semester	UPD Staff	Campus Community (females)	Rape Aggression Defense system: Awareness, prevention, risk reduction, basic hands on defense.
Safety Escort Service	Spring/Fall Semesters	UPD	Campus Community	Student safety escorts for the campus community.
Alcohol Awareness	Spring/Fall Semesters	Office of Student Life	Campus Community	Program discusses consequences of impaired driving, driving simulators available.
Take Back the Night/ Rape Awareness	Fall Semester (October)	Women's Resource Center	Campus Community	Various events on campus raise awareness of crimes against women. March around campus to end crime and violence.
Criminal Justice Class Guest Speaker	Spring/Fall Semesters	Chief Velez	Police Administration Students	Guest speaker for professor Chris Waters on campus crime prevention followed by Question and Answer.

## CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

Crimes at other University-owned or operated locations, and classes held at non-campus locations are the responsibility of the law enforcement agency in those areas. Crime statistics for these locations are included in

this report under "non-campus property." The University Police may also respond to crimes in progress at these locations, depending upon the nature of the crime and the proximity to the campus. Crime reports and statistics for these locations are maintained by the local law enforcement agency; however, they are requested and included in this report as required by law.

## ALCOHOL AND DRUGS

University Police Officers enforce laws regulating the use of alcoholic beverages and underage drinking. CSUDH is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. All CSUDH students, faculty members, staff members, and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

Presidential Memorandum PM99-04, Section 5 (<https://www.csudh.edu/Assets/csudh-sites/pm/docs/1999-04.pdf>) outlines campus policy on alcohol and drugs: The unlawful manufacture, distribution (by either sale or gift), dispensing, possession or use of alcohol or a controlled substance is prohibited anywhere on the campus of California State University, Dominguez Hills. Actions that will be taken against those who violate this prohibition are delineated elsewhere in this policy. For the purpose of this policy, the term "controlled substance" has the meaning given such term in Section 102 of the Controlled Substances Act (21 U.S.C. 802) and includes, but is not limited to, marijuana, cocaine, cocaine derivatives, heroin, "crack," amphetamines, barbiturates, LSD, PCP, and substances typically known as "designer drugs" such as "ecstasy" or "eve." Possession of paraphernalia associated with the illegal use, possession, or manufacture of a controlled substance is also prohibited. The illicit use of alcohol is also included in this policy.

### **Alcohol**

The purpose of the policy is to regulate the possession and consumption of alcohol on campus by members of the University Community and by recognized University organizations and departments. The privilege of consuming beer or wine is extended with the expectation that these activities are to be held under conditions which complement the orderly operation of the University. Off campus groups and organizations contracting with the University for use of facilities are also subject to these regulations.

The possession, sale, and serving or use of distilled spirits on campus is prohibited at all times except within the privacy of individual living units in University Housing. The possession, sale, serving or use of beer or wine on campus is also prohibited at all times, except as allowed under the alcoholic beverage license managed by the CSUDH Foundation Campus Dining Services or within the privacy of individual living units in University Housing. The use of alcoholic beverages must be in compliance with California state law and is strictly limited to persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals under 21 years of age is strictly prohibited. Students who are 21 or older may consume alcohol within the privacy of their own room or apartment and without the presence of a minor. In such cases, the doors must be closed and all other policies governing noise and other common courtesies must be followed. No one, regardless of age, may have an open container of alcohol in a public area of the campus, including grounds and parking lots, at any time. No kegs or other communal sources of alcohol are permitted in or around University Housing. It is not appropriate within any Housing facility to plan, host, or attend any group event or activity, which includes alcohol use. University Housing residents are responsible for their own actions as well as the actions of their guest(s).

University Housing residents are given a University Housing Handbook and are responsible for the information contained within that handbook. This handbook is available at the "A" building in University Housing.

### **Drugs**

The University Police strictly enforce Federal and State laws, as well as the University's zero-tolerance policy, for the use and sale of illegal drugs. Violators are subject to University discipline, criminal prosecution and removal from University housing. Students found in violation of University alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student

who is under the age of 18. Employees found in violation are subject to disciplinary sanctions, up to and including termination.

Federal law, state law, and University policy prohibit the solicitation, procurement, sale, or manufacture of narcotics or controlled substances except as expressly permitted by law. Any student known to be possessing, using, or distributing drugs is subject to serious University disciplinary action and arrest under federal and state laws. Students suspected of using drugs (because of odor, behavior or by information brought to the attention of staff) will be documented and subject to a disciplinary action.

