2014-2015

Clery Act Annual Security Report and Fire Safety Report

Bakersfield Campus

Report Based on Statistics and Information for January 1, 2014 through December 31, 2014

The Jeanne Clery Act requires universities to distribute the information contained in this report to all current and potential CSUB students and employees. This information is also available on the University Police Website: http://www.csub.edu/bas/police/index.html

Table of Contents

Welcome from the President **4**

Preparing the Annual Security Report **5**

CSUB Police Authority and Jurisdiction **5**

Working Relationship of Campus Law Enforcement with State and Local Agencies **5**

Monitoring and Recording of Criminal Activity Off-Campus **6**

Reporting Criminal Offenses, Emergencies, and Other Incidents **6**

Emergency Phones **6**

Limited Voluntary Confidential Reporting **7**

Daily Crime Log **7**

Security & Access to Campus Buildings and Grounds **7**

Security Considerations Used in Maintenance of Campus Facilities **8**

Crime Prevention Programs **8**

Surrounding Community Statistics **11**

Missing Students **11**

Policy on Drugs and Alcohol **12**

Substance Abuse Education Program **13**

Reporting Results of Discipline Proceedings (Non-Forcible Sex Offenses) **14**

Notification: Significant Emergencies and Dangerous Situations **14**

Testing Emergency Response and Evacuation Procedure **16**

Timely Warning **16**

Sexual Assault Education and Reporting **18**

- Definitions 18
- Educational Programs 21
- Reporting Options 24

Student Disciplinary Proceedings **33**

Other Student Conduct Code Violations Related to Incidents of Sexual Misconduct, Dating or Domestic Violence, or Stalking **40**

Campus, Civil, and Criminal Consequences of Committing Acts of Sex Discrimination, Sexual Harassment, and Sexual Misconduct **40**

Sex Offender Notice **42**

Crime Statistics **43**

- Definitions 43
- Statistics 46

Campus Map **49**
Annual Fire Safety Report **50**
The Fire Safety System 51
Fire Drills 51
Policies on Portable Electronic Appliances, Smoking and Open Flames 51
Smoking Policy 52
Housing Evacuation Procedures 52
Fire Safety Education and Training Programs 53
Reporting Fires 53
Statistics 54

A Letter from the President

Dear CSUB Community,

The University is guided by a set of core values including nurturing a civil and collegial campus environment that values the diversity of persons and ideas as well as engaging one another with respect, trustworthiness, ethical behavior, and self-reflection. These core values reflect the University's commitment to maintaining a safe and inclusive campus community for our students, faculty, staff and visitors so that we may continue to advance the intellectual and personal development of our students.

Each year, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act ("Clery Act"), the University publishes an Annual Security Report. The Office of the President and University Police Department collaborate with various departments on campus to publish the Annual Security Report and inform you of the campus crime statistics and security policies.

I hope that you will read the report carefully and use the information to become partners with us in preventing crime on our campus. The safety of our campus community is a campus-wide effort and I encourage that we work together in maintaining a safe working and learning environment.

Horace Mitchell, Ph.D.

President

Preparing the Annual Security Report

The Office of the President and University Police Department (UPD) prepare this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full report can be accessed on our website at http://www.csub.edu/bas/police/ . The report is prepared in collaboration with Student Housing and Residence Life, Office of Student Rights and Responsibilities, Business and Administrative Services, Student Affairs, and local law enforcement agencies. Each entity provides updated information to University Police and the Office of the President for CSUB to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the UPD, designated campus security authorities, and local law enforcement agencies.

Each year, an e-mail is sent by Chief of Police to all enrolled students and current employees that provides the website to access this report. Copies of the report may also be obtained at the UPD or by calling (661) 654-2677. All prospective employees may obtain a copy by contacting Human Resources and the website address will be attached to the CSUB employment applications.

CSUB Police Authority and Jurisdiction

California State University Bakersfield Police employs sworn peace officers who are vested with full arrest authority in the state of California, pursuant to California Penal Code section 830.2c and Education Code 89560. University police officers meet the requirements specified by the California Peace Officer's Standards and Training Commission, which are mandated for all sworn California law enforcement officers.

CSUB police officers receive at least 20 weeks of formal basic training, 16 weeks of in-service training, and participate in regular training designed to maintain their skills. All CSUB police officers are training in the use of firearms and weapons that they carry on campus. Officers' primary jurisdiction includes all property owned and operated by CSUB, including adjacent public streets. However, the officers' arrest authority may extend to any place within the State of California.

Working Relationship of Campus Law Enforcement with State and Local Agencies

In cases involving on campus and off-campus jurisdictions, or when the resources of another agency can be used to facilitate the resolution of an investigation, CSUB Police cooperates fully with local, state, and federal law enforcement agencies. These agencies may include the City of Bakersfield Police Department, the Kern County Sheriff's Office, the Kern County District Attorney's Office, the City of Bakersfield Fire Department and the California Highway Patrol.

CSUB University Police and the Bakersfield Police Department have a MOU agreement allowing for coordination of criminal investigations.

Monitoring and Recording of Criminal Activity Off-Campus

The University does not have any officially recognized student organizations with off-campus locations, including off-campus housing facilities, and therefore does not monitor and record criminal activity off-campus other than by collecting statistics as required by the Clery Act.

Reporting Criminal Offenses, Emergencies, and Other Incidents

Suspicious or criminal acts and other emergencies on campus should be reported directly to the University Police by calling 9-1-1 from any campus phone. For business or non-emergency situation, call 654-2677 or x 2677 (from on campus phones). In emergencies, be prepared to provide the police dispatchers with your name, telephone number, and location, as well as any pertinent information (such as suspect and vehicle description, direction of travel, etc.) In cases involving sexual assaults, crimes may be reported to those listed under "Procedures for Reporting Sexual Assaults."

You may also report crimes to any University official, particularly at the following locations:
• Associate Vice President for Student Affairs
(661) 654-2161 / CAF 107
• Associate Vice President for Human Resources & Administrative Services
(661) 654-3206 / ADM 108B
• Assistant to the President for Equity, Inclusion, and Compliance
(661) 654-2137 / BDC E100
• Director, Housing and Residence Services
(661) 654-3012 / SHE 151
• Coordinator, Counseling Services
(661) 654-3366 / HC 13
• Director, Student Health Services
(661) 654-2394 / HC 15
• Director, Student Rights & Responsibilities
(661) 654-2680 / CAF 107

Emergency Phones

There are 47 emergency phones strategically located throughout the campus that include blue lights for easier visibility. The phones connect directly to the University Police Department when you press the button. We encourage anonymous reporting of crimes rather than not reporting at all.

