

# CALIFORNIA STATE UNIVERSITY FULLERTON



2020

## ANNUAL SECURITY REPORT

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

Clery Crime Statistics 2017-2019

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# CALIFORNIA STATE UNIVERSITY, FULLERTON

## ANNUAL SECURITY REPORT

### MESSAGE FROM THE PRESIDENT



Dear Titan Family,

The twin touchstones by which we at California State University, Fullerton are navigating COVID-19 — the health and safety of our entire campus community and the ongoing purveyance of equitable pathways to quality and affordable higher education — have been extremely effective during this difficult time, but they are not new to the university. Indeed, these two North Stars have illuminated our path forward since the institution's founding in 1957, and the light they cast has only grown brighter, particularly as we continue to increase and enhance our

commitment to the well-being of all Titans at all times.

Critical to that endeavor is this Annual Security Report (ASR) that is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act. The ASR is compiled of incidents that occurred on or around university property and replete with information on crime prevention programs, security procedures and best practices, and campus resources.

All Titans play a pivotal role in keeping our university safe, and that begins with our individual and collective responsibility to report any incident, activity, or individual that constitutes a credible threat to public safety in and around campus. This report is our first line of defense in this arena, and I encourage all Titans to read it to develop a thorough understanding of the processes and resources in place to keep all Titans and our campus safe. Only together can we bolster our commitment to providing an uplifting academic environment where all Titans and their visitors feel safe and secure on our campus and throughout our communities.

That is, after all, the culmination of our two North Stars, and by reading this Annual Security Report, you are doing your part to ensure those stars illuminate a safe, welcoming, and academically excellent journey for all Titans and their visitors.

If you have any questions or concerns about this report or safety on campus, please contact the Dean of Students office at (657) 278-3211.

Thank you, be well, and stay safe.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Virjee". The signature is fluid and cursive, with the first name "Frank" being more prominent than the last name "Virjee".

Fram Virjee, President

## PREPARING THE ASR

This report is part of an on-going effort to promote safety and security at Cal State Fullerton and to comply with the Jeanne Clery Disclosure of Campus Security Policy, Fire Safety Report and Campus Crime Statistics Act, also known as The Clery Act (<http://clerycenter.org/summary-jeanne-clery-act>). Under this Act, all colleges and Universities across the country are required to publish this report by October 1 of each year. These reports must contain applicable policies and procedures regarding security and the statistical data from the previous calendar year and the 2 preceding calendar years. At Cal State Fullerton, the Annual Security Report is prepared by the Dean of Students who also serves as the Clery Director in cooperation with key personnel from University Police Department, Student Housing, Student Conduct, Student Health and Counseling Center, WoMen's Center, Student Life and Leadership, International Programs, the Title IX Office, and information provided by local police agencies.

This Annual Security Report (ASR) defines types of crimes which may occur, suggests safety tips to help ensure one's safety and identifies related safety programs and resources in an effort to promote a safe and secure environment. This handbook is compiled by the Dean of Students Office and is published each year by October 1 to meet the requirement of the Crime Awareness and Campus Security Act of 1990 to publish an Annual Security Report. This report is a collaborative and comprehensive effort that includes the cooperation of departments from all divisions within the institution, and all employees designated as "Campus Security Authorities" under the Clery Act. Each entity is asked to provide crime statistics on an ongoing basis and/or information on their educational efforts and programs to comply with the Act. The policies and procedures within this report are current, as Cal State Fullerton recognizes this document as an immediate reference to possible current inquiries; however, the statistical data, as previously mentioned, is for the three previous calendar years. The CSUF Clery Compliance Team meets monthly to ensure the above-mentioned process is completed.

All students and every paid part-time, full-time, and intermittent employee receives an annual notice in University-wide email that informs them of the Annual Security Report, a brief description of its contents, information regarding the availability of the report on the Internet, and the electronic address to access the report. Additionally, notices regarding the existence of the Annual Security Report, a brief description of its contents, information regarding the availability of the report on the Internet with the electronic address to access the report, and a statement on how to obtain a paper copy, if desired, are provided to prospective students and employees. A copy of this report is available electronically at <https://police.fullerton.edu/reports/>.

Hard copies are also available upon request at the Dean of Students Office, at 800 N. State College Boulevard, located in the Titan Student Union Suite 243, or by calling (657) 278-3211.

To comply with the federal law, the Clery Director with the support of the University Police Department collects, crime statistics from local police agencies, by providing the addresses of non-campus housing; non-campus property either owned or controlled by the university; public property within and immediately adjacent to campus and the core campus. All policy references in this Annual Security Report apply to the following locations:

- California State University Fullerton – Main Campus
- California State University Fullerton – Irvine Center
- California State University Fullerton – Garden Grove Center
- Desert Studies Center, Zzyzx, San Bernardino, California
- Grand Central Arts Center, Santa Ana, California

A copy of this report is available electronically at <https://police.fullerton.edu/reports/>. Hard copies are also available upon request at the Dean of Students Office, at 800 N. State College Boulevard, located in the Titan Student Union Suite 243, or by calling (657) 278-3211.

## FULLERTON MAIN CAMPUS CLERY CRIME STATISTICS 2017 – 2019

The statistics listed below provide an overall picture of crime at CSU Fullerton for calendar years (January 1 to December 31) 2017, 2018, and 2019. This report meets all reporting requirements as set forth in the Jeanne Clery Disclosure of Campus Crime Policy and Campus Crime Statistics Act. Criminal statistics are updated by October 1 of each year and include data from the three previous calendar years.

It is the University's policy to ensure that crime on campus is accurately reported and analyzed for the development of new programs that will aid in crime prevention. Crime statistics for public property adjacent to the University are requested from and provided in part by Fullerton Police Department on the main campus and the Irvine Police Department on the Irvine campus and other local, state and federal law enforcement agencies, whose jurisdictions incorporate the immediate campus and/or non-campus properties and facilities of CSU Fullerton. CSU Fullerton Police Department does not provide law enforcement service at off-campus CSU Fullerton events.

Statistics regarding certain law violations resulting in campus disciplinary actions are collected from the offices of Residential Life and the Office of Student Conduct. Clery Act statistics are also collected from individuals with significant responsibility for student activities. Crime statistics are reported pursuant to the guidelines as specified in Jeanne Clery Disclosure of Campus Crime Policy and Campus Crime Statistics Act, as defined under the FBI Uniformed Crime Reporting procedures, and separated by the following geographical areas:

- On campus;
- On-campus residence facilities (these figures are also included in the statistics for on-campus);
- Public property adjacent to the University;
- Non-campus, University-owned, leased or controlled property located other than on the main or branch campuses

In accordance with 34 C.F.R. § 668.46, CSU Fullerton may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by the court, coroner, jury, prosecutor, or other similar non-campus official. CSU Fullerton will indicate in the "unfounded" category any crime that has been fully investigated by a law enforcement agency and the investigating agency has determined, based on the results of the investigation and evidence, that the crime report is false or baseless and therefore "unfounded."

Crime statistics concerning this campus and others can also be found on the Department of Education website. The statistics below are being provided as part of CSU Fullerton's commitment to safety and security of our campus and facilities, and to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act.

**FULLERTON MAIN CAMPUS CLERY CRIME STATISTICS 2017-2019**

<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS TOTAL</b>	<b>CAMPUS RESIDENTIAL</b>	<b>NON-CAMPUS</b>	<b>PUBLIC PROPERTY</b>
<b>Murder and Non-Negligent Manslaughter</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	1	0	0	0
<b>Manslaughter by Negligence</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Rape</b>	2017	3	2	0	0
	2018	6	6	1	0
	2019	6	5	3	0
<b>Fondling</b>	2017	5	4	0	0
	2018	5	4	0	0
	2019	0	0	0	0
<b>Incest</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Statutory Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	2	2	0	0
<b>Robbery</b>	2017	1	0	2	0
	2018	1	0	1	0
	2019	0	0	0	0
<b>Aggravated Assault</b>	2017	1	0	0	0
	2018	0	0	1	1
	2019	0	0	0	0
<b>Burglary</b>	2017	7	1	2	0
	2018	8	2	2	0
	2019	4	0	1	0
<b>Motor Vehicle Theft</b>	2017	8	0	0	0
	2018	8	0	0	0
	2019	2	0	1	0
<b>Arson</b>	2017	1	0	0	0
	2018	2	2	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2017	2	0	0	0
	2018	12	6	0	0
	2019	3	0	0	0
Domestic Violence	2017	0	0	0	0
	2018	0	0	0	1
	2019	1	0	0	0
Stalking	2017	19	2	0	0
	2018	16	0	0	0
	2019	28	5	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	2	0	0	0
	2018	1	0	0	0
	2019	1	0	0	0
Liquor Law Referrals for Disciplinary Action	2017	76	71	0	1
	2018	115	115	0	0
	2019	70	70	1	0
Drug Law Arrests	2017	26	5	4	8
	2018	16	2	1	6
	2019	20	1	1	3
Drug Law Referrals	2017	27	25	0	0
	2018	44	44	0	0
	2019	27	25	0	0
Weapons Law Arrests	2017	10	1	0	1
	2018	3	0	0	1
	2019	1	1	0	0
Weapons Law Referrals for Disciplinary Action	2017	1	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

## HATE CRIMES – FULLERTON MAIN CAMPUS

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/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.

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

2017-There were (0) hate crimes reported.

2018- There were (0) hate crimes reported.

2019- There were (0) hate crimes reported.

## IRVINE CENTER CLERY CRIME STATISTICS 2017 – 2019

IRVINE BRANCH CAMPUS CLERY CRIME STATISTICS 2017-2019					
OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
<b>Murder and Non-Negligent Manslaughter</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Manslaughter by Negligence</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Fondling</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Incest</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Statutory Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Robbery</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Aggravated Assault</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Burglary</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Motor Vehicle Theft</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Arson</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Stalking	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	0	0	0	0
	2018	1	0	0	0
	2019	0	0	0	0
Liquor Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Referrals	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

## HATE CRIMES – IRVINE CENTER

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/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.

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

2017-There were (0) hate crimes reported.

2018- There were (0) hate crimes reported.

2019- There were (0) hate crimes reported.

## GARDEN GROVE CENTER CAMPUS CLERY CRIME STATISTICS 2017 – 2019

GARDEN GROVE BRANCH CAMPUS CLERY CRIME STATISTICS 2017-2019					
OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
<b>Murder and Non-Negligent Manslaughter</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Manslaughter by Negligence</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Fondling</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Incest</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Statutory Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Robbery</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Aggravated Assault</b>	2017	0	0	0	0
	2018	1	0	0	0
	2019	0	0	0	0
<b>Burglary</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Motor Vehicle Theft</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Arson</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2017	1	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Stalking	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Liquor Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Referrals	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

## HATE CRIMES – GARDEN GROVE CENTER

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/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.

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

2017-There were (0) hate crimes reported.

2018- There were (0) hate crimes reported.

2019- There were (0) hate crimes reported.

## GRAND CENTRAL ARTS CENTER CLERY CRIME STATISTICS 2017 – 2019

GRAND CENTRAL ARTS CENTER BRANCH CAMPUS CLERY CRIME STATISTICS 2017-2019					
OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
<b>Murder and Non-Negligent Manslaughter</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Manslaughter by Negligence</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Fondling</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Incest</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Statutory Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Robbery</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Aggravated Assault</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Burglary</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Motor Vehicle Theft</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Arson</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Stalking	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Liquor Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Referrals	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

## HATE CRIMES – GRAND CENTRAL ARTS CENTER

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/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.