### **Disciplinary Sanctions for Alcohol and Drugs**

In addition to legal sanctions, students who violate University policies on alcohol and drugs are in violation of the Student Conduct Code and may be subject to discipline pursuant to Executive Order 1098, (<http://www.calstate.edu/eo/EO-1098.html>)

While a minor first infraction may result in a warning, subsequent infractions will result in substantial sanctions up to and including expulsion.

While students possessing legally prescribed marijuana may be free from criminal prosecution under California law, they are, nonetheless, required to adhere to the Student Conduct Code. Students who are in possession of legally prescribed cannabis are not exempt from the University's prohibition against the manufacture, possession, or use of marijuana on campus, or off campus while on university business or participating in University sponsored functions.

- Residents living on campus in residential facilities are subject to community standards of conduct. Repeated violation of alcohol and other drug policies in residential facilities constitute a breach of the housing lease, which could result in the imposition of various sanctions, up to and including the cancellation of the lease agreement.
- Student athletes are subject to strict prohibitions against the unauthorized use of alcohol and other drugs while on or off-campus and in any way that influences performance or preparations therefore. Violation of the policies and standards of student conduct as issued by the Department of Intercollegiate Athletics constitutes grounds for disciplinary action as determined by the Department, up to and including the termination of status as an athlete. For further information about the rules of student conduct, contact the Director of Intercollegiate Athletics.

Employees who violate University policies on alcohol and other drugs shall be subject to warning or discipline, up to and including termination, in accordance with the processes administered by the Office of Human Resource Services or the Office of Faculty Affairs.

### **Resources – Alcohol and Drugs**

Campus Life Policies may be found on the Student Affairs website under the section

on Rights and Responsibilities. These policies are also published in the "Students Rights and Responsibilities Handbook" by the Office of Student Development. The Campus Life Policies includes policies on possession and consumption of alcohol, amplified sound, anti-hazing, campus events, alcohol and substance abuse, campus smoking, casino night, dance policies and procedures, free drawing, free speech area, gambling, outdoor programming, posting policy, and unsupervised minors.

The University has established programs that serve to raise the level of safety awareness on the campus community. These programs include:

- New Student Orientation Program (Each Semester)
- Resident Advisors Training Program (Each Semester)
- Residence Hall Meetings
- Alcohol and drug abuse programs (Drug awareness and DUI prevention)
- On-Line Intervention Tools: Info available through Police and Residential Life
- Disciplinary Probation

Employee Assistance Program (EAP): Whether the source of the problem is psychological, chemical, marital, family or workplace related, this service puts an employee or their dependents in touch with a skilled counselor who has training and experience in helping people. Counseling may range from a no- cost support group to private counseling. When assistance is requested, no information is reported to supervisors, deans, chairs, or the Human Resources Department.

- Student Health and Psychological Services SHC A141, 310-243-3625
- Student Development SCC C128, 310-243-3818
- HHRC/Integrated Insights 1-800-342-8111

## SEXUAL VIOLENCE

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

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

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

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

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### **PREVENTION, EDUCATION, AND AWARENESS**

CSU Dominguez Hills provides a variety of evidence-informed prevention education and awareness raising programs to students, staff, administrators, and faculty aiming to prevent sexual violence, sexual assault, dating violence, domestic violence, and stalking. Through cross-campus collaboration, six CSUDH administrators are certified [Mentors in Violence Prevention \(MVP\)](#) trainers and provide in-person workshops by request on topics such as bystander intervention, primary prevention, healthy masculinity, gender, consent, communication, and supporting survivors.

MVP and other prevention education programs can be arranged by contacting the Title IX Officer at [eschrock@csudh.edu](mailto:eschrock@csudh.edu) or (310) 243-3492, the Women's Resource Center at (310) 243-2486, or by visiting the following websites:

- <https://www.csudh.edu/vas/prevention-education/>
- <https://www.csudh.edu/gei/education-training/>

All students must participate in the online *Not Anymore* (from *StudentSuccess™*) sexual violence prevention training each year, or they will not be able to register for spring courses. All staff, administrators, faculty, and student employees must participate in the *EDU: Prevent Campus Sexual Misconduct* online (through Skillport) every year mandated by the CSU Chancellor's Office or their division Vice Presidents are notified. This programming:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking using definitions provided both by the Department of Education and state law;
- Defines what behavior and actions constitute consent to sexual activity in the State of California and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