Limited Voluntary Confidential Reporting

The University encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. Because police records are public records under state law, UPD cannot hold reports of crime in confidence. Confidential reports can be made to a professional counselor. A "professional counselor" is an employee of the university whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. As a matter of policy, they are encouraged, if and when they deemed appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Daily Crime Log

UPD at the Bakersfield campus also maintains a daily crime log which is normally updated each business day and contains all crimes reported to UPD.

Security & Access to Campus Buildings and Grounds

The UPD and the campus community share responsibility for the locking and unlocking of all campus facilities. The campus is secured in accordance with established procedures while routine janitorial services are performed during the night hours. No facility will be unlocked without proper authority. The UPD has the final responsibility for securing all facilities at the close of business each day and during holiday or seasonal days off. Doors to student housing facilities remain locked and can only be accessed with a key or Runner Card. Police officers check all areas regularly throughout the hours of darkness.

University Police secures campus building nightly. The Library, Student Union, and some other locations have specific hours based on their function. We recognize that there will be an occasional need for after hours and weekend access to buildings. Anyone working late or on weekends should notify the UPD. Although proper identification is always required, after hour access will require additional authorization from the effected department. Access on holidays is treated as weekend access.

Access to University housing is limited to residents, escorted guests and selected staff. Entry to Student Housing is monitored on a 24 hour basis cooperatively with on-duty Residential Life personnel and police department employees.

The UPD also serves as a first point of contact for instructions on and trouble-shooting alarm problems. Problems that cannot be repaired by campus personnel are referred to an outside alarm contractor for servicing.

The Bakersfield Police department routinely works and communicates with the UPD officers on any serious incidents occurring on-campus. UPD officers have direct radio contact with the Bakersfield PD to coordinate a response if necessary. CSUB operates no off campus housing facilities or off campus student organization facilities.

Security Considerations Used in Maintenance of Campus Facilities

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

On-campus residents should report any residence facilities maintenance needs, such as inoperative door or window locks, non-functioning lights, broken windows and torn window screens promptly to their residence hall staff. University Housing staff will coordinate all requests to facilitate timely repair.

All members of the campus community are encouraged to report maintenance needs such as nonfunctioning street or parking lot lights, landscaping that needs trimming for safety reasons, or any other deficiency directly to the campus Facilities Management at (661) 654-2211. Facility Services staff, including custodial workers, landscapers and members of the building trades participate in a cooperative relationship with the campus community to promote and maintain a safe campus environment.

Crime Prevention Programs

The UPD has established and actively participates in programs that serve to raise the level of safety awareness of the University community. Preventing crime effectively requires a partnership between the University and campus constituents. UPD is dedicated to promoting personal safety awareness through community outreach programs. UPD coordinates a variety of activities and resources to meet the safety needs of the entire campus community. Presentations and workshops regarding a variety of aspects of personal safety are scheduled on a regular basis or by request for all campus members. Safety information is provided at student orientations. The UPD, in collaboration with other departments on campus, offers a variety of programs annually and/or quarterly and include:

- **New Student Orientation Program:** Incoming students receive information about sexual misconduct and how to access required online training. In addition, information concerning police services such as safety escort procedures, sexual assault prevention, the see it say it programs and emergency phone locations are provided.

- **Resident Advisors Training Program**: Resident Advisors receiving in-person and online training about sexual misconduct, harassment, and discrimination.
- **Safety Escort Service:** The UPD provides safety escort service to any location on campus. If for any reason someone doesn't feel comfortable or safe walking during hours of darkness, or anytime, they may call the UPD and request a safety escort. A police officer or community service officer will respond and walk with them to their destination.
- **Sexual Assault Prevention**: The campus offers Rape and Aggression Defense Training (RAD) which covers many aspects of self-protection. The RAD training is a Basic Personal Defense System based on a national program of realistic self-defense tactics and techniques taught for women only. All courses are taught by nationally certified R.A.D. Instructors. The goal of R.A.D. is to provide realistic self-defense options to women, regardless of their level of physical conditioning. Students at all levels of ability, age, experience, and strength are provided with techniques and information that can be effectively used from the first day of class.
- **DUI and Drug Abuse Prevention**: The UPD works in partnership with the Student Heath center to provide students information on DUI and Drug abuse prevention.
- **Theft Prevention**: The UPD uses several methods to prevent thefts on the campus. During student orientations students are provided information about theft prevention including the use of the appropriate bicycle locks. Students are encouraged to register their bicycles with the UPD and are provided a free U lock with the registration. The registration of the bicycles allows the UPD to record identifying information about the bicycle in the event of a theft. Campus alerts are also provided in the event of certain theft trends. In addition, the UPD issues yellow cards titled "If I were a thief..." to potential victims of thefts as a means of educating students on theft prevention.
- **Building, Area, and Parking Lot Lighting Surveys**: Light surveys are done once a quarter by UPD staff for existing lights that may be burnt out or broken. Periodically light inspections are done by campus community groups as they are formed to address specific issues throughout the campus.
- **Emergency Telephones**: There are over 47 emergency phones strategically located throughout the campus that include blue lights for easier visibility. The phones connect directly to the UPD dispatch and a response to the emergency phones is typically within 90 seconds. The emergency phones are tested once a quarter by UPD.
- **Electronic Alarm Systems**: Several buildings on campus are protected by an electronic alarm system. Some of the alarm systems have corresponding cameras that allow an event to be recorded for investigative purposes. Various locations throughout the campus have panic alarms assigned to strategic locations. In the event of a pending threat the panic alarm can be activated alerting the UPD of the problem. The UPD typically will respond within 90 seconds to the pending threat.
- **Community oriented police programs**: The UPD assigns officers to act as liaisons to specific locations on campus. These officers are encouraged to actively participate in

community oriented policing projects for those areas. In addition, officers participate with the various other events on campus to provide community policing projects.

- **Bicycle patrol**: The UPD has 6 patrol bicycles that are used throughout the year. The bicycle program allows officers to provide patrols within the interior of campus in a more approachable manner than a normal patrol vehicle. The patrol bicycles are outfitted with lights and sirens and storage compartments for various police equipment.
- **"See It, Say It":** The see it say program is a UPD program which encourages the campus community to report any type of suspicious activity or subjects. This program is as a method of encouraging staff, facility, and students to be the eyes and ears for the UPD. The program is presented at the new student orientation with hopes of encouraging students to participate.
- **Campus Active Shooter:** The UPD provides its officers with active shooter training twice a year. Some of the training includes practical exercises which incorporates the response to an event on the CSU Bakersfield campus. This training allows officers to become familiar with techniques the UPD would actually use when responding to an active shooter on the campus. Some of the active shooter training incorporates the actual use of firearms during the times at the range. As part of the active shooter plan all officers assigned to patrol the campus are equipped with a rifle and handgun as well as other police equipment. Active shooter training is periodically provided to students, facility, and staff upon request.