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

2017-There were (0) hate crimes reported.

2018- There were (0) hate crimes reported.

2019- There were (0) hate crimes reported.

DESERT STUDIES CENTER CLERY CRIME STATISTICS 2017 – 2019

DESERT STUDIES BRANCH CAMPUS CLERY CRIME STATISTICS 2017-2019					
OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
<b>Murder and Non-Negligent Manslaughter</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Manslaughter by Negligence</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Fondling</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Incest</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Statutory Rape</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Robbery</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Aggravated Assault</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Burglary</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Motor Vehicle Theft</b>	2017	1	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<b>Arson</b>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Dating Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Stalking	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Liquor Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Drug Law Referrals	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Arrests	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Weapons Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

## HATE CRIMES – DESERT STUDIES CENTER

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include any offense in the following group: murder and non-negligent manslaughter, sexual assault including rape, fondling, incest and statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/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.

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

2017-There were (0) hate crimes reported.

2018- There were (0) hate crimes reported.

2019- There were (0) hate crimes reported.

# REPORTING CRIMINAL ACTIONS & EMERGENCIES

## **Cal State Fullerton, Main Campus**

University Police Department provides 24-hour service to protect and render aid to the University community. All laws and codes of the State of California are enforced on the campus, including regulations established to administer the campus community.

Immediately report all in-progress suspicious or criminal acts, all police, fire, and medical emergencies to the University Police Department by calling 911 or by utilizing any campus emergency blue telephone. Upon receipt of the call, University Police officers will be dispatched immediately to the location of the complaint and have authority to make arrests, if necessary. To file a non-emergency police report, call (657) 278-2515, or reports can be made in person at the University Police Department.

Bystanders or witnesses are encouraged to report when a victim is unable to report.

### Calling University Police to Report a Crime:

- Provide your name, telephone number, and location
- Give clear and accurate information
- Be prepared to supply suspect and vehicle description, and direction of travel
- DO NOT HANG UP! Follow the instructions of the Dispatcher
- Students residing in on-campus housing may report crimes to the on-duty RA who will ensure the immediate notification to the University Police Department

For the purposes of making Timely Warning Notices and inclusion in the annual statistical disclosure, students and employees can also report criminal offenses in any one of the following ways; In person at the University Police Department at 800 N. State College Blvd (corner of N. State College Blvd and Gymnasium Drive), by calling the University Police Department at (657) 278-2515 or 911 in case of emergency. While we encourage all crimes to be reported to the University Police Department, an alternative reporting source for students is the Dean of Students. The Dean of Students can be contacted at (657) 278-3211.

### **Branch Campus Facilities (not Main Campus)**

University Police services are available at the Cal State Fullerton-Irvine Campus only during normal business hours and when classes are in session. Personnel can be reached either in the office, located in Room 129, or by calling (657) 278-1626. The City of Irvine Police Department is available 24/7 by calling (949) 724-7200 or 911. More information on the Irvine campus is available at <http://www.fullerton.edu/irvinecampus/student/resources/police.php>

University Police, Irvine Campus (657) 278-1626  
City of Irvine Police Department (949) 724-7200

Branch campus facilities such as the Garden Grove Center, Grand Central Arts Center, and Zzyzx Desert Consortium do not have University Police personnel on campus. Reports or calls for service should be made directly to their jurisdictional areas:

- Garden Grove Center: Garden Grove Police Department (714) 741-5003
- Grand Center Art Center: Santa Ana Police Department: (714) 245-8665
- Zzyzx Desert Consortium: San Bernardino County Sheriff Department: (760) 256-4838

For emergencies from any location: 911

Dispatchers at all of the Police Departments listed above will ask for details about the nature of type of crime, location, when the crime occurred, and the description of the individuals involved.

### **Campus Incident Investigation**

University Police Investigators will investigate all police cases when it is deemed appropriate. When a case involves a student as a perpetrator, any pertinent information will be forwarded to Student Conduct and/or the Title IX Office for review.

If assistance or special units are required from Fullerton Police Department, Fullerton Fire Department, Irvine Police Department, Orange County Sheriff Department, or Orange County Fire Department, University Police dispatch will contact the appropriate unit. If a sexual assault or rape is reported to University Police, the University Police Officer will take a police report, conduct a thorough investigation and provide the victim with a wide variety of information on available services including the option to have a Confidential Victim Advocate present during the process.

The Safe Place is a sexual assault exam unit available to assist victims 24 hours a day. It is located within the Anaheim Medical Center (approximately 6.3 miles from the main campus), and is currently the only such unit in Orange County.

## **VOLUNTARY CONFIDENTIAL REPORTING**

Crimes, suspicious behavior, or situations of concern can always be reported by any person to the University Police at (657) 278-2515 or in case of emergency 911. Persons reporting crimes can remain anonymous if they desire and all anonymous reports relating to criminal activity that appear to have been provided in "good faith" shall be forwarded to University Police Department for evaluation. Occasionally, victims of a crime elect not to or are unable to report a crime. We encourage bystanders to report crimes they witness or become aware of. The University encourages accurate and prompt reporting of all crimes to the University Police and appropriate police agencies to allow for timely follow up, the issuance of timely warnings, when warranted, and for potential future crime prevention.

Students are encouraged to report any concerns and suspected criminal activity to the University Police Department. Victims of crimes who do not want to pursue action within the University system or the criminal justice system, may consider making a confidential report with the Campus Advocate or a counselor, both in the Student Health and Counseling Center. With the victim's permission, the personnel from the Student Health and Counseling Center can file a report to the University Police on the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the person's wish to keep the matter confidential, while taking steps to enhance the future safety of that person. With such information, the University can keep an accurate record of the number of incidents involving students and employees; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for Cal State Fullerton. If a victim declines to have the details of the crime provided to the University Police Department, the only information the Student Health and Counseling Center will provide to University Police Department is the type of crime, location and occurrence date, which information will be counted and disclosed in the annual crime statistics for Cal State Fullerton.

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.

Note: all publicly available record keeping will be maintained without the inclusion of personally identifiable information about the victim.

## TIMELY WARNINGS

### **Summary of the system-wide timely warning policy in accordance with EO 1107**

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 a serious or continuing threat to the community exists.

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

If it is determined that any of the three factors are not met, then no timely warning will be issued. If it is determined that all three factors are met, the Chief of Police (or management designee in the absence of the Chief) will determine the content of the timely warning bulletin, disseminate the timely warning expeditiously in a manner likely to reach the entire campus community utilizing one or more, and not limited to, the following methods to issue the timely warning bulletin:

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

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

- A statement that the Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime.
- The Clery Act reportable crime that occurred
- The date, time, and location the crime occurred
- The date the Timely Warning Bulletin is issued

- A description of the suspect, and name if known, when the suspect is at large and evading apprehension and/or law enforcement is seeking assistance from the public to locate
- Preventative information specifically related to the type of crime which occurred that could help others from becoming the victim of a similar crime

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

## SECURITY OF AND ACCESS TO CAMPUS FACILITIES

The Cal State Fullerton campus is a public facility. Campus buildings and facilities are generally open and accessible to members of the campus community, guests and visitors, Monday through Friday from 6:00am until 10:00 p.m. and as certain special events dictate. All campus buildings will be secured between the hours of 10:00 p.m. and 6:00 a.m. and on weekends when not in use and can be accessed by campus issued keys and department approval.

Housing and Residential Engagement and the University Police Department work closely together to promote a safe and comfortable living and learning environment for residents. Each student living on Main Campus is granted access to their residence hall by means of their Titan ID access card. The resident key card provides access to common areas, bathrooms and student specific rooms. Numerous security cameras located throughout the residential community are monitored 24 hours a day by University Police. Full time staff have duty on-call responsibilities 24 hours a day, 365 days a year. Resident Advisors (RA's) are also on duty when halls are open and walk through the community during evening hours.

The Cal State Fullerton-Irvine Center is a public facility. The Campus building and facilities comprise 11 acres and are accessible to members of the campus community, guests and visitors, Monday through Thursday from 7a.m. until 10 p.m. and Friday from 7:30 a.m. until 5:00 p.m. and Saturday 7 a.m. until 4:30 p.m. unless special events dictate. The campus building will be secured between the hours of 10:30 p.m. and 7 a.m. and on Sunday when not in use. Emergencies may necessitate changes or alterations to any posted schedules.

University Police conducts routine patrols of campus buildings, parking structures, residence halls and campus grounds to monitor campus security and to address safety concerns. Residential facility occupants are helpful if they do not allow unknown individuals into campus residential facilities.

### **Maintenance of Campus Facilities**

Parking lots, pedestrian walkways and building exteriors on both campuses are well lighted. The University Police Department conducts regular surveys throughout the campuses and necessary repair reports are sent to Facilities Operations.

Campus shrubbery, trees and other vegetation are trimmed and maintained on a regular basis with special attention given to walkways. Facilities Operations encourages prompt reporting by the campus community, (657) 278-3494, of any defective building equipment or unsafe facilities problems for repair.

No perimeter security is provided at the original Phase I Apartments. Residents are encouraged to keep their apartment and bedrooms doors locked at all times. All keys and card keys are for residents' use only and are not to be loaned or duplicated.

### **University Police Services**

The University Police Department also provides enhanced services to assist in crime prevention. Some of these services include:

- Emergency telephones at various campus locations
- Safety escort services for students, faculty, and staff
- Lighting surveys for buildings, outdoor areas and parking lots
- 9-1-1 capability from all university phones and mobile phones

### **Housing Community Resource Center (HCRC)**

The Crime Prevention Unit is now a part of the Student Housing Facility which enables University Police to partner with the students and the Student Housing administration. The HCRC provides resources, a safe place to contact law enforcement and increased police presence for residents and visitors to Student Housing. The Community Service Corporal attends Student Housing staff meetings, Resident Advisor (student employees), and student association meetings. The HCRC houses the Community Services Corporal office and is staffed with Community Service Officers from 7 a.m. to 8 p.m., Monday through Friday.

### **Safety Escort Service**

The University Police Department provides safety escort service across campus, to personal vehicles, or to on campus residence. If for any reason a student, faculty or staff member doesn't feel comfortable or safe walking to their destination, please call (657) 278-2515 for an escort.

Should you become a victim or witness a crime, report the incident as soon as possible. If you saw who did it, note a description of the person, automobile, which way they went, etc. When phoning the police, tell us where you are and wait there if it is safe until an officer arrives. Crime prevention programs and materials are directed to the residents and staff to increase mutual understanding and cooperation.

## **LAW ENFORCEMENT AUTHORITY**

Campus safety and security is the responsibility of the Cal State Fullerton University Police Department. The University Police Department is located in the University Police Building at Gymnasium Drive and State College Boulevard. The Department employs sworn Peace Officers who are vested with full arrest authority in the State of California, pursuant to California Penal Code, Section 830.2(c) and Education Code, Section 89560. Police officers meet all the requirements specified by the California Peace Officer's Standards and Training Commission, which are mandated for all sworn California law enforcement officers. Their primary jurisdiction covers all property owned or controlled by the University. University Police Officers patrol adjacent public streets and property within a one-mile radius of the campus. In some instances, their police powers extend statewide.