**Additional ongoing prevention education programs include:**

<b>Topic</b>	<b>Audience</b>	<b>Who Provides the Training</b>	<b>Frequency</b>
Title IX/Sexual Violence Prevention/ Response	EOP/ETE Staff	Title IX Officer and Victim's Advocate	Annually
Title IX/Sexual Violence Prevention/ Response	EOP/ETE Advisors (student staff)	Title IX Officer and Victim's Advocate	Annually
Title IX/Sexual Violence Prevention/ Response	Community Advisors (student staff in housing)	Title IX Officer and Victim's Advocate	Twice annually
Title IX/Sexual Violence Prevention/ Response	All new students during Orientation	Title IX Officer	Annually
Definitions, culturally relevant prevention	All new international students	Title IX Officer	Annually
Sexual violence prevention - MVP	All new Greek members	Title IX Officer and MVP facilitator	Annually
Sexual violence prevention - MVP	All new student organization presidents	Title IX Officer and Victim's Advocate	Annually
Prevention and leadership - MVP	Associated Students, Incorporated board	Title IX Officer and MVP facilitator	Annually
Athletics and prevention - MVP	All athletes	Title IX Officer and MVP facilitator	Annually and by request

Reporting requirements, Title IX, and prevention	All coaches	Title IX Officer	Annually
University Business Institute (UBI) – Title IX, MVP	Faculty, staff, administrators	Title IX Officer and MVP facilitator	
Sexual violence prevention and risk reduction	Study abroad students	Title IX Officer	By request
Culturally relevant sexual violence prevention for students leaders	Multicultural Affairs student staff	Title IX Officer and Victim’s Advocate	By request
Trauma-informed care and resources	CSUDH Police Department	Title IX Officer/Victim’s Advocate	By request
Supporting student survivors	Staff, faculty, administrators at meetings	Title IX officer and Victim’s Advocate	By request

**Ongoing awareness-raising programs include:**

<b>Name</b>	<b>Topic</b>	<b>Type</b>	<b>Frequency</b>
Domestic Violence Awareness Month	Domestic Violence	Tabling, passive programming	Annually
Sexual Assault Awareness Month	Sexual Assault Prevention and Response	Tabling, Clothesline Project, passive programming	Annually
Take Back the Night	Sexual Assault Response	Tabling, march, discussion, speak out	Annually
Denim Day	Sexual Assault	Tabling, writing on jeans, education	Annually
It’s On Us Campaign	Gender-based violence prevention, awareness raising	Posters, pledges, videos, passive programming	Ongoing
Advocate Tabling during all Orientations	Sexual Assault Prevention and Resources	Tabling	Annually

In addition, the Title IX Coordinated Campus Response Committee will coordinate efforts aimed at preventing and responding to gender-based harassment and discrimination, including sexual assault, dating violence, domestic violence, and stalking. The Committee will to ensure that messaging is consistent, services are provided seamlessly, and prevention programs are culturally relevant by:

- Developing, implementing, reviewing, and revising programs and procedures to effectively respond to gender-based harassment and discrimination, including sexual assault, domestic violence, dating violence and stalking;
- Promoting prevention and intervention efforts that are appropriate, research-informed, culturally relevant and inclusive of historically marginalized or underserved groups;
- Assessing CSUDH’s campus climate regarding gender-based harassment, discrimination, and violence;
- Evaluating current strategies and programs aimed at preventing and responding to gender-based harassment, discrimination, and violence; and

- Developing and overseeing a communications strategy to engage CSUDH students, faculty, and staff in prevention and response efforts.

## 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. Gov. 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:

- 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
- 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
- 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.

As mandated by the Clery Act's Violence Against Women Act (VAWA)/Campus SaVE Act, these policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth 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 Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment.

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

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

## SEXUAL MISCONDUCT

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

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. 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 mutually agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent.

Affirmative Consent must be voluntary, and given without coercion, force, threats, or intimidation.

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop



immediately.

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

## 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 Officer 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 Violence, 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 Officer) 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 Officer, 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 Officer 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 Officer, 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 Officer, without the victim's consent. A victim can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim's identity or the fact of the victim's disclosure. However, see limited exceptions below regarding when these professionals must report to local law enforcement agencies. These confidential professionals should explain these limited exceptions to victims, if applicable.

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

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

#### EXCEPTIONS TO CONFIDENTIALITY

Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct, 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 Officer can assist in notifying the police. Victims may also take any of the actions below.

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### CRIMINAL

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

### REPORTING TO THE POLICE

As soon 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 Officer. University Police will, however, report the facts of the incident itself, including the identity of the perpetrator, if known, to the Title IX Officer, being sure not to reveal the victim names/identities or to 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

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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, Domestic, Violence and Stalking to the Title IX Officer. Title IX Officer reporting responsibilities are described in detail below.

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

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#### ADMINISTRATIVE

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

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

#### REPORTING TO A TITLE IX OFFICER OR RESPONSIBLE EMPLOYEE

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Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX Officer 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 Violence, Domestic Violence, and Stalking. The campus Title IX Officer 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 Officer 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 Officer.