The UPD also provides escort services for students, faculty, and staff who may walk alone to their cars or other areas of the campus.

The UPD collaborates with other areas of campus to prevent crimes, such as Facilities Management and Housing. Motor vehicle lots, pedestrian walkways and building exteriors are well lighted. Shrubbery, trees and other vegetation on campus are trimmed and maintained on a regular basis with special attention given to walkways. Facilities Management conducts a facility audit on the entire campus on an annual basis. In addition, most campus buildings and facilities are accessible to members of the campus community, guests, and visitors Monday through Friday until 10:00 p.m. and as certain special events dictate. Access is restricted to those residents issued keys for their particular dorm and/or room.

Surrounding Community Crime Statistics

Although this report only includes crimes on campus and certain off campus locations when known, it is important to recognize crime occurring in the community surrounding campus that will have an impact on the campus community, including crimes of sexual and dating violence. Additional data on crime statistics in the City of Bakersfield and County of Kern are not reflected in this report however are maintained by those agencies. For information on crime or general questions about safety in the surrounding community, please contact:

City of Bakersfield Police Department
(661) 327-7111

Kern County Sheriff's Office
(661) 861-3110

Detailed information about the University's sexual violence prevention and education programs, reporting options, response policies, support services and more are found on pages 17-32 of this report.

Missing Students

If a member of the University community has reason to believe that a student who resides in on campus housing is missing, he or she may immediately notify:

UPD: (661) 654-2111

Director, Housing & Residential Life:
(661) 654-3012

Asst. Director, Housing & Residential Life:
(661) 654-2712

Upon receiving information UPD will generate a missing person report and initiate an investigation. In addition to registering a general emergency con-tact, students residing in on campus housing have the option to identify confidentially an individual to be contacted by CSUB housing in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, CSUB housing will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through the CSUB Housing. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, should the UPD determine that the student has been missing for 24 hours; the UPD will notify the Bakersfield Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, CSUB housing will notify the student's parent or legal guardian immediately after the UPD has determined that the student has been missing for 24 hours.

Policy on Drugs and Alcohol

CSUB is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. CSUB complies with the Drug Free Workplace Act of 1990 and the Higher Education Section 120(a).

The sale, manufacture, distribution, possession, or use of any controlled substance as defined in the California Health and Safety Code is illegal. UPD strictly enforces such laws. Violators are subject to criminal prosecution. All CSUB students, faculty, staff, and administrators are subject to local state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illicit drugs.

The legal drinking age is 21 years, and on-campus use of alcohol is limited to certain approved events and locations. Violations of state laws pertaining to the possession, use, and sale of alcoholic beverages including underage violators, are enforced on campus.

Students who violate University policies concerning illicit drugs shall result in appropriate disciplinary action up to and including suspension or expulsion from the University, and in the case of organizations, loss of recognition. For more information, visit http://www.csub.edu/osrr/_files/Student%20Code%20of%20Conduct.pdf

For employees, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on the campus or while conducting University business off campus is absolutely prohibited. Under the terms of the policy, employees must report to the Office of Human Resources within five days any conviction under a criminal drug statute for violations occurring at the University or while conducting University business.

The University recognizes drug dependency as an illness and a major health problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program (EAP) as a resource. For more information, visit: http://www.csub.edu/bas/hr/Benefits/EAP/index.html or call (800) 234-5465.

A complete description of these policies is contained in the CSUB Alcohol and Illicit Drug Policy: http://www.csub.edu/healthcenter/alcohol_drug_education/drugfree/policy/index.html

Substance Abuse Education Program

The University has developed programs to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The Student Health Center programs services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals, and college disciplinary actions.

Aware Awake Alive: Save a life from alcohol poisoning. The mission of this organization is to equip youth and their communities with the tools and confidence to prevent lives lost from alcohol poisoning. The CSUB Student Health Services incorporates information and tools from this organization into various outreaches throughout the year. For more information, visit their website, or call 661-654-3305.

Red Watch Band Program: Toxic drinking is an epidemic on campuses all across America. It means consuming so much alcohol the drinker passes out. But while "sleeping it off," the victim may be quietly dying. When you come right down to it, it's a problem that only students can tackle.

The **Red Watch Band** movement is designed to end alcohol overdose deaths by teaching students how to handle alcohol emergencies and summon professional help.

Safe Ride Initiative: CSUB Alcohol and Drug Education Committee has worked with promoting DDI Inc. to provide a safe alternative for students who choose not to ride home with someone who has been drinking, as well as those who feel they may have had too much to drink to get home on their own. DDI Inc. can be reached at 661-431-3854.

Designated Driver Program: CSUB Alcohol and Drug Education Committee has partnered with several local establishments to provide one free non-alcoholic drink to those presenting the CSUB DD card.

21st Birthday Campaign: Deaths of students celebrating their 21st birthday motivated this prevention program. A birthday card is sent to all students a week before they turn 21 years old to wish them a happy birthday and remind them to celebrate safely.

Social Norms Campaign: A campus wide social norms campaign work to correct student misperceptions about their peers drinking habits. The campaign is based on statistics from our Core Alcohol and Drug Survey.

For employees, the Employee Assistance Program is available to provide free support and counseling. For more information visit: http://www.csub.edu/bas/hr/Benefits/EAP/index.html or call (800) 234-5465.

Reporting Results of Discipline Proceedings (Non-Forcible Sex Offense)

CSUB will, upon request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted such institution against a student who is alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of the crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Notification: Significant Emergencies and Dangerous Situations

There is a separate procedure governing timely warning notices that are sent to the CSU Bakersfield Community to notify members of the community about serious crimes against people that occur on campus, when it is determined by UPD administrators that the incident may pose an on-going threat to members of the CSUB community.

If a serious crime, a natural disaster or a man-made emergency occurs that poses an immediate threat to the CSU Bakersfield community or a segment of the CSU Bakersfield community, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If the institution implements the procedures regarding notification of the CSU Bakersfield community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures. The types of incidents that may cause an immediate threat to the CSU Bakersfield community could include but are not limited to emergencies such as: an active shooter on campus, hostage/barricade situation, a riot, suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, structural damage to a CSU Bakersfield owned or controlled facility, biological threat (anthrax, etc), significant flooding, a gas leak, hazardous materials spill, etc.