University Police Officers conduct foot, vehicular, motorcycle and bicycle patrols on campus and in the student Housing and Residential Life community 24 hours a day. University Police share concurrent law enforcement jurisdiction on the adjacent public streets, areas and in communities surrounding the University properties and cooperate fully with the Fullerton Police Department on the main campus and the Irvine Police Department on the Irvine campus and other local, state and federal law enforcement agencies. All offenses committed on Cal State Fullerton property are investigated by the University Police Department, except homicides which are investigated by the City of Fullerton Police Department. Upon request of the University Police Department, and through agreement, Fullerton Police, Irvine Police and/or the Orange County Sheriff’s Department will provide assistance in the investigation of major criminal cases deemed beyond the resources available to the University Police. The University Police Department maintains operational Memorandums of Understanding with both Fullerton Police Department and Irvine Police Department in accordance with the Kristin Smart Campus Safety Act and Higher Education Opportunity Act. University Police Officers may also work in collaboration with other law enforcement agencies in incidents involving campus community members or requiring inter-agency law enforcement collaboration.

When a Cal State Fullerton student is involved in an off-campus offense, police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. While local police have primary jurisdiction in all off-campus areas, UPD Officers can and do respond to student-related incidents that occur in close proximity to campus. Any student who has been arrested for, charged with, or found guilty of committing a crime off-campus may be subject to university disciplinary action for violation of the Student Code of Conduct.

## SECURITY PROCEDURES AND PRACTICES

### NEW STUDENTS & EMPLOYEES (in separate sections)

#### Security awareness programs offered for all incoming STUDENTS in 2019:

Name of Program	Department Provider	Frequency	Audience	Description of Program
Not Anymore	Title IX	Annually	Incoming Students	Prohibited Conduct, Policy, Reporting Sexual Assault Options & Resources
Aware, Awake, Alive & Title IX	Title IX	Annually	Housing & Residential Engagement Students	Prevention of high-risk drinking, bystander intervention, campus resources & affirmative consent
University Success Campus Safety presentations	University Police	6 times per year	International students	PowerPoint presentation w/ dedicated slides on Dating Violence/Domestic Violence/Sexual Assault

Spring Resource Fair	University Police	Annually	Incoming Transfer Students	Tabling event w/ pamphlets & resources on dating violence & sexual assault
Discoverfest	University Police	Annually	Students	Tabling event w/ pamphlets & resources on dating violence & sexual assault
Welcome CSUF day	University Police	Annually	New Students/ Parents	Tabling event w/ pamphlets & resources on dating violence & sexual assault
Housing and Residential Engagement Town Hall	University Police	Annually	Freshman Housing Students	Brief discussion on campus safety, alcohol/drug abuse
New Student Orientation	University Police	Monthly	New Students	Tabling event w/ pamphlets & resources on dating violence & sexual assault
New Faculty Orientation	University Police	Annually	New CSUF Faculty	Tabling event w/ pamphlets & resources on DV, stalking & sexual assault
Peer Mentor Orientation	TIX and Gender Equity	Annually	Students	Presentation on Policy, Reporting Options and Resources for Domestic Violence, Dating Violence, Sexual Misconduct and Stalking

**Security awareness programs offered for all incoming EMPLOYEES in 2019:**

Name of Program	Department Provider	Frequency	Audience	Description of Program
Eliminate Campus Sexual Misconduct	Title IX	Annually	New Employees	Prohibited Conduct, Policy, Reporting Requirements & Resources
New Employee Orientation	University Police	Monthly	New Staff	PowerPoint presentation w/ dedicated slides on Dating Violence/Domestic Violence /Sexual Assault

New Lecturer Orientation	University Police	Bi-Annually	New Faculty	PowerPoint presentation w/ dedicated slides on Dating Violence/Domestic Violence /Sexual Assault
New Employee Orientation	TIX and Gender Equity	Monthly	New Employees	Presentation on Policy and Reporting Options and Resources for Domestic Violence, Dating Violence, Sexual Misconduct and Stalking
Unit 11 New Employee Orientation	TIX and Gender Equity	Bi-Annually	New Employees	Presentation on Policy and Reporting Options and Resources for Domestic Violence, Dating Violence, Sexual Misconduct and Stalking

## CRIME PREVENTION PROGRAMS

### STUDENTS & EMPLOYEES (in separate sections)

#### Crime prevention programs offered for STUDENTS in 2019:

Name of Program	Department Provider	Frequency	Audience	Description of Program
Informing and Protecting our Community: Title IX	Title IX	Annually	Student-Athletes - Men's Basketball	Prohibited Conduct, Policy, Reporting Options and Resources
Not Anymore: Campus Leaders for Athletes	Title IX	Annually	Student-Athletes	Prohibited Conduct, Policy, Reporting Options and Resources
New Member Education	Student Life & Leadership	Bi-Annually	Fraternity & Sorority Life Students	Program for new members of fraternities & sororities raising awareness of resources on campus, safe alcohol consumption, sexual assault prevention, & academic preparedness
Student Organization Leadership Online Training	Student Life & Leadership	Annually	Student Organization Presidents & Treasurers	Online training Sexual Violence Prevention & Awareness Programs
RAD Class	University Police	Bi-Annually	Students/Staff	3-day Women's Self Defense class covering Domestic Violence/ Dating Violence / Sex Assault / Stalking
Domestic Violence / Intimate Partner Violence	University Police	Annually	Grad students via the Women's Center	Presentation covering Domestic Violence/ Dating Violence / Sex Assault / Stalking

Sexual Assault Presentation	University Police	Recurring	Housing Students	Presentation covering Domestic Violence/ Dating Violence / Sex Assault / Stalking
DUI Goggle Event	University Police	Annually	Students	Women's Self Defense workshop covering Domestic Violence/ Dating Violence / Sex Assault / Stalking
Texting & Driving Obstacle Course	University Police	Bi-Annually	Students	Texting & driving education/presentation followed by hands on driving
Women's Self Defense Workshops	University Police	3-5 times per year	Students/Staff	2 hour modified RAD women's self-defense workshops. Topics include Domestic Violence/ Dating Violence / Sex Assault
Resident Advisor Training: Title IX, Mandated Reporting, Harassment & Alcohol Abuse Prevention	Housing and Residential Engagement	Annually	Resident Student Advisor Staff	Dating Violence, Sexual Assault, and Stalking Discussions
Resident Advisor Training: Behind Closed Doors	Housing and Residential Engagement	Annually	Resident Advisor Students	Dating Violence, and Sexual Assault Discussions
RA Spring Training: Title IX Review	Housing and Residential Engagement	Annually	Resident Advisor Student Staff	A review of Dating Violence, Sexual Assault, and Stalking Discussions
Violence Prevention Education Tabling	WoMen's and Adult Re-Entry Center	Weekly	Open to all students	Resource tabling provides students an opportunity to receive education on violence prevention education; campus and community resources; and upcoming departmental programs.
Step Up 1.0	WoMen's and Adult Reentry Center	By Request & Open Sessions	Housing Students, Humanities 100 classes, HSS Housing Theme Floor, Active Minds, IPV Class, University 100 Classes	A structured presentation for small to large sized groups. Using a short video and interactive activity, students will learn about the common characteristics of sexual assault, consent and bystander intervention strategies. Student will also learn how language and jokes contribute to a culture that minimizes sexual violence. Confidential resources and reporting options will also be discussed.

Step Up 1.0 (New Member Education)	WoMen's and Adult Reentry Center	Semesterly	New Fraternity and Sorority Members	A structured presentation for small to large sized groups. Using a short video and interactive activity, students will learn about the common characteristics of sexual assault, consent and bystander intervention strategies. Student will also learn how language and jokes contribute to a culture that minimizes sexual violence. Confidential resources and reporting options will also be discussed.
How to Help a Friend	WoMen's and Adult Reentry Center	By Request	HSS Peer Mentors, Project RAISE Student Staff, Open Session	Sexual violence can have devastating effects on a victim or survivor as well as the community around them. This is an engaging presentation that helps participants discover tips on how to provide support to survivors in a non-victim blaming way and strategies to keep our communities safe.
Resource Liaison Training	WoMen's and Adult Reentry Center	Annually	Fraternity and Sorority Members	Resource and referral training provided to a member of each fraternity and sorority chapter to be shared with their chapter members.
Tusks Up for Violence Prevention	WoMen's and Adult Reentry Center	Annually	Freshman Athletes	A two-session presentation for freshman student athletes addressing areas consent, sexual assault characteristics, bystander intervention, resources, and case studies utilizing athlete experiences.
Sexual Violence & Media	WoMen's and Adult Reentry Center	By Request	Gender & Social Space Class, Hermanos Unidos	Media can play a big role in perpetuating false ideas about sexual violence. Through examples in advertising and popular music, participants will learn how to recognize rape culture and what we can do as a community to create change!
Step Up 2.0: Domestic Violence	WoMen's and Adult Reentry Center	By Request	Lambda Theta Alpha Sorority, Open Session, Graduate Counseling Class	Presentation focused on the characteristics of dating and domestic violence, bystander intervention, and resources related to interpersonal violence.

Survivor Speak	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	An event providing educational activities on consent, bystander intervention, and characteristics of interpersonal violence. This event also provides a space for survivors to share their testimonies with the CSUF community.
Domestic Violence Dia de los Muertos Ofrenda	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	An altar honoring those who have lost their lives to domestic violence related crimes. Resources and information were provided to those who visited and paid their respects.
Violence Prevention Conference	WoMen's and Adult Reentry Center	Annually	Open to all students, employees, and community members	Annual conference, which is open to campus and the community. Topics vary each year, however always focus on various aspects of violence prevention in specific populations or communities.
Healthy & Unhealthy Relationships Discussion	WoMen's and Adult Reentry Center	By Request	Open Session	Discussion on aspects of healthy and unhealthy relationships and how identify signs of abusive behavior.
Step Up to Rape Culture	WoMen's and Adult Reentry Center	By Request	Marriage Family Graduate Class, Sigma Nu Fraternity	Rape culture is the pervasive normalization of sexual violence in our society. It's time to break the silence around sexual violence and it's time to step up to rape culture in our everyday lives! Join us to learn about the ways rape culture is perpetuated in our society, bystander intervention strategies and how to apply them, as well as ways you can change the culture. Resources and reporting options for issues of sexual and domestic violence will also be provided.
Step Up 2.0: Stalking	WoMen's and Adult Reentry Center	By Request	Family Violence Class	Presentation focused on the characteristics of stalking, bystander intervention, and resources related to interpersonal violence.
The Clothesline Project	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	The Clothesline Project is a visual display intended to raise awareness about the reality of violence in our society (e.g. sexual violence, domestic violence, etc.). It is composed of t-shirts created by survivors of violence, or in honor of someone who has experienced violence (clotheslineproject.info, 2019).

Titan Walk for Change	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	A tabling fair featuring engaging activities facilitated by student organizations to educate the campus community about sexual assault and to create a culture of support for survivors.
Denim Day Photo Challenge	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	This campaign encourages folks to make a social statement with their clothing by wearing jeans on this day as a visible means of protest against the misconceptions that surround sexual assault.
Survivor Support Series	WoMen's and Adult Reentry Center	Annually	Open to student survivors	Workshops that address skill development, self-care techniques, and healing options for survivors of interpersonal violence.