As detailed above, most University employees, except treating physicians, licensed counselors, and clergy, must report to the Title IX Officer 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 Officer 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 Officer, 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 Officer or another University employee that their identity remain completely confidential, the Title IX Officer 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 Officer 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 Officer 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 Officer 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 Officer 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 Officer, 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 Violence, Domestic Violence, or Stalking to the police and/or campus Title IX Officer 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.

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#### 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 Officer or Sexual Assault Victim's Advocate can offer assistance with obtaining a protective or restraining order.

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#### DISCIPLINARY PROCEDURES

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

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

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

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

At the conclusion of the University's complaint and investigation procedure, any employee or student found to have violated University policy against Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will

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

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

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## COMPLAINT PROCEDURES

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

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

## 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: <http://www.calstate.edu/EO/EO-1097-rev-6-23-15.pdf>.

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

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

Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at: <http://www.calstate.edu/eo/EO-1096-rev-10-5-16.html>



## COMPLAINTS MADE BY STUDENT-EMPLOYEES

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Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person's status as an employee and not their status as a student.

Executive Order 1096 can be viewed at:

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

## DISCIPLINARY PROCEDURE

The Title IX Officer (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 Officer 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 Officer 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.

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## 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.

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#### 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 Officer, 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 Officer.

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

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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

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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 ACCESS TO CAMPUS OR PERSONS.

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

5. DISCIPLINARY PROBATION.

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

6. SUSPENSION.

Temporary separation of the student from active student status or student status.

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

7. EXPULSION.

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

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

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

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#### 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 computers and message boards
- Audible alarms/sirens

- Campus public address systems
- In person or door-to-door notifications in a building or residence halls
- Other means appropriate under the circumstances

Student and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit <https://www.csudh.edu/Assets/csudh-sites/dhpd/emergency-preparedness/toroalert%20instructions.pdf> or call the campus Emergency Coordinator at (310) 243- 2751 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

It is the policy of the University Police to immediately respond and conduct a preliminary investigation regarding any reports of missing persons, both adult and juvenile. Explicit reporting and investigative procedures regarding missing persons are contained in the University Police Policy Manual, Section 332.1. The term "missing student" is defined as any California State University Dominguez Hills student residing in an on-campus student housing facility who is reported missing from his or her residence. Reports of missing students should be made to representatives of any of the following: The University Police Department (call 310-243-3333); the Division of Student Affairs (call 310-243-3784); or the University Housing Services (call 310-243-2228). If a student is reported missing to a University representative from other than the University Police Department, that representative will immediately notify University Police. Whenever a California State University Dominguez Hills student is believed missing, the University will initiate steps to locate him or her or to determine why the student has not been seen.

Students are under no obligation to notify the University of plans to spend time away from their residences; however, if circumstances indicate that an investigation is warranted, concerned parties should contact the University Police Department. Upon notification, the University Police Department will make inquiries within the University and, if need be, outside the University setting. If the University determines that the circumstances of the missing student require a police investigation, the University Police Department will conduct a preliminary investigation and notify the local law enforcement agency (Los Angeles County Sheriff Department, Carson). If the Sheriff Department determines that the student should be classified as a missing person, they will take the lead in conducting a joint investigation; per the Administrative Agreement between the California State University, Dominguez Hills Police Department and the Los Angeles County Sheriff Department dated August 15, 2012. The University will support their investigation by providing whatever technical support is appropriate, including notices, photos, schedules, and any other information relevant to the search for the missing student.

### Missing Student Contact Procedures

All students residing in on-campus student housing facilities have the option of identifying a contact person or persons whom the University will notify if the student is determined to be missing by the University Police Department or the local law enforcement agency (Los Angeles County Sheriff Department). The contact information will be confidential, accessible only to authorized campus officials and law enforcement, and may not be disclosed except in a missing person investigation. When a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours, the University will:

- Notify the contact person if the student has designated one, within 24 hours;
- Notify the student's custodial parent or guardian and/or any other designated contact person within 24 hours if the student is under 18 years of age and is not emancipated; and
- Inform the local law enforcement agency (University Police Department) that has jurisdiction in the area that the student is missing within 24 hours.

Students may go online at <http://www.csudh.edu/studentaffairs/housing/policies-missing-persons.shtml> for further information on how to designate a contact person in the event of an emergency.

## FIRE SAFETY ACT

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

<https://www.csudh.edu/Assets/csudh-sites/housing/docs/safety-report/CSUDH-Annual-Fire-Safety-Report%E2%80%932018.pdf>