All members of the CSUB Community are notified on an annual basis that they are required to notify the UPD of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on-going threat to the health and safety of students and/or employees on campus. The UPD has a responsibility to respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community.

The highest ranking UPD staff member on duty is responsible for immediately notifying the appropriate UPD administrator (as per the UPD notification policy) of any situation that poses an

immediate threat to the community. The UPD administrator who has been notified is responsible for assuring the immediate notification is made.

Any CSUB staff member who receives information from other sources about a situation on campus that may cause an immediate threat to the CSUB community, are responsible for contacting a UPD to confirm whether or not The UPD has responded to the incident.

The Chief of police or his designee will determine the content of the message and will use some or all of the systems described below to communicate the threat to the CSUB community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

As per the requirements of the law the Chief of Police or his designee without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: UPD, the Bakersfield Police Department , or the Bakersfield Fire Department), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are members of the UPD. When additional assistance is required The BPD and Bakersfield Fire Department will respond and work together to manage the incident. Depending on the nature of the incident, other UPD departments and other local or federal agencies could also be involved in responding to the incident.

The CSUB Emergency Management Plan, identifies the campus emergency planning program, functional organization and key roles, and response protocols. The purpose of the all hazards emergency operations plan (EOP), promulgated in June 2009, is to establish policies, procedures and an organizational structure for response to an emergency. The EOP is in compliance with the State of California's Standardized Emergency Management System (SEMS) which was enacted in the California Government Code in 1995 and with the Federal Government's National Incident Management System (NIMS) released in 2004. Organizational operating procedures utilize the Incident Command System (ICS) for response to an emergency.

These systems provide an organizational framework under which all agencies function in an integrated fashion. It organizes the flow of information, provides coordination between responding agencies, and assists in rapid mobilization and deployment of resources.

The Emergency Operations Plan is a living document subject to continual review and revision. The major goals of the EOP and supporting guidance are to:

1. Ensure the safety and security of the faculty, staff, students and visitors.
2. Minimize disruption of academic programs.

3. Minimize university losses.
4. Maintain university operations and essential services.
5. Assist the community in disaster recovery.

To download/open the Emergency Operations Plan refer to the link:
http://www.csub.edu/bas/police/_files/EOP

Testing Emergency Response and Evacuation Procedures

Planned emergency response notification and evacuation drills of the on-campus resident halls are conducted twice each academic year. Planned emergency response notification and evacuation drills of high-occupancy facilities are included in the evacuation drills which include all buildings on the CSUB campus. Every on-campus fire alarm is tested at least once annually.

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

Timely Warning

The UPD Chief or a designee will develop timely warning notices for the University Community to notify members of the community about serious crimes against people or property that occur on campus, where it is determined that the incident may pose an ongoing threat to members of the CSUB Antelope Valley community. These warnings will be distributed if the incident is reported either to the UPD directly or to the UPD indirectly through a campus security authority or another agency.

The department issues/posts Crime Alerts for incidents of:

- Criminal Homicide
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to

determine if the individual is believed to be an on-going threat to the larger Campus community)

- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case by case basis)

- Sexual Assault (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the CSU Bakersfield Police Department)

- Major incidents of arson

- Other crimes as determined necessary by the Chief of Police, or his or her designee in his or her absence

A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident

- A brief description of the incident

- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).

- Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)

- Police/Public Safety agency contact information

- Other information as deemed appropriate by the Chief or his/her designee

- The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert.

With the approval of the Chief of police the UPD may make notification to the CSU Campus community of an immediate threat to the campus by the following means:

- **CSUB Alert** - Mass Communication System- CSUB has a voluntary mass emergency communication system that can send messages to all faculty, staff and students. The CSUB Alert system allows California State University, Bakersfield administration or emergency response personnel the ability to send all students, staff and faculty timesensitive information about unforeseen events and emergencies using voice, email and text messaging. The system can be used to broadcast pertinent information and provide details on appropriate response.

- **CSUB Home Page -** Another source for emergency information is the CSUB home page: www.csub.edu. During a critical incident or emergency, information may be prominently displayed on the CSU Bakersfield web page.

Students and employees are also encouraged to register for RAVE, the approved Antelope Valley College emergency communications and other important information via text message and e-mail. To register, please visit: https://www.getrave.com/login/avc

Sexual Assault Education and Reporting

The California State University does not discriminate on the basis of sex, gender, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and sexual misconduct.

Definitions

Sex Discrimination means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Both men and women can be victims of Sex Discrimination.

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

1. Submission to, or rejection of, the conduct by the Complainant is explicitly or implicitly used as the basis for any decision affecting a term or condition of the Complainant's employment, or an employment decision; **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 creating an intimidating, hostile or offensive environment.

Sexual Harassment could include being forced to engage in unwanted sexual contact in exchange for a raise or promotion; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in the work environment.

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.

This 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 this policy.

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

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. When based on Gender, Domestic Violence or Stalking also constitute Sexual Misconduct. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity. Men as well as women can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the Complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

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

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

Rape is a form of Sexual Misconduct and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute Rape. Sexual acts including intercourse are considered non-consensual when a person is

incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical Disability renders a person incapable of giving consent. The Respondent's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Affirmative Consent above.)

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

Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that s/he has the Affirmative Consent of the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean consent nor does silence mean consent.

Affirmative Consent can be withdrawn or revoked. Affirmative Consent cannot be given by a person who is incapacitated.

A person with a medical or mental Disability may also lack the capacity to give consent.

Sexual activity with a minor (under 18 years old) is never consensual because a minor is considered incapable of giving legal consent due to age.

Domestic Violence is 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 himself or herself, or another. Abuse does not include nonphysical, emotional distress or injury.

Dating Violence is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

Stalking means engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his/her or others' safety or to suffer Substantial Emotional Distress. For purposes of this definition:

1. **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;

2. **Reasonable Person** means a reasonable person under similar circumstances and with the same Protected Status(es) as the Complainant;

3. **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Educational Programs

The University educates the campus community about sexual misconduct in collaboration with other departments. Such education programs include:

- **Student Orientation:** Presentation on what defining Title IX, information about the mandatory online training for all incoming students, and how to report incidents of sexual misconduct. The presentations are done at all the orientations during the summer months.
- **Student Athletes and Coaches:** Student-athletes receive training on sexual misconduct, bystander intervention, and hazing. The training is conducted in collaboration with the Office of Student Rights and Responsibilities. Training for student athletes occur during the Fall or Winter Quarters. Coaches also receive information on how to report sexual misconduct once a year.
- **Student Leaders:** Presentations are done for all the student organization during one of there annual meetings. Students receive information on how to identify sexual misconduct, bystander intervention, and hazing.
- **OctSOBERfest:** During the month of October, the Student Health Center organizes an event to raise awareness on safe drinking. As part of the awareness, sexual misconduct is also discussed. Students receive brochures on what is sexual misconduct and how to report as well as seek services.
- **Sexual Responsibility Week:** During the month of February, the Student Health Center organizes an event to raise awareness on safe sex. As part of the

awareness, sexual misconduct is also discussed. Students receive brochures on what is sexual misconduct and how to report as well as seek services.