**Crime prevention programs offered for EMPLOYEES in 2019:**

Name of Program	Department Provider	Frequency	Audience	Description of Program
Eliminate Campus Sexual Misconduct	Title IX	Annually	All Employees	Prohibited Conduct, Policy, Reporting Requirements and Resources
Title IX Refresher Training	Title IX	Annually	Resident Assistants, Housing Student Assistants	Prohibited Conduct, Policy, Reporting Requirements and Resources
Informing and Protecting our Community: Title IX	Title IX	Annually	Athletics Employees, Outreach, Recruitment and Orientation Student, Housing Professional Staff Employees, Resident Assistants	Prohibited Conduct, Policy, Reporting Requirements and Resources
Informing and Protecting our Community	Title IX	Annually	EOP Summer Bridge Staff, AFA Drive in Staff, Assistant Deans of Students	Prohibited Conduct, Policy, Reporting Requirements and Resources
Title IX	Title IX	Annually	Student Health Services, Community Service Officers, HCOM Teaching Assistants Staff	Prohibited Conduct, Policy, Reporting Requirements and Resources

Creating Safer Spaces for LGBTQ-Foundation	Human Resources Diversity & Inclusion (HRDI)	Quarterly	Staff and Faculty	Develop an understanding to increase cultural competency regarding LGBTQ issues and to share resources to prevent violence and promote safety
Creating Safer Spaces for LGBTQ-Support Skills and Practices	HRDI	Quarterly	Staff and Faculty	Develop an understanding of LGBTQ identity development models, learn how to utilize basic LGBTQ affirming counseling skills, promote good listening and communication skills
Self Defense Techniques for Women Part I (Lecture)	HRDI	Annually	Staff and Faculty	An overview of red flags, how to avoid dangerous situations and protection precautions
Self Defense Techniques for Women Part II (Activity)	HRDI	Annually	Staff and Faculty	Women's Self Defense workshop provides tips on reducing Dating and Domestic Violence
Supervisor: Anti-Harassment, Discrimination, Retaliation	Employee Training Center	Bi-Annually	Employees	Mandatory online training for supervisors on Discrimination, Harassment, and Retaliation which includes Sexual Assault
Student Organizations Advisor Training	Student Life & Leadership	Annually	Staff and Faculty	Mandatory online training for Student Organizations Advisors that addresses Student Conduct, Title IX, Report Requirements and Resources.
Active Shooter Exercises / Simulations	University Police	4-8 per year	Staff	Hands-on training, PowerPoint presentation, simulation
Safety plan space walk through	University Police	2-4 per year	Staff	Walk through office space, advise on safety issues, active shooter education

## CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

Crime statistics are also collected from law enforcement agencies with concurrent law enforcement jurisdiction or jurisdictions surrounding Cal State Fullerton based on a memorandum of understanding or annually, and off-site properties or facilities owned or utilized by the University including recognized student groups such as fraternities and sororities. These law enforcement agencies and other entities provide crime statistics they have collected for crimes occurring on on-campus properties or public property immediately adjacent to Cal State Fullerton properties or facilities.

## ALCOHOL AND DRUGS

Cal State Fullerton is committed to promoting the health of its campus community members by preserving an environment free from drugs and alcohol abuse. All campus community members should be aware that the

unlawful possession, use, manufacture, dispensation, or distribution of alcohol or drugs on University property or as part of any University-related activity is prohibited by both law and University policy.

In accordance with [CSU Executive Order 930](#), the following outlines the dangers of drug and alcohol abuse in the workplace; drug and alcohol counseling, treatment, or rehabilitation programs available to employees and students; and penalties that may be imposed for drug and alcohol abuse violations occurring on University property or as part of a University-related activity.

### **Dangers of Drug and Alcohol Abuse**

Substance abuse can cause very serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. Chronic health problems may arise from long-term abuse, and acute, traumatic reactions may arise even from one-time or moderate use. In addition to the toxicity of specific drugs, mixing drugs can compound toxic effects.

Illegal, “counterfeit,” or “designer” drugs may be toxic, contaminated, or have impurities causing poisoning, and can be lethal. Acute health problems may include heart attack, stroke, and sudden death (even first-time use of cocaine or GHB). Long-term effects include heart and/or lung damage, high blood pressure, blood vessel leaks in brain, brain cell destruction, permanent memory loss, infertility, impotency, immune system impairment, kidney failure, and cirrhosis of the liver. Substance abuse is correlated with high-risk behavior that could lead to accidents and injury, increased risk of contracting a sexually transmitted infection, or unwanted pregnancy. Drugs and alcohol might also be used to incapacitate individuals resulting in sexual assault and other crimes. Using alcohol or other drugs while pregnant can cause fetal damage, birth defects, miscarriage and infant death.

For additional information concerning the health risks of substance abuse, please review the following:

[\*Alcohol Use and Your Health.\*](#)

[\*Health Consequences of Drug Misuse\*](#)

[\*Fetal alcohol spectrum disorders \(FASDs\)\*](#)

### **Substance Abuse Education, Prevention Programs and Assistance Services**

#### Resources for Students

- Students are eligible to make use of the Counseling Services at the Student Health and Counseling Center (SHCC). All on-campus services are outlined on the website at <http://www.fullerton.edu/caps/>. Off-campus services, including addiction resources, include the following:
  - BASICS - Brief Alcohol Screening and Intervention of College Students (BASICS) is a harm-reduction intervention for college students. Students often conform to patterns of heavy drinking they see as acceptable, while holding false beliefs about alcohol’s effects or actual alcohol-use norms. BASICS is designed to help students make better decisions about using alcohol. The program’s style is empathic, rather than confrontational or judgmental. It aims to 1) reduce alcohol consumption and its adverse consequences, 2) promote healthier choices among young adults, and 3) provide important information and coping skills for reducing risk. This program is available for all Cal State Fullerton students, but is mostly used by students who are sanctioned for alcohol.
  - CASICS - Cannabis Screening and Intervention for College Students. This program is offered for all Cal State Fullerton students who may want to explore their cannabis use, but the goal of the program is to reduce risky behaviors and harmful consequences of cannabis abuse. The

- program is designed to assist students in examining their own behavior in a judgment-free environment.
  - BASICS and CASICS are offered through [TitanWell](#), the health promotion area of Student Wellness.
- 12 step recovery meetings – in previous years, Cal State Fullerton has had their own 12 step recovery program that was facilitated by students for students. Due to the pandemic, we are referring interested students to the Open Recovery Meetings hosted by The Haven at College Peers via zoom. These are both well attended meetings full of students in recovery from UCSB and USC and are open for Cal State Fullerton students to join.

### Resources for Employees

- Employees can access resources via EAP through LifeMatters.
  - EAP - LifeMatters by Empathia
  - (800) 367-7474 (24 hours a day, 7 days a week)
  - [www.mylifematters.com](http://www.mylifematters.com)
  - Counseling up to 6 sessions, for each area of concern, to assist in resolving issues including chemical dependency.
  - All calls and referrals made by Empathia are strictly confidential.
- For additional information about EAP, please contact Human Resources, Diversity and Inclusion to discuss services or continuation of care at (657) 278-2824 or [https://hr.fullerton.edu/payroll\\_benefits/EAP.php](https://hr.fullerton.edu/payroll_benefits/EAP.php).
- For information concerning drug or alcohol counseling, treatment, rehabilitation, and re-entry programs, employees should contact their health care provider.

### Community Resources

- Orange County Health Care Agency (<https://www.ochealthinfo.com/bhs>)
  - Adult and Older Adult Abuse Services (AOABH) Substance Use Disorder treatment provides a range of outpatient and residential treatment programs designed to reduce or eliminate the abuse of alcohol and other drugs within the community.
  - Services include crisis intervention, assessment and evaluation; individual, group and family counseling, HIV education, pre- and post-test counseling, and voluntary testing; counseling and testing; referrals to other programs when indicated; and outreach to schools and the general community.

## **Penalties and Sanctions**

### Federal Penalties and Sanctions

Under Federal law, it is a felony offense to sell or intend to sell, manufacture, or distribute DEA scheduled drugs or mixtures containing them (e.g. cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, and so-called “designer drugs”, as well as “counterfeits” purported to be such drugs), or to traffic in marijuana or hashish. Depending upon the quantity of drugs involved, penalties for first offenses range from 5 years to life (20 years to life if death or serious injury involved) and fines up to \$10 million or more, and for second offenses from 10 years to life (life if death or serious injury involved) and fines up to \$20 million.

Federal law also prohibits the illegal possession of a controlled substance. Penalties for first offenses range up to prison sentences up to one year and a minimum fine of \$1,000; penalties for second offenses range up to prison sentences up to two years and a minimum fine of \$2,500; and penalties for third offenses range up to prison sentences up to three years and a minimum fine of \$5,000. Special sentencing provisions apply for possession of flunitrazepam, including imprisonment of three years as well as the fine schedule referenced above.

It is important to note that illegal trafficking in over-the-counter or prescription drugs (including anabolic steroids) which are listed as DEA Schedules II–V are included in the above penalties and fines. Those convicted of possession or distribution of controlled substances can be barred from receiving benefits of federal programs, including student grants and loans, contracts, ability to conduct teaching and research using controlled substances, and professional and commercial licenses; may be subject to forfeiture of property used in or traceable to illegal controlled substance transactions; and, if non-citizens, subject to deportation.

#### State Penalties and Sanctions

California law prohibits furnishing and selling alcoholic beverages to underage (younger than 21) or obviously intoxicated individuals. Underage persons may not buy alcoholic beverages or possess them on campus, in public, or in places open to public view; the penalties for violations of these laws may include substantial fines and jail. Alcohol may not be sold without a license or permit. State law also prohibits driving a motor vehicle under the influence (a blood alcohol level of .08 percent or higher creates a presumption of intoxication but can be charged with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunk driving penalties include jail or prison, fines of \$1,000 or more, driver's license suspension or revocation, and required drug/alcohol treatment programs. Refusing to submit to a test for blood alcohol can result in suspension of driver's license for up to 3 years.

Sale or possession for sale of controlled substances such as cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, marijuana, and "designer drugs" is a felony with terms of 3 years or more; manufacture results in terms of 3 years or more; possession alone is punishable by up to 4 years in prison. Sentences are enhanced for previously convicted felons, for distribution within 1,000 feet of a school or University or within 100 feet of a recreational facility, and for distribution to a pregnant woman or to someone under 18 by one over 18. Property used in drug transactions can be seized.

#### University Discipline

The University strives to maintain communities and workplaces free from the illegal use, possession or distribution of alcohol and controlled substances. The use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and University regulations) or the misuse of legal pharmaceutical drugs is prohibited. Similarly, the use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations), or public intoxication while on University property or at a University-related activity is prohibited.

Students found to be in violation of federal or state laws, or CSU or University policies, may be subject to disciplinary action, up to and including loss of financial aid, restitution, denial of access to campus, probation, suspension and/or expulsion, in addition to any criminal or civil penalties resulting from violating local, state and/or federal law. Students may also be referred for criminal prosecution and/or be required to participate in appropriate treatment programs.

Employees found to be violation of federal or state laws, or CSU or University policies, may be subject to disciplinary action, up to and including dismissal, under applicable University policies and/or collective bargaining agreements. Employees may also be required to participate in an appropriate treatment program, in addition to any potential criminal or civil penalties resulting from violating a local, state or federal law.

### **CSU System and University Policies**

#### Systemwide

In addition to [CSU Executive Order 930](#), [CSU Executive Order 1108](#) establishes a smoke and tobacco free environment on every CSU campus, including Cal State Fullerton.

## University

The University has four policies related to alcohol and drug use. The full text of these policies can be located by clicking on each link:

- President's Directive No. 1: University Policy Regarding the Possession, Manufacturing, Sale, Furnishing Without Charge, and Consumption of Alcoholic Beverages and Other Drugs in a University Workplace or Residence Facility
  - <http://president.fullerton.edu/directives/directive1.aspx>
- President's Directive No. 7: University Policy Regarding the Marketing of Alcoholic Beverages on Campus
  - <http://president.fullerton.edu/directives/directive7.aspx>
- University Policy Statement 330.231: Policy Regarding the Illegal Use of Drugs by Students
  - [http://www.fullerton.edu/senate/publications\\_policies\\_resolutions/ups/UPS%20300/UPS%20330.231.pdf](http://www.fullerton.edu/senate/publications_policies_resolutions/ups/UPS%20300/UPS%20330.231.pdf)
- University Policy Statement 330.232: Policy on the Use of Alcoholic and Malt Beverages by Students and by Student Organizations
  - [http://www.fullerton.edu/senate/publications\\_policies\\_resolutions/ups/UPS%20300/UPS%20330.232.pdf](http://www.fullerton.edu/senate/publications_policies_resolutions/ups/UPS%20300/UPS%20330.232.pdf)

## DRUG AND ALCOHOL ABUSE PREVENTION, EDUCATION, AND AWARENESS PROGRAMS

Name of Program	Department Provider	Frequency	Audience	Description of Program
Aware, Awake, Alive & Title IX	Title IX	Annually	Housing & Residential Engagement Students	Prevention of high-risk drinking, bystander intervention, campus resources & affirmative consent
New Member Education	Student Life & Leadership	Quarterly	Fraternity & Sorority Life Students	Program for new members of fraternities & sororities raising awareness of resources on campus, safe alcohol consumption, sexual assault prevention, & academic preparedness
Title IX/Drug and Alcohol	Athletics	Annually	Student-Athletes	Prohibited Conduct, Policy, Reporting Options and Resources
Resident Advisor Training: Title IX, Mandated Reporting, Harassment & Alcohol Abuse Prevention	Housing and Residential Engagement	Annually	Resident Student Advisor Staff	Dating Violence, Sexual Assault, and Stalking Discussions
BASICS	TitanWell	Offered Weekly	Students	Alcohol sanctioned evidence-based program.
PATH	TitanWell	Offered Weekly	Students	Marijuana sanctioned evidence-based program to help students understand impact of using substances.

CHOICES	TitanWell	Monthly	Students	Evidence-based alcohol intervention program for sanctioned students
Project M	TitanWell	Monthly	Students	Evidence-informed marijuana intervention program for sanctioned students
Titan Up the Party	TitanWell	Spring and Fall Semester	Fraternity & Sorority Life New Members	Evidence-informed alcohol intervention presentation
Titan Up the Party/CHOICES	TitanWell	Fall Semester	Incoming Student Athletes	Evidence-informed alcohol intervention presentation
eCHECKup to go	TitanWell	Fall Semester	Fraternity & Sorority Life Members	Evidence-based online personal alcohol assessment

## WEAPONS

### State Laws regarding Possession of a Weapon or other Dangerous Items

Possession of a weapon on campus is strictly prohibited. Violators will be arrested and prosecuted for felony violation under section 626.9 of the California Penal Code.

### Student Discipline

Student behavior that is not consistent with Title V, California Code of Regulations, Section 41301, the Standards of Student Conduct may be subject to (b) Grounds for Student Discipline based upon “(13) Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the campus president) on campus or at a University related activity.” <http://www.fullerton.edu/integrity/resources/pdfs/Title%205.pdf>

## ENFORCEMENT OF VIOLATIONS OF UNIVERSITY POLICY

All applicable state laws will be enforced by the University Police including State laws regarding underage drinking and Federal and State drug laws. Violations will be forwarded to the appropriate prosecutor for consideration.

In addition to requesting prosecution under appropriate laws, the university may impose sanctions on students, faculty and staff who violate any University policy or President’s Directive. In the case of students, these penalties will relate to a student’s good standing in the university and/or in the residential community. With regard to faculty and staff, these penalties will relate to employment status.

Students in violation may be warned, receive educational sanctions, suspended or dismissed from the university and/or expelled from the university or evicted from the residence halls depending upon the seriousness of the violation.

Faculty and staff may be counseled, issued a letter of reprimand, referred to a mandatory substance abuse treatment program or be formally disciplined (during which process they may be suspended without pay, demoted or dismissed, depending upon the seriousness of the offense).

Every faculty member, staff member, student assistant, graduate assistant and student receiving or employed on federal grants shall receive a copy of the requirements of the Drug Free Schools and Communities Amendment of 1988 and shall be required to certify their awareness of these requirements. All such individuals must agree to notify the university within five days if they are convicted of any drug statute violation occurring in a university workplace or residence facility. The above notification for faculty, staff, student assistants and graduate assistants shall be the responsibility of the Office of Faculty Research & Development. In the case of students receiving financial aid, the notification shall be the responsibility of the Financial Aid Office. Persons receiving federal funds shall report convictions to the appropriate office as indicted above. These university offices shall report to the granting agency within ten days any convictions reported to them.

CSUF focuses on a harm reduction approach that minimizes risks associated with binge drinking and drug use, emphasizing evidence-based strategies to lower harm and comply with the Drug-Free Schools and Communities Act. Our target populations are high risk student groups such as new students (particularly freshmen), fraternity and sorority life, student-athletes, and residents in Housing & Residential Engagement.

## SEXUAL VIOLENCE

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

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

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

The University is committed to empowering victims of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking by providing ample supportive services, and encouraging their choice of action, regardless of

their decision to seek criminal prosecution of offender(s). If requested by the victim, University personnel will assist the victim in notifying the appropriate law enforcement authorities.

#### PREVENTION, EDUCATION, AND AWARENESS

Cal State Fullerton is dedicated to providing students and employees programming and training geared toward educating and increasing awareness on sexual assault, dating violence, domestic violence, and stalking to prevent such incidents. Multiple departments on campus including Title IX, the WoMen’s and Adult Re-Entry Center, University Police, and Human Resources Diversity and Inclusion actively implement these programs and trainings throughout campus. Educational programming and trainings are completed by all students and employees.

Preventative and educational programming cover the following:

- Classify sexual assault, dating violence, domestic violence, and stalking as prohibited conduct.
- Definitions of and what constitutes: sexual assault, dating violence, domestic violence, and stalking.
- Outline what behaviors and actions constitute consent to sexual activity as defined in the State of California and/or using the CSU Executive Order definition.
- Offer descriptions of bystander intervention and what methods can be utilized safely. Bystander intervention is recognizing a potentially harmful situation and responding in a way that has a positive impact on the outcome.
- Provide students with resources that can offer more information.

Name of Program	Department Provider	Frequency	Audience	Description of Program
CSUF Cares	Title IX	Annually	Incoming International Students	Prohibited Conduct, Policy, Reporting Sexual Assault Options & Resources
Aware, Awake, Alive & Title IX	Title IX	Annually	Housing & Residential Engagement Students	Prevention of high-risk drinking, bystander intervention, campus resources & affirmative consent
Peer Mentor Orientation	Human Resources Diversity & Inclusion (HRDI) TIX and Gender Equity	Annually	Students	Presentation on Policy, Reporting Options and Resources for Domestic Violence, Dating Violence, Sexual Misconduct and Stalking
Eliminate Sexual Misconduct	Employee training center	Annually	Staff	Online training covering Sexual Assault / Stalking
Workplace Violence Prevention	Employee training center	Annually	Staff	Online training covering Dom Viol / Dating Viol / Sex Assault / Stalking
Title IX	HRDI	Annually	Staff	online training covering Dom Viol / Dating Viol / Sex Assault / Stalking

Harm Reduction Workshop	University Police	Annually	Sigma Pi Frat	Presentation on Dating Violence/Domestic Violence/Sexual Assault
Violence Prevention Education Tabling	WoMen's and Adult Re-Entry Center	Weekly	Open to all students	Resource tabling provides students an opportunity to receive education on violence prevention education; campus and community resources; and upcoming departmental programs.
Step Up 1.0	WoMen's and Adult Reentry Center	By Request & Open Sessions	Housing Students, Humanities 100 classes, HSS Housing Theme Floor, Active Minds, IPV Class, University 100 Classes	A structured presentation for small to large sized groups. Using a short video and interactive activity, students will learn about the common characteristics of sexual assault, consent and bystander intervention strategies. Student will also learn how language and jokes contribute to a culture that minimizes sexual violence. Confidential resources and reporting options will also be discussed.
Step Up 1.0 (New Member Education)	WoMen's and Adult Reentry Center	Semesterly	New Fraternity and Sorority Members	A structured presentation for small to large sized groups. Using a short video and interactive activity, students will learn about the common characteristics of sexual assault, consent and bystander intervention strategies. Student will also learn how language and jokes contribute to a culture that minimizes sexual violence. Confidential resources and reporting options will also be discussed.
How to Help a Friend	WoMen's and Adult Reentry Center	By Request	HSS Peer Mentors, Project RAISE Student Staff, Open Session	Sexual violence can have devastating effects on a victim or survivor as well as the community around them. This is an engaging presentation that helps participants discover tips on how to provide support to survivors in a non-victim blaming way and strategies to keep our communities safe.
Resource Liaison Training	WoMen's and Adult Reentry Center	Annually	Fraternity and Sorority Members	Resource and referral training provided to a member of each fraternity and sorority chapter to be shared with their chapter members.
Tusks Up for Violence Prevention	WoMen's and Adult Reentry Center	Annually	Freshman Athletes	A two-session presentation for freshman student athletes addressing areas consent, sexual assault characteristics, bystander intervention, resources, and case studies utilizing athlete experiences.

Sexual Violence & Media	WoMen's and Adult Reentry Center	By Request	Gender & Social Space Class, Hermanos Unidos	Media can play a big role in perpetuating false ideas about sexual violence. Through examples in advertising and popular music, participants will learn how to recognize rape culture and what we can do as a community to create change!
Step Up 2.0: Domestic Violence	WoMen's and Adult Reentry Center	By Request	Lambda Theta Alpha Sorority, Open Session, Graduate Counseling Class	Presentation focused on the characteristics of dating and domestic violence, bystander intervention, and resources related to interpersonal violence.
Survivor Speak	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	An event providing educational activities on consent, bystander intervention, and characteristics of interpersonal violence. This event also provides a space for survivors to share their testimonies with the CSUF community.
Domestic Violence Dia de los Muertos Ofrenda	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	An altar honoring those who have lost their lives to domestic violence related crimes. Resources and information was provided to those who visited and paid their respects.
Violence Prevention Conference	WoMen's and Adult Reentry Center	Annually	Open to all students, employees, and community members	Annual conference, which is open to campus and the community. Topics vary each year, however always focus on various aspects of violence prevention in specific populations or communities.
Healthy & Unhealthy Relationships Discussion	WoMen's and Adult Reentry Center	By Request	Open Session	Discussion on aspects of healthy and unhealthy relationships and how identify signs of abusive behavior.
The Clothesline Project	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	The Clothesline Project is a visual display intended to raise awareness about the reality of violence in our society (e.g. sexual violence, domestic violence, etc.). It is composed of t-shirts created by survivors of violence, or in honor of someone who has experienced violence (clotheslineproject.info, 2019).
Titan Walk for Change	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	A tabling fair featuring engaging activities facilitated by student organizations to educate the campus community about sexual assault and to create a culture of support for survivors.