- **New Faculty Orientation:** The Title IX Coordinator or Deputy Title IX Coordinator presents information to new faculty during the Fall Quarter on what is Title IX, reporting sexual misconduct, and their duty to report.
- **Student Success Not Anymore:** All incoming students are required to complete a one-hour training on discusses sexual misconduct, bystander intervention, and alcohol/drug use.
- **Residential Advisor Training:** All residential advisors receive one in-person during the Fall Quarter and online training at the beginning of the Spring Quarter on identifying and reporting sexual misconduct, harassment, and discrimination.
- **Sexual Assault Awareness Month:** During the month of April, a committee organizes various events to raise awareness on sexual assault. Events include a brown bag luncheon, proclamation by the University President, and faculty lectures.
- **MPP Training:** All Management Personnel (MPP) are required to complete an online training on sexual misconduct and reporting every 2 years.

In addition, literature and posters for on and off campus reporting and support are available through the Office of the President, Office of Student Rights and Responsibilities, and on-line at: http://www.csub.edu/compliance/Title%20IX/index.html.

What You Can Do To Help Stop Sexual misconduct

- Sexual contact requires mutual consent. An incapacitated person (for example, a person who is intoxicated by drugs or alcohol) may be incapable of giving consent. 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 capacity, awareness of consequences, and ability to make fully informed judgments.
- No one deserves to be sexually assaulted, stalked or victimized in any way.
- Don't engage in any behavior that may be considered Sexual misconduct, Domestic Violence, Dating Violence, Stalking or any other form of violence.
- Never use force, coercion, threats, alcohol or other drugs to engage in sexual activity.
- Take responsibility for your actions.
- Avoid alcohol and other drugs.
- Remember "no" means "No!" and "stop" means "Stop!"
- Report incidents of violence (including coercion) to law enforcement and campus authorities.

- Discuss Sexual misconduct, Domestic Violence, Dating Violence, and Stalking with friends—speak out against violence and clear up misconceptions.
- Don't mistake submission or silence for consent.

What You Can Do To Help Minimize Your Risk of Becoming a Victim

- Be aware. Does your partner: Threaten to hurt you or your children? Say it's your fault if he or she hits you and then promises it won't happen again (but it does)? Put you down in public?
- Force you to have sex when you don't want to? Follow you? Send you unwanted messages and gifts?
- Be assertive. Speak up.
- Stay sober and watch out for dates and/or anyone who tries to get you drunk or high.
- Clearly communicate limits to partners, friends, and acquaintances.
- Never leave a party with someone you don't know well and trust.
- Trust your feelings; if it feels wrong, it probably is.
- Learn all you can and talk with your friends. Help them stay safe.
- Report incidents of violence to law enforcement and campus authorities.

What You Can Do If You Are a Victim, in General

- Go to a safe place as soon as possible.
- Preserve evidence.
- Report the incident to University Police or local law enforcement.
- Report the incident to your campus Title IX Coordinator.
- Call a Domestic Violence, Sexual misconduct or Stalking hotline.
- Call a friend or family member for help.
- Know that you are not at fault. You did not cause the abuse to occur and you are not responsible for someone else's violent behavior

The Importance of Preserving Evidence

It is important to take steps to preserve and collect evidence; doing so preserves the full range of options available to victims, be it through the university's administrative complaint procedures or criminal prosecution. To preserve evidence: (1) do not wash your face or hands; (2) do not shower or bathe; (3) do not brush your teeth; (4) do not change clothes or straighten up the area

where the assault took place: (5) do not dispose of clothes or other items that were present during the assault, or use the restroom; and (6) seek a medical exam immediately. If you already cleaned up from the assault, you can still report the crime, as well as seek medical or counseling treatment. You may consult with the campus Title IX Coordinator or a local sexual assault victim resource center for assistance as well.

Reporting Options

If you are a victim of sexual misconduct, you have the option of notifying law enforcement authorities.

You can contact:

Campus Sheriff's Department

(661) 722-6399

University Police Department

(661) 654-2111

University personnel will encourage a complainant to file a police report and assist students in notifying law enforcement authorities, if the victim requests the assistance of these employees.

The victim may also decline to notify such authorities.

Reporting to University Police and/or local police is an option at any time. If you choose not to report to the police immediately following a sexual misconduct incident, you can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on your behalf.

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

The campus Title IX Coordinator will also discuss with you any reasonable interim remedies the University may offer prior to conclusion of an investigation or potential disciplinary action to reduce or eliminate negative impact on you and provide you with available assistance. Examples include: adjustment to work assignments, course schedules or supervisory reporting relationship; requiring the accused to move from University-owned or affiliated housing; immediately prohibiting the accused from coming to the University; or prohibiting the accused from contacting the parties involved in the reported incident. These options may be available to you

whether or not you choose to report the sexual misconduct to campus police or law enforcement. The Title IX Coordinator remains available to assist you and provide you with reasonable remedies requested by you throughout the reporting, investigative, and disciplinary processes, and thereafter.

Confidentiality of Victims and Other Necessary Parties

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, your name/identity will not be revealed.

The University will maintain confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective order measures.

Reporting Options and Confidentiality

The University encourages victims of Sexual misconduct, Dating Violence, Domestic Violence, or Stalking (collectively Sexual misconduct) 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 victims 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 a Sexual misconduct 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 cause of Sexual misconduct.

University Police, the Title IX Coordinator, University-employed physicians, professional counselors, 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 Communications
Physicians, Psychotherapists, Professional Counselors and Clergy – Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus, and who provide medical or mental health treatment or counseling (including those who act in that role under their supervision) **may not report** any information about an incident of Sexual misconduct 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 health care practitioners must report to local law enforcement agencies*. Health care practitioners should explain these limited exceptions to victims, if applicable.

Sexual Assault and Domestic Violence Counselors and Advocates
Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women's centers, and health centers (including all individuals who work or volunteer in these centers and offices, as well as nonprofessional counselors or advocates, and those who act in that role under their supervision) may talk to a victim without revealing any information about the victim and the incident of Sexual misconduct to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal his/her identity or that a victim disclosed an incident to them. *However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies.* Counselors and advocates should explain these limited exceptions to victims, if applicable.

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against a perpetrator if a victim chooses to (1) speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate; and (2) maintain complete confidentiality. Even so, these individuals will assist victims in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services, and will advise victims regarding their right to file a Title IX complaint with the University and a separate complaint with local or University police. If a victim insists on confidentiality, such professionals, counselors and advocates will likely not be able to 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. These counselors and advocates can provide victims with that assistance if requested by the victim. These counselors and advocates will also explain that Title IX includes

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

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

Additionally, under California law, all professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual misconduct incident. If applicable, these professionals will explain this limited exception to victims.

Reporting to University or Local Police

If a victim reports to local, UPD, or LASO about sexual misconduct, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that his/her identity be kept confidential, his/her name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. UPD will, however, report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator 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 the Title IX Coordinator and Other University Employees
Most University employees have a duty to report Sexual misconduct incidents when they are on notice of it. When a victim tells the Title IX Coordinator or another University employee about a Sexual misconduct 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 directly to the campus Title IX Coordinator.

As detailed above, all University employees except physicians, licensed counselors, sexual assault counselors and advocates, must report to the Title IX Coordinator all relevant details about any Sexual misconduct incidents of which they become aware. The University will need to determine what happened – and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual misconduct incident except as otherwise required by law or University policy. A Sexual misconduct 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 of sexual misconduct. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

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

about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

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

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report Sexual misconduct to campus or local police;

- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;

- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and

- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual misconduct report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

Under California law, and pursuant to University policy, all University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the Sexual misconduct 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 campus-wide, Sexual misconduct 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 Sexual misconduct occurred; increased education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices."
The Office of the Ombuds provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in Sexual misconduct cases, California law mandates that the Ombuds as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates as above) report Sexual misconduct incidents to the Title IX Coordinator.

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

On and Off Campus Counseling Services

Campus Services at CSUB

Student Health Services
Student Health Center
(661) 654-2394
Hours: 8:00 A.M-5:00 P.M
http://www.csub.edu/healthcenter/studenthealthservices/index.html

Counseling Center
Student Health Center
(661) 654-3366
Hours: 8:00 A.M-5:00 P.M
http://www.csub.edu/counselingcenter/index.html

Off-Campus Services

Alliance Against Family Violence & Sexual Assault 1921 19th Street Bakersfield, CA 93301
(661) 322-0931 24 Hour Crisis Line (661) 327-1091
www.kernalliance.org

Kern County Mental Health Crisis Stabilization Unit (661) 868-8000

LGBTQ Crisis Hotline (Alliance Against Family Violence & Sexual Assault)
(661) 332-1506
http://www.kernalliance.org/lgbtq

WHAT CSU PROCEDURES ARE AVAILABLE?

The University has formal written procedures that provide for a campus investigation of reports of sexual misconduct, written findings sent to the accuser and the accused, and a review of the campus investigative findings by the CSU Chancellor's Office. The procedure for CSU employees and third parties is separate from, but similar to the procedure for CSU students. Your campus Title IX Coordinator can explain these procedures in detail.

At the conclusion of the University's complaint procedure, any employee or student found to have violated University policy against sexual misconduct will be subject to discipline. Discipline would be administered consistent with applicable collective bargaining agreements (for employees), University policies and legal requirements. As the victim, you are not required to participate in any University disciplinary procedure and may choose not to be a part of it. Disciplinary procedures for sexual misconduct will:

Provide a prompt, fair, and impartial process and resolution;

- Be conducted by officials who receive annual training on sexual misconduct and how to conduct a hearing process that protects the safety of victims and promotes accountability;
- Provide the accuser and the accused the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Simultaneously inform the accuser and the accused in writing of:
    - The outcome of the disciplinary proceeding; ○ The University's procedures for the accused to appeal the results of the disciplinary proceeding;
    - Any change to the disciplinary results that occurs prior to the time such results become final; and
    - When disciplinary results become final.

Complaint Procedures

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

Complaints made by students.

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students" is the appropriate systemwide procedure

for all complaints of Sex Discrimination, Sexual Harassment, Sexual misconduct, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. (See http://www.calstate.edu/eo/EO-1097-rev6-23-15.html)

Complaints made by employees, former employees, and applicants for employment.
Executive Order 1096, entitled "Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Allegations 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. (See http://www.calstate.edu/eo/EO-1096-rev-6-23-15.html)

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

Complaints made by third parties.
Executive Order 1096 is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual misconduct, Domestic Violence, Dating Violence, and Stalking filed by third parties against the CSU, a CSU employee or a CSU student. (See http://www.calstate.edu/eo/EO-1096-rev-6-23-15.html)

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

Student Disciplinary Proceedings

Complaints by Students alleging Sex Discrimination, Sexual Harassment, Sexual misconduct, Domestic Violence, Dating Violence, and Stalking against other Students shall be filed and investigated according to the procedures set forth in Executive Order 1097 (See http://www.calstate.edu/eo/EO-1097-rev-6-23-15.html). The Title IX Coordinator shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

Complaints by CSU employees or Third Parties, as defined in Executive Order 1096 (e.g., vendors, auxiliary employees or Campus visitors), alleging Sex Discrimination, Sexual Harassment, Sexual misconduct, Domestic Violence, Dating Violence, and Stalking against Students shall be filed and investigated according to the procedures set forth in Executive Order 1096 (http://www.calstate.edu/eo/EO-1096-rev-6-23-15.html) . The Title IX Coordinator shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

Notice of Conference and Conference

1. Within **10 Working Days** after the Student Conduct Administrator receives the final investigation report – or, if an appeal was filed, the final appeal outcome, and after the Complainant has been given 10 Working Days to have a Conference with the Student Conduct Administrator, the Student Conduct Administrator shall notify the Student charged in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the Student Conduct Administrator.
2. The Notice of Conference shall include:
    a. The sections of the Student Conduct Code and other Campus policies that are the subject of the proposed discipline;
    b. The proposed sanction or range of sanctions, including sanctions designed to provide Remedies to the Complainant(s);
    c. The location on the Campus where the Student can view his or her discipline file, including the location (or copies) of the Campus policies that were violated;
    d. Notification of any immediate, interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus[5] ;
    e. Notification of the Student's right to be accompanied at the conference by an Advisor; and

f. A copy of this Executive Order or notice of where the Student may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Conference is sent, a copy of this Executive Order shall be enclosed, along with any other Campus policy referenced in the Notice of Conference.