Denim Day Photo Challenge	WoMen's and Adult Reentry Center	Annually	Open to all students & employees	This campaign encourages folks to make a social statement with their clothing by wearing jeans on this day as a visible means of protest against the misconceptions that surround sexual assault.
Survivor Support Series	WoMen's and Adult Reentry Center	Annually	Open to student survivors	Workshops that address skill development, self-care techniques, and healing options for survivors of interpersonal violence.

**DEFINITIONS PER EXECUTIVE ORDERS 1095-1097**

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.

In 2020, through Secretary of Education Betsy DeVos, the United States Department of Education, Office for Civil Rights (OCR) issued and amended federal regulations (Federal Regulations) implementing Title IX of the Education Amendments of 1972. The Federal Regulations are titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (34 C.F.R. 106). The Federal Regulations were published in the Federal Register on May 19, 2020. The Federal Regulations have been implemented in CSU policy by way of an Addendum to Executive Orders 1096 and 1097 known as "Addendum B – Federal Mandated Hearing Addendum." The definitions required by the Federal Regulations are included below and identified as "Addendum B Definitions." These definitions will apply where the campus Title IX Coordinator determines that a Formal Complaint of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking falls within the scope of Addendum B. Additional Executive Order definitions are included. These definitions apply to conduct that falls outside of the scope of Addendum B.

**SEX DISCRIMINATION**

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

**ADDENDUM B: SEXUAL HARASSMENT**

Sexual Harassment means conduct on the basis of Sex that satisfies one or more of the following:

1. An Employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity

## EXECUTIVE ORDER: SEXUAL HARASSMENT

Sexual Harassment is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature where:

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

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment. Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The University's policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to University policy.

## EXECUTIVE ORDER: 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.

## ADDENDUM B: SEXUAL ASSAULT:

- a. Rape is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how

slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

- b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.
- c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. Statutory Rape is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

#### AFFIRMATIVE CONSENT (Applicable in Addendum B and non-Addendum B matters)

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:
  - o The person was asleep or unconscious;
  - o 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;

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

#### ADDENDUM B: DOMESTIC VIOLENCE

Physical violence or threat of physical violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant.

#### EXECUTIVE ORDER: DOMESTIC VIOLENCE

Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent 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. It does not include roommates who do not have a romantic, intimate, or sexual 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 spouses; (5) the continuity of the relationship; and, (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 self, or another. Abuse does not include non-physical, emotional distress or injury.

#### ADDENDUM B: DATING VIOLENCE

Physical violence or threat of physical violence committed by a person—

- a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
- b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - i. The length of the relationship.
  - ii. The type of relationship.
  - iii. The frequency of interaction between the persons involved in the relationship.

#### EXECUTIVE ORDER: 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.<sup>11</sup> 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 self or another. Abuse does not include non-physical, emotional distress or injury.

## ADDENDUM B: STALKING

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

## EXECUTIVE ORDER: STALKING

Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his or her safety or the safety of others, or 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 (physical or mental), Gender (or sex), 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/Sexual Assault, 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. Regardless of whether an individual chooses to notify the police, they are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or counselor who can provide information on options, rights and remedies.

A written explanation of rights and options must be provided to a Student, Employee or Third Party who reports to the University that s/he has been a victim of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking, whether the offense occurred on or off Campus. It is the Title IX Coordinator's responsibility to ensure this written Notice is provided to the complainant/victim(s). The Title IX Coordinator annually provides the written explanation of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking (Attachment C in Executive Order 1095) to all members of the campus community including Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking victims. This includes information on preservation of evidence, how and to whom to report the alleged offense, the options available regarding and involving law enforcement and campus authorities (including notification of law enforcement authorities, being assisted by campus authorities in notifying law enforcement if the victim chooses, and declining to notify the authorities), and notification of the rights of victims to seek orders of protection and request "no-contact" orders, and restraining orders.

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

The University's primary concern is the safety and well-being of every member of the campus community. The use of alcohol or drugs never makes the victim at fault. If a campus community member has experienced Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking they should not be deterred from reporting the incident out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. A person who participates in investigations or proceedings involving Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline for related violations of the Student Conduct Code or other University policies at or near the time of the incident unless the University determines the conduct places the health and safety of another person at risk, or is otherwise egregious.

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

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

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

## PRIVILEGED AND CONFIDENTIAL REPORTS

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

professionals must report to local law enforcement agencies. These confidential professionals should explain these limited exceptions to victims, if applicable.

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

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

## EXCEPTIONS TO CONFIDENTIALITY

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/Sexual Assault, Dating Violence, Domestic Violence, or Stalking to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim's identity or the fact of the victim's disclosure. However, see limited exceptions below regarding when these professionals must report to local law enforcement agencies. These confidential professionals should explain these limited exceptions to victims, if applicable.

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

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. Counselors and advocates can provide victims with that assistance if requested. Treating physicians, psychotherapists, professional counselors, and

clergy will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

## PRESERVATION OF EVIDENCE

In cases of Sexual Misconduct/Sexual Assault, 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 wish 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 OPTIONS

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

### REPORTING TO THE POLICE

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/Sexual Assault, Dating and Domestic Violence, or Stalking incident, can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim's behalf.

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

#### REPORTING TO A CSA

Any member of the University community may report incidents of Sexual Misconduct/Sexual Assault, 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/Sexual Assault, Dating Violence, Dating Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

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

#### ADMINISTRATIVE

Victims may report to the campus Title IX Coordinator, who will provide written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident. The Title IX Coordinator will also provide information regarding resources available to victims, as well as information regarding their rights and options. Contact information for the Title IX Coordinator is listed above.

The Campus Title IX Coordinator will also provide information regarding any reasonable Supportive Measures the University may offer prior to conclusion of an investigation to reduce or eliminate negative impact and provide available assistance. Examples include: adjustment to work assignments, housing locations, course schedules or supervisory reporting relationship; mutual restrictions on contact between the Complainant and the Respondent; leaves of absence; or campus escorts. These options may be available whether or not the victim chooses to report the incident to Campus police or law enforcement. The Title IX

Coordinator remains available to assist the victim and provide reasonable Supportive Measures requested throughout the reporting, investigative, and disciplinary processes, and thereafter.

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

Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX Coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking. The campus Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant formal 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 disclosed incidents of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking when they are on notice of it. When a victim tells the Title IX Coordinator or another non-confidential University employee about a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking directly to the campus Title IX Coordinator.

As detailed above, most University employees except treating physicians, licensed counselors, and clergy must report to the Title IX Coordinator all relevant details about any Sexual Misconduct/Sexual Assault, 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 alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University's response to the incident. Any Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The University will protect the privacy of individuals involved in a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no

investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

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

- Provide Supportive Measures requested by the victim and the other party to a complaint, 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;
- Assist victims in accessing available financial aid assistance, assistance with transportation, and visa or immigration assistance.
- Provide security and support, which could include issuing a mutual no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules 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 Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures.

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/Sexual Assault, 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.

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such a victim shall be treated as the alleged victim.

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

Because the University is under a continuing legal obligation to address the issue of Sexual Misconduct/Sexual Assault, 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 formally report any incident of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking to the police and/or campus Title IX Coordinator so that steps may be taken to protect them and the rest of the campus community. However, non-reporting is also an option.

## CIVIL LAWSUIT

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

## RESTRAINING ORDERS

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

Those interested in obtaining a restraining order in Orange County should contact the Orange County Superior Court. More information about restraining orders in general is available at <https://www.occourts.org/self-help/restrainingorders/>. Specific court locations to request restraining orders is available at <https://www.occourts.org/self-help/restrainingorders/#locationshours>.

## DISCIPLINARY PROCEDURES

The investigation and hearing process (when applicable) from initial formal complaint to final result shall be prompt, fair, and impartial. An investigator will meet separately with the complainant and the respondent and other potential witnesses to gather information.

Victims are not required to participate in any University disciplinary process 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/Sexual Assault, Dating Violence, Domestic Violence, and Stalking and how to conduct a hearing process that protects members of the campus community and promotes accountability;
- Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the Support Advisor of their choice;
- Simultaneously inform the complainant and respondent in writing of:
  - o The outcome of the disciplinary proceeding;
  - o The University's procedures to appeal the results of the disciplinary proceeding;
  - o Any change to the disciplinary results that occurs prior to the time such results become final; and
  - o When disciplinary results become final.

## COMPLAINT PROCEDURES

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

Those wishing to file a Formal Complaint should contact the Title IX and Gender Equity department at 657-278-2121 or [titleix@fullerton.edu](mailto:titleix@fullerton.edu). More information about reporting options can be found at <http://www.fullerton.edu/titleix/process/index.php>.

Regardless of whether an employee, a student or a third party ultimately files a formal 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, the Title IX Coordinator 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/Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

### COMPLAINTS MADE BY STUDENTS

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students" is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be viewed at <https://calstate.policystat.com/policy/6742744/latest/>

### 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/Sexual Assault, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties" is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual

Misconduct, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party.

Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at <https://calstate.policystat.com/policy/6743499/latest/>

#### COMPLAINTS MADE BY STUDENT-EMPLOYEES

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person's status as an employee and not their status as a student. Executive Order 1096 can be viewed at <https://calstate.policystat.com/policy/6743499/latest/>

When the Title IX Coordinator receives a Formal Complaint, or where new information or events arise, the Title IX Coordinator will assess whether the Formal Complaint meets the requirements of the Federal Regulations to move forward under the process in Addendum B. A determination that allegations in a Formal Complaint do not meet the requirements of the Federal Regulations will result in a dismissal of the allegations in the Formal Complaint that do not meet the requirements and, in some cases, a referral of the allegations to another process as the University may have an obligation to address the matter under other laws and policies.

Written notice of a mandatory or discretionary dismissal and reason(s) for the dismissal will be sent Simultaneously to the Parties when a Title IX Coordinator dismisses a Formal Complaint. The notice will inform the Parties of their right to appeal the dismissal, whether the matter will be referred to another process and the process for submitting an appeal. This notice may be accompanied by a Notice of Allegations, as described in Article VI. below, where a Notice of Allegations has not already been provided.

Either Party may appeal from a dismissal of a Formal Complaint or any part of the Complaint. The appeal must be filed within 10 Working Days from the date of the Notice of Dismissal. The appeal will be in writing and will be based only on one or more of the following grounds: a procedural irregularity occurred that affected the dismissal of the Formal Complaint; new evidence that was not reasonably available at the time the dismissal decision was made that could affect the decision to dismiss the Formal Complaint; or the Title IX Coordinator (or designee) who dismissed the Formal Complaint had a conflict of interest or bias for or against the complainant or respondent in this case or complainants or respondents in general.

Appeals will be filed with the Chancellor's Office (CO) and will be addressed to:

Systemwide Title IX Unit

Systemwide Human Resources

Office of the Chancellor

[TIX-Dismissal-Appeals@calstate.edu](mailto:TIX-Dismissal-Appeals@calstate.edu)

If you are unable to file an appeal or a response to an appeal electronically, please contact the Campus Title IX Office for assistance.

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given 5 Working Days from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within 10 Working Days of the CO's receipt of the appeal, the Parties will Simultaneously receive (via email) a written decision with explanation.

The CO review will not involve a new assessment of the Dismissal/Referral or consideration of evidence that was not introduced during the Campus review, unless the new evidence was not reasonably available at the time of the review.