3. Conference with Student charged and/or Complainant

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

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

4. The Student Conduct Administrator shall, in consultation with and agreement from the DHR Administrator or Title IX Coordinator, determine which cases are appropriate for resolution (via written resolution agreement), taking into consideration the investigation report and any additional information provided by the Student charged and the Complainant(s) during any conferences. If a proposed resolution agreement can be reached with the Student charged as to an appropriate disposition, the terms of the proposed disposition shall be put in writing and signed by the Student and the University after the Student has been given a reasonable opportunity to review the proposed resolution agreement with an Advisor of the Student's choice. The Student charged must be informed that any proposed resolution may be appealed by the Complainant and is not final until any such appeal is exhausted. Suspension of one academic year or more or expulsion, withdrawal in lieu of suspension or expulsion, and withdrawal with pending misconduct investigation or disciplinary proceedings shall be entered on the Student's transcript permanently without exception; this requirement shall not be waived in connection with any resolution agreement.
5. The Student Conduct Administrator shall promptly notify the DHR Administrator or the Title IX Coordinator of the outcome of the conferences with the Student and the Complainant(s). If the case does not proceed to hearing, the DHR Administrator (or the Title IX Coordinator) shall at that time:
   a. Notify the Complainant(s) of the outcome of the conference, including any proposed resolution agreement as well as the Complainant's right to appeal any proposed resolution agreement to the CO pursuant to Article IV. J.
   b. Take any appropriate further steps to address the effects of any Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking.

c. Identify and address any remaining systemic or other patterns of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking at the Campus.

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

Notice of Hearing

1. If not resolved, the Student Conduct Administrator shall issue a Notice of Hearing promptly after the conference. Simultaneous notice shall also be provided to the Complainant and the DHR Administrator or the Title IX Coordinator. The Notice of Hearing shall be issued within **5 Working Days** after the conference has concluded.
2. The Notice of Hearing shall be issued under the following circumstances:
    a. If the Student charged fails to attend the conference or otherwise declines to cooperate;
    b. If the matter is not closed or the disposition is not memorialized in writing promptly after the conference; or
    c. No agreement can be reached with respect to the sanction.
3. The Notice of Hearing shall include the following information:
    a. The sections of the Student Conduct Code and other Campus policies that are the subject of the proposed sanctions;
    b. The proposed sanctions, including sanctions designed to provide protection/Remedies to the Complainant(s);
    c. Notification that neither the Hearing Officer nor the president is bound by the proposed sanction, and that the Hearing Officer may recommend, and/or the president may set, a more severe sanction;
    d. The date, time and place of the hearing;
    e. The location on the Campus where the Student may view his or her discipline file, including the location (or copies) of the Campus policies that were violated, and any related investigation report;
    f. Notification that the Student charged and the Complainant each may be accompanied at the hearing by an Advisor. Notification shall be given that any person who intends to bring an attorney must inform the Student Conduct Administrator of the attorney's name, address and phone number at least **5 Working Days** before the hearing. Failure to provide this notice in a timely manner will result in exclusion of the attorney from the hearing;
    g. Notification that the Student can waive the right to a hearing by accepting the proposed sanction, subject to the Complainant’s right to appeal (subject to the approval of the DHR Administrator or Title IX Coordinator);

h. Notification of any immediate, interim suspension (see Article VI) and/or withdrawal of consent to remain on Campus[6]; and
i. A copy of this Executive Order or notice of where the Student and/or Complainant may obtain a copy. If an interim suspension has been imposed or consent to remain on Campus has been withdrawn by the time the Notice of Hearing is sent, a copy of this Executive Order shall be enclosed, along with any other Campus policy referenced in the Notice of Hearing.

4. The Student Conduct Administrator shall schedule the hearing promptly, but in any event no sooner than **10 Working Days** after, and no later than **20 Working Days** after, the date of the Notice of Hearing.
5. A notice to appear at hearing shall be sent to any University-related witnesses and to the Complainant(s) at least **5 Working Days** before the hearing at the University-assigned or other primary e-mail addresses linked to these persons' University accounts.
6. The Notice of Hearing may be amended at any time, and the Student Conduct Administrator may (but is not required to) postpone the hearing for a reasonable period of time. If the notice is amended after a hearing is underway, the Hearing Officer may (but is not required to) postpone the hearing for a reasonable period of time.
7. The DHR Administrator or Title IX Coordinator retain ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider will vary based on the facts and circumstances of the specific case.

Hearing

The findings and conclusions of the investigations conducted in accordance with Executive Orders 1096 and 1097, once any appeals are exhausted, are final and binding. The hearing is limited to determining appropriate sanctions; the findings of the investigation are not under review.

1. The hearing is closed to all persons except the Student Conduct Administrator; the Student charged; the Complainant(s); their respective Advisors; appropriate witnesses while they are testifying; any other alleged victims while they are testifying, together with their Advisors; the Hearing Officer; and one person to assist the Hearing Officer in recording the hearing. All parties and witnesses who will testify must attend the hearing in person unless the Student Conduct Administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the vice president for Student Affairs or Hearing Officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least **5 Working Days** before the hearing.
2. The Hearing Officer controls the hearing. Except as provided in Article IV. H, sections 68 below, the Student Conduct Administrator and the Student charged each put on the

evidence in their case and may each ask questions of the witnesses in whatever manner the Hearing Officer deems appropriate.

3. The Hearing Officer may ask questions of any witness, the Student, the Complainant, Student Conduct Administrator, the Title IX Coordinator or the DHR Administrator.
4. The Complainant(s) may be present while evidence is being presented concerning the charges that relate to him/her, unless the Hearing Officer grants a request that the Complainant(s) be excused during certain testimony to protect privacy rights and/or pursuant to FERPA.
5. The DHR Administrator or the Title IX Coordinator may attend the hearing in its entirety.
6. Questions may not be posed to Complainants about their past sexual behaviors involving any persons other than the Student charged.
7. The Hearing Officer shall ask any questions of the Complainant and other witnesses on behalf of the Student charged (who shall give the Hearing Officer a written list of questions), unless the Complainant(s) or witness expressly waives this requirement and consents to questioning directly by the Student.
8. The Hearing Officer shall ask any questions of the Student and other witnesses on behalf of the Complainant (who shall give the Hearing Officer a written list of any such questions), unless the Complainant in question expressly waives this requirement.
9. The investigation report and any CO Appeal Response prepared pursuant to Executive Orders 1096 or 1097 shall be entered into evidence at the hearing, redacted as appropriate to protect private (e.g. contact) information or as otherwise required by law.
10. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of serious affairs is considered. Hearsay may be considered and will be given the weight appropriate under all of the circumstances. Unduly repetitive information may be excluded.
11. The Hearing Officer shall make an official audio recording of the hearing (with assistance, at the Hearing Officer's discretion). The recording is University Property. No other recording of the hearing is permitted. The audio recording shall be retained by the Student Conduct Administrator in accordance with the Campus records/information retention and disposition schedule.
12. If the Student charged fails to appear at the hearing without good cause, the hearing shall nevertheless proceed.
13. The Hearing Officer is responsible for maintaining order during the hearing and makes whatever rulings are necessary to ensure a fair hearing. Abusive or otherwise disorderly behavior that causes a material disruption is not tolerated. The Hearing Officer may eject or exclude anyone (including the Student, the Complainant, and Advisors) whose behavior causes a material disruption.
14. Where there is more than one Student facing sanctions in connection with a single occurrence or related multiple occurrences, the Student Conduct Administrator and the