If the CO review determines that the Dismissal/Referral should be reviewed to cure any defects, the matter will be remanded back to the Campus to reassess within a timeframe specified by the CO. The Parties will be informed Simultaneously of the review and the timeframe. Once the review is complete the Campus will provide the Parties and the CO with either a Notice of Dismissal/Referral or Notice of Allegations, depending on the outcome, that reflects any changes to the determination. The notice will inform the Parties of their right to appeal and the CO will contact the appealing Party to determine whether that Party wishes to continue with the appeal.

The CO appeal response is final and concludes the Dismissal/Referral process under Addendum B. If there is a mandatory dismissal of a Formal Complaint, it does not preclude the Campus from later identifying a relevant policy or policies that address the alleged conduct, notifying the Parties of the policy or policies, and moving forward under the procedures of those policies.

When the Title IX Coordinator receives a Formal Complaint, the Title IX Coordinator will Simultaneously provide both Parties a written Notice of Allegations.

The Notice of Allegations will be provided to both Parties regardless of whether the Formal Complaint must be dismissed. See section above on dismissal of formal complaints. If a Formal Complaint is dismissed at this stage of the process, the Notice of Allegations will also include the Notice of Dismissal and appeal rights.

If new allegations are raised during the investigation that were not included in the Notice of Allegations, a revised Notice of Allegations will be issued Simultaneously to the Parties.

If the Notice of Allegations also serves as notice of a Respondent's expected attendance at an interview, it will include details of the date, time, location, participants, and purpose of that interview. The Notice of Allegations must be provided to a Respondent at least 5 Working Days prior to the interview.

If a Respondent requests to meet sooner than 5 Working Days after receipt of the Notice of Allegations, they should verbally confirm at the start of the meeting that they are aware that they were provided notice of at least 5 Working days and this confirmation should be documented by the Title IX Coordinator or investigator.

## INFORMAL RESOLUTION

At any time prior to the issuance of the Hearing Officer's Report, if the Title IX Coordinator or either Party believes that it may be possible to resolve the Formal Complaint in a prompt, fair, and reasonable manner

without a hearing, the Parties may consider an Informal Resolution that does not involve a full investigation and adjudication, subject to the following:

- A. informal Resolution under Addendum B may only be offered where a Formal Complaint has been filed;
- B. the University cannot offer or facilitate Informal Resolution under Addendum B to resolve allegations that an Employee sexually harassed a Student; and
- C. the University must obtain the Parties' voluntary, written consent before starting the Informal Resolution process.

Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should Simultaneously be provided written notice regarding Informal Resolution that includes the following:

- A. the allegations of Sexual Harassment, as defined by Addendum B;
- B. the requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations;
- C. an explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process;
- D. an explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared; and
- E. the Parties' right to consult with a Support Advisor, if any.

The Title IX Coordinator will oversee the Informal Resolution process and make the final determination on all Informal Resolutions facilitated by the Title IX Coordinator or designee regarding whether the terms agreed to by the Parties are appropriate in light of all of the circumstances of the Formal Complaint.

The Informal Resolution process will be completed prior to any determination of responsibility being made, but no later than 60 Working Days after both Parties provide voluntary, written consent to participate in the Informal Resolution process.

The University may not require the Parties to participate in an Informal Resolution process under Addendum B, nor may a Party be required to waive their right to the investigation and adjudication of a Formal Complaint as a condition of enrollment or employment, or continuing enrollment or employment.

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator and/or other appropriate University Administrator responsible for the implementation of the terms. Use of electronic signatures is permitted.

Any agreed-upon Remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a hearing.

The resolution will be final and not appealable by either party.

## INVESTIGATIVE PROCEDURES

The Title IX Coordinator will either promptly investigate the Formal Complaint or assign this task to another Investigator. If assigned to another Investigator, the Title IX Coordinator will monitor, supervise, and oversee all such delegated tasks, including reviewing all investigation draft reports before they are final to ensure

that the investigation is sufficient, appropriate, impartial, and in compliance with the relevant Executive Order, including Addendum B.

### Gathering of Evidence

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the Parties. The Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful. Parties should be aware that all evidence Directly Related to the investigation will be provided to the other Party, subject to the exceptions described below. The University cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party, unless the University obtains that Party's voluntary, written consent to do so for a Formal Complaint process under Addendum B. The University will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present Relevant evidence (for example, contacting a potential witness).

### Advisors

**Support Advisor**-The Complainant and the Respondent may each elect to be accompanied by a Support Advisor to any meeting, interview, or proceeding regarding the allegations that are the subject of a Formal Complaint. The Support Advisor may be anyone, including a union representative from the Complainant's or Respondent's collective bargaining unit, an attorney, or, in the case of the Complainant, a Sexual Assault Victim's Advocate. The Support Advisor may not answer questions regarding the subject matter of the investigation for the Complainant or the Respondent or speak on behalf of a Complainant or Respondent. However, the Support Advisor may observe and consult with the Complainant or Respondent.

**Hearing Advisor**-The Complainant and Respondent must have a Hearing Advisor at the hearing. A Hearing Advisor will be responsible for asking the other Party and any witnesses all Relevant questions and follow-up questions, including those that challenge credibility, during the hearing. During a hearing, Parties may not ask questions of the other Party or any witnesses. Questioning at the live hearing will be conducted directly, orally, and in real time by the Party's Hearing Advisor of choice or a Hearing Advisor provided by the University if the Party does not have a Hearing Advisor. The Hearing Advisor may be the same person as the Support Advisor. A Party may have both a Support Advisor and a Hearing Advisor present at a hearing. If a Party does not have a Hearing Advisor to perform questioning during the hearing, the University shall provide the Party with a Hearing Advisor for this purpose.

The Title IX Coordinator or Investigator will explain to the Complainant and Respondent that they may request that their Support Advisor, if any, be copied on communications during the Formal Complaint process. Any such request will be in writing to the Title IX Coordinator or Investigator and should include the Support Advisor's name and contact information. The Title IX Coordinator or Investigator will also explain that Support Advisors will receive a copy of the evidence and Final Investigation Report, unless the Party specifically directs in writing that this information should not be sent to their Support Advisor. Although reasonable efforts will be made to accommodate Hearing Advisors and Support Advisors, undue delays affecting the complaint resolution timeline will not be permitted. Disruptive, abusive, or disrespectful behavior also will not be tolerated. At the discretion of the Investigator or Title IX Coordinator during meetings or interviews and of the

Hearing Officer during hearings, a Hearing Advisor or Support Advisor who engages in disruptive, abusive or disrespectful behavior will not be permitted to participate. If a Hearing Advisor is excused during a hearing, the University will either provide a Party with another Hearing Advisor or allow the Party to obtain another Hearing Advisor. It is within the Hearing Officer's discretion to proceed with or postpone the hearing in order to address the situation.

#### Notice of Meetings, Interviews and Hearings

Parties will be provided written notice of the date, time, location, names of participants, and purpose of all meetings and investigative interviews at which their participation is expected. This written notice should be provided with at least 3 Working Days for the Party to prepare to participate in the meeting or interview. This requirement will not apply where a Party themselves requests to meet with the Title IX Coordinator or Investigator or as addressed in Article VI of Addendum B.

If a Party requests to meet sooner than 3 Working Days after receipt of written notice of an investigative interview or meeting, they should verbally confirm at the start of the interview or meeting that they are aware that they were provided notice of at least 3 Working Days and this confirmation should be documented by the Title IX Coordinator or Investigator.

#### Review of Evidence

Before issuing a final investigation report (Final Investigation Report), the Investigator will send to the Complainant and Respondent, and their respective Support Advisors,<sup>42</sup> if any, all evidence (including evidence upon which the University does not intend to rely) obtained as part of the investigation that is Directly Related to the allegations raised in the Formal Complaint (Preliminary Investigation Report). This includes inculpatory or exculpatory evidence whether obtained from a Party or other source, redacted if required by law.

Each Party will be given a minimum of 10 Working Days for the initial Review of Evidence to respond to the list of disputed facts and evidence and submit additional questions for the other Party and witnesses. This timeframe may be extended at the discretion of the Title IX Coordinator (either on their own or in response to a Party's request). The extension must be made available to both Parties, who must be notified as such. During the Review of Evidence, each Party may:

1. meet again with the Investigator to further discuss the allegations;
2. identify additional disputed facts;
3. respond to the evidence in writing;
4. request that the Investigator ask additional specific questions to the other Party and other witnesses;
5. identify additional relevant witnesses; or
6. request that the Investigator gather additional evidence.

#### Final Investigation Report

After the Review of Evidence phase is concluded, the Parties will receive a Final Investigation Report that will summarize all Relevant evidence (inculpatory and exculpatory), including additional Relevant evidence received during the Review of Evidence. Any Relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits. As part of an Informal Resolution, at the request of both Parties, Campuses will provide a written preliminary assessment of the evidence by the Title IX Coordinator. Neither the fact nor the substance of the assessment will be shared with the Hearing Officer or considered Relevant at the Hearing. The Final

Investigation Report shall be sent to the Parties and their respective Support Advisors, if any, in electronic format (which may include use of a file sharing platform that restricts the Parties and any Support Advisors from downloading or copying the evidence) or hard copy. The Parties and their Support Advisors will be provided 10 Working Days to review and provide a written response to the Final Investigation Report. Campuses will inform Parties not to include any reference to the preliminary assessment and that any such references will be redacted. The written response will be attached to the Final Investigation Report and provided to the Hearing Officer, if appropriate, and the Parties. Any references to a preliminary assessment, assuming one was requested, will be redacted from this written response. No documentation should be provided to the Hearing Officer if an Informal Resolution is reached.

#### Timeframe for Completion of Investigation

Absent a determination of good cause made by the Investigator or Title IX Coordinator (of which the Parties will receive written notice): (i) the investigation should be concluded within 100 Working Days from the date that the Notice of Allegations is provided to the Parties; and (ii) the Final Investigation Report should be completed and provided to the Parties within 10 Working Days after the Review of Evidence has concluded. Extensions may be granted, and notice to the Parties given, as set forth in Article V. E. of EO 1096 and EO 1097. Within 10 Working Days after the Parties have been provided the Final Investigation Report, the Parties will be informed of the timelines that will apply to the pre-hearing and hearing processes described in Article IX below. The Parties will be required to provide the name and contact information for their Hearing Advisor within 5 Working Days after notice of the hearing timeline.

## HEARING PROCEDURES

A Hearing Coordinator, (either the Student Conduct Administrator, Title IX Coordinator, or other appropriate Administrator) will be responsible for coordinating the hearing process. The Hearing Coordinator's duties will include: scheduling the hearing; notifying witnesses of the hearing; ensuring that the Hearing Officer is provided with appropriate materials including a copy of the report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Hearing Coordinator will also act as liaison between the Parties and the Hearing Officer on procedural matters.

The Parties will be given written notice of the date, time, location, participants, and purpose of the hearing, as well as the identity of the Hearing Officer. Notification of the hearing will be sent to the designated CSU campus e-mail address, unless the recipient has specifically requested in writing to the Hearing Coordinator that notice be given to a different e-mail address. Communications from the Hearing Coordinator will be deemed received on the date sent. The hearing will not be set sooner than 20 Working Days after the date of notice of hearing.

Any objections to an appointed Hearing Officer must be made in writing to the Hearing Coordinator within 5 Working Days after notice of the identity of the Hearing Officer has been communicated to the Parties. The objection may only be based on an actual conflict of interest. A conflict of interest exists if the Hearing Officer has a personal relationship with one of the Parties or witnesses or has demonstrated actual bias towards a Party or witness. The fact that a Hearing Officer has previously served as a Hearing Officer in a University proceedings will not constitute a conflict of interest. The Hearing Coordinator will determine if a conflict of interest exists. In that event, the Parties will be notified in writing of the name of the new Hearing Officer. The

date for the hearing may need to be rescheduled. Any objection to the new Hearing Officer will be made in accordance with this section.

No later than 15 Working Days before the hearing, each Party may: a. Provide to the Hearing Coordinator a proposed witness list that includes the names of, and current contact information for, that Party's proposed witnesses as well as an explanation of the relevance of each proposed witness's testimony and the disputed issue to which the witness's testimony relates. No later than 10 Working Days before the hearing, the Hearing Coordinator will share a final witness list with the Parties and notify each witness of the date, time and location of the hearing.

Witnesses will be directed to attend the hearing and to promptly direct any questions or concerns about their attendance at the hearing to the Hearing Coordinator. No later than 5 Working Days prior to the hearing, the Parties may submit a list of proposed questions to the Hearing Coordinator. The questions will be provided to the Hearing Officer. Parties are strongly encouraged to provide questions in advance of the hearing in order to streamline the hearing process and provide the Hearing Officer an opportunity to resolve relevancy concerns prior to the hearing. The proposed questions will not be shared with the other Party.

## DETERMINATION REGARDING RESPONSIBILITY

After the hearing, the Hearing Officer will make written findings of fact and conclusions about whether the Respondent violated Addendum B with respect to the definition of Sexual Harassment.

The standard of proof the Hearing Officer will use is whether each allegation is substantiated by a Preponderance of the Evidence. The Title IX Coordinator will review the Hearing Officer's Report to ensure procedural compliance with Addendum B.

The Hearing Coordinator will simultaneously send the Hearing Officer's Report promptly to the Parties, the Title IX Coordinator, and the appropriate University Administrator, usually within 15 Working Days of the close of the hearing.

If no violation of the addendum is found, the president (or designee) will be notified along with the Parties. The notification will include the outcome of the hearing, a copy of the Hearing Officer's Report (redacted as appropriate or as otherwise required by law) and notice of the Complainant's and Respondent's right to appeal to the Chancellor's Office.

If a violation of the addendum is found, within 5 Working Days of receiving such finding the Parties may submit to the Hearing Coordinator an impact statement or other statement regarding discipline that is no more than 2000 words in length. The document is an opportunity for the Parties to suggest disciplinary outcomes and to provide information that they believe is important for the Hearing Officer to consider. The Student Conduct Administrator and/or appropriate University Administrator responsible for discipline and Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors that provides a recommendation regarding the disciplinary outcome, including information regarding prior disciplinary outcomes for similar conduct and whether the Respondent was previously found to have violated university policy.

Within 5 Working Days after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the president (or designee). The Hearing Officer's Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer's Report"). The Final Hearing Officer's Report will attach the Final Investigation Report. In cases where the Hearing Officer has found a violation of policy, the president (or designee) will review the Final Investigation Report and the Final Hearing Officer's Report and issue a decision ("Decision Letter") concerning the appropriate sanction or discipline within 10 Working Days of receipt of the Final Hearing Officer's Report.

## PRESIDENT'S SANCTION DECISION/NOTIFICATION

The president (or designee) may impose the recommended sanctions, adopt a different sanction or discipline, or reject sanctions or disciplines altogether. If the president (or designee) adopts a sanction other than what is recommended by the Hearing Officer, the president (or designee) must set forth the reasons in the Decision Letter.

The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant at the University-assigned or other primary e-mail address linked to their University accounts. The decision letter will also be sent to the Student Conduct Administrator or other appropriate University Administrator responsible for Employee discipline and the Hearing Officer.

The determination regarding responsibility and any sanctions become final either on the date that the Chancellor's Office provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely (11 working days after the date of the decision letter).

## EMPLOYEE SANCTIONS

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

# STUDENT SANCTIONS

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

## 1. RESTITUTION

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

## 2. LOSS OF FINANCIAL AID

Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled or denied.

## 3. EDUCATIONAL AND REMEDIAL SANCTIONS

Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities misconduct or as deemed appropriate based upon the nature of the violation.

## 4. DENIAL OF ACCESS TO CAMPUS OR PERSONS

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

## 5. DISCIPLINARY PROBATION

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

## 6. SUSPENSION

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

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

## 7. EXPULSION

Permanent separation of the student from student status from the California State University system.

Expulsion, withdrawal in lieu of expulsion, and withdrawal with pending misconduct investigation or disciplinary proceeding shall be entered on the student's transcript permanently, without exception; this

requirement shall not be waived in connection with a resolution agreement.

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

#### 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<sup>1</sup>.

##### 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<sup>2</sup>. 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

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<sup>1</sup> For matters involving processes other than those that fall under addendum B, this is not applicable.

<sup>2</sup> For matters involving processes other than those that fall under addendum B, this is not applicable.

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

Filing an Appeal to the Chancellor's Officer. Any Complainant or Respondent who is not satisfied with a Formal Complaint Process outcome (determination regarding responsibility or recommended sanction) may file an appeal with the Chancellor's Office (CO) no later than 10 Working Days after the date of the Decision Letter. All arguments and/or evidence supporting the appeal must be submitted by the deadline to file the appeal. Evidence/arguments submitted after the appeal submission deadline will not be considered by the CO.

The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below: the hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions); a procedural irregularity occurred that affected the outcome of the matter; new evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer's decision about whether the Respondent violated the Executive Order, including addendum B; the Title IX Coordinator, Investigator, or Hearing Officer had a Conflict of Interest or Bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and the sanction(s) imposed as part of the outcome of the Formal Complaint process constituted an abuse of discretion based on the substantiated conduct.

Issues and Evidence on Appeal. The issues and evidence raised on appeal will be limited to those raised and identified during the Campus hearing, unless new evidence becomes available that was not reasonably available at the time of a Campus hearing that could affect the outcome of the matter and is submitted by the appealing party. The CO may communicate, at the CO's discretion, with the appealing party, the responding party, and/or the Campus to clarify the written appeal. Appeals will be addressed to:

Equal Opportunity and Whistleblower Compliance Unit Systemwide Human Resources Office of the Chancellor  
401 Golden Shore, 4th Floor Long Beach, California 90802 [eo-wbappeals@calstate.edu](mailto:eo-wbappeals@calstate.edu)

Electronic submission to the email address listed above is the preferred method of submitting appeals.

The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within 10 Working Days of the date of the notice. The appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

## REGISTERED SEX OFFENDERS

California's sex offender registration laws require convicted sex offenders to register their status with the University police department if they are enrolled, residing, attending, carrying on a vocation (i.e. contractor or vendor on campus for more than 30 days in the year), or working with or without compensation for the institution. All public information available in California about registered sex offenders, to include the ability

to look-up offenders by name, residence address, and zip code, is on the California Department of Justice Megan's law web site at <http://www.meganslaw.ca.gov/>

## EMERGENCY NOTIFICATION

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

Once UPD has received the report, the Chief of Police, (or management designee in the absence of the Chief), will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, to confirm both: 1) an emergency or dangerous situation in fact exists in on-campus geography; and 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community.

If both of the above factors are not met, no emergency notification will be issued.

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

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

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

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

Students 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://police.fullerton.edu/programs/prepare/> or call the Emergency Management Coordinator for the CSUF Police Department at (657) 278-3572 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.

## TESTING THE EMERGENCY NOTIFICATION SYSTEM

Testing of the Emergency Notification System and evacuation will be done at least once annually. The tests may be announced or unannounced. Tests must be scheduled, contain drills, exercises and appropriate follow-through activities, and be designed for assessment and evaluations of emergency plans and capabilities. However, at least one test will be publicized in conjunction with the campus' emergency response and evacuation procedures. Each test will be documented to include a description of the exercise, the date of the test, the start and end times of the test, and whether the test was announced or unannounced.

## MISSING STUDENT NOTIFICATION

For purposes of this policy, a student may be considered a “missing person” if the person’s absence is contrary to their usual pattern of behavior and/or unusual circumstances may have caused the absence. Individuals having reason to believe that a resident has been missing should immediately notify CSUF’s Police Department (CSUF PD) at (657) 278-2515.

Missing student reports should be made directly to CSUF PD. However, these reports may also be made to Housing and Residential Engagement, by calling either the Housing & Residential Engagement Office at (657) 278-2168 during published office hours or by contacting the Resident Advisors On-Duty at (714) 681-6918. The Office of the Dean of Students can also be contacted at (657) 278-3211 during the published office hours of 8:00am to 5:00pm Monday through Friday, excluding holidays. If the missing person report is made to staff or organizations other than CSUF PD, said individual(s) or entity must contact CSUF PD immediately.

### I. Contact Procedures:

- Every student who lives in on-campus student housing, regardless of age, will register at least one individual to be a contact for emergency purposes. Housing and Residential Engagement will collect the emergency contact information during the student housing license application process. The contact person will be notified not later than 24 hours after the official missing person’s report has been filed with CSUF PD.
  - A. Contact information provided by the student will be registered confidentially. This information will be accessible only to authorized campus officials and will not be disclosed except to law

enforcement personnel in furtherance of a missing person investigation. This contact information will be stored in StarRez.

- B. If the student is under 18 years of age, and not an emancipated individual, CSUF PD is required to notify a custodial parent or guardian no more than 24 hours after the student is determined missing in addition to any additional contact person designated by the student.
- C. Within 24 hours of the determination that the student is missing, CSUF PD will initiate the On-Campus Housing Missing Student procedures in accordance with the resident's designation and will notify local law enforcement.
- D. Housing and Residential Engagement and the Dean of Students Office shall be informed on the progress of any investigation, as much as is legally possible, so that they may ensure members of the student housing community are provided with support services which may be necessary (e.g. counseling).

## II. Official Notification Purposes

- A. Any individual on campus who has information that a resident may be a missing person must notify CSUF PD as soon as possible.
- B. Once a report is filed with CSUF PD, appropriate departments and individuals on campus should be notified that a student has been reported missing. CSUF PD is responsible for immediate notifications to the Dean of Students Office, Clery Director, and Housing and Residential Engagement. The Dean of Students Office will coordinate additional communications to campus departments and individuals including the Vice President of Student Affairs, Strategic Communications, the Office of the President, and Campus General Counsel. Should circumstances develop into something more serious, additional departments will be notified including but not limited to Student Health Services, Counseling and Psychological Services, and others pending a student's on-campus affiliations.
- C. As appropriate, the Dean of Students will contact the student's professors and advisors.
- D. No later than 24 hours after determining that a resident is missing, CSUF PD will notify the Missing Persons Contact (for students 18 and over) and the parent/guardian (for students under the age of 18 and not emancipated) that the resident is believed to be missing.
- E. All formal statements concerning a missing student should be directed to Strategic Communications, including any type of media request.

## FIRE SAFETY ACT

**The 2020 Fire Safety Report is available at the following link:**

[http://www.fullerton.edu/housing/\\_resources/pdfs/fire-safety-report.pdf](http://www.fullerton.edu/housing/_resources/pdfs/fire-safety-report.pdf)