Students charged may agree to a single hearing. A Student may request consolidation of his or her case with others, or the Student Conduct Administrator may initiate the consolidation (subject to FERPA and other applicable privacy laws). The Student Conduct Administrator makes consolidation decisions, which are subject to review by the Hearing Officer and thereafter are final.

15. At any time during the hearing, and subject to the approval of the DHR Administrator or Title IX Coordinator, the Student charged may waive the right to a hearing and accept the proposed sanction, subject to the Complainant's right to appeal. Such a waiver must be in writing. The DHR Administrator or Title IX Coordinator retain ultimate authority regarding whether a proposed resolution agreement may be entered into after the Notice of Hearing has been issued, or after the Hearing has commenced. Factors to consider will vary based on the facts and circumstances of the specific case.
16. The Hearing Officer shall submit a written report to the president recommending sanctions, if any, as well as any recommendations regarding additional Remedies, including but not limited to restricting the Student's contact with, or physical proximity to, the Complainant or other persons. The report shall include any mitigating or aggravating factors relied upon by the Hearing Officer in reaching the recommendations. The report shall be submitted within **10 Working Days** after the hearing.

The Hearing Officer's report shall be based only on the investigative report and the information received at the hearing. The Hearing Officer shall not, prior to preparing the report, have substantive communications about the facts of the case with the Student Conduct Administrator, the Complainant, the Student, the witnesses, or DHR Administrator or the Title IX Coordinator, unless both the Student Conduct Administrator and the Student are present.

President's Sanction Decision/Notification

The president shall review the investigative report and the Hearing Officer's report and issue a decision concerning the appropriate sanction.

1. The president may impose the recommended sanctions, adopt a different sanction or sanctions, or reject sanctions altogether. If the president adopts a different sanction than what is recommended by the Hearing Officer, the president must set forth the reasons in the decision letter. The president's decision letter shall be issued within **10 Working Days** after receipt of the Hearing Officer's report.
2. The president shall simultaneously send the decision electronically to the Student charged and Complainant(s) at the University-assigned or other primary e-mail address linked to their University accounts. The decision shall also be sent to the Student Conduct Administrator and the Hearing Officer.
3. The decision letter shall include:
    a. The outcome of the hearing on sanctions, including any sanction imposed and the name of the Student charged; and

   b. A copy of the Hearing Officer's report, redacted as appropriate or as otherwise required by law.
   c. Notice of the Complainant's and Student's right to appeal to the CO.
4. The president shall also send the decision to the DHR Administrator or the Title IX Coordinator so that they may determine whether any additional Remedies or steps shall be afforded or undertaken in order to maintain a safe and nondiscriminatory University environment.
5. Unless the CO notifies the campus that an appeal has been filed, the president's sanction decision become final **11 Working Days** after the date of the decision letter.

Appeal of Sanction to the Chancellor's Office

The Complainant and Student charged each may file an appeal of the president's decision of appropriate sanctions to the CO no later than **10 Working Days** after the date of the president's decision letter. The Complainant may also appeal any proposed sanctions agreed to as part of a proposed resolution agreement with the Student charged either in the conference procedure described above or at any time thereafter. Such an appeal must be filed within **10 Working Days** after the date of notice to the Complainant of the proposed resolution agreement.

1. The appeal request shall be in writing and shall indicate the basis of the appeal. Sanction appeals are limited to a determination as to whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The CO may conduct an interview with the appealing party to clarify the written appeal, at the CO's discretion.
2. A sanction decision appeal shall be addressed to:

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

3. Acknowledgement of Appeal. The CO shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party, and will provide written notification of the appeal to the other party, the campus DHR Administrator or Title IX Coordinator, and the Campus president (or designee).
4. Reasonable Accommodations. The CO will provide reasonable accommodations to any party or witness with a qualified Disability during the appeal process upon request by the person needing the accommodation. A reasonable accommodation may include an extension of time to file or respond to an appeal. The timeframe for CO response to an

appeal will automatically be adjusted for the time needed, if any, to provide reasonable accommodations

5. Scope of Review. The CO appeal review shall be limited in scope to determining whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The CO appeal review will not involve a new investigation and will not consider evidence that was not introduced during the investigation or hearing. The record will be limited to the record at the hearing.
6. CO Appeal Response. The CO shall issue a final appeal response to the parties, the DHR Administrator or Title IX Coordinator, and the campus president (or designee) no later than **10 Working Days** after receipt of the written appeal unless the timeline has been extended under Article V. E of Executive Orders 1096 or 1097.
7. The CO Appeal Response shall include a summary of the issues raised on appeal, a summary of the evidence considered, the determination(s) reached regarding the issues identified within the written appeal, a decision about whether the president's sanction decision is reasonable, and, where applicable, a decision regarding the final sanction.
8. Notification of CO Appeal Response. A copy of the CO final appeal response shall be forwarded to the Complainant and Student charged, the DHR Administrator or Title IX Coordinator, and the president (or designee).

Other Student Conduct Code Violations Related to Incidents of Sexual Misconduct, Dating or Domestic Violence, or Stalking

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

Campus, Civil, and Criminal Consequences of Committing Acts of Sex Discrimination, Sexual Harassment, and Sexual Misconduct

Individuals alleged to have committed Sexual misconduct may face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, employees and students may face discipline/sanctions at the University. Employees may face sanctions up to and including dismissal from employment, per established CSU policies and provisions of applicable collective bargaining agreements. Students and employees charged with Sex

Discrimination, Sexual Harassment or Sexual misconduct will also be subject to discipline, pursuant University policies, and will be subject to appropriate sanctions."

Possible sanctions for employees: Sanctions up to and including dismissal from employment may be imposed in accordance with current collective bargaining agreement, if applicable.

Possible sanctions for students

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.[7]
3. **Educational and Remedial Sanctions**. Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities and sororities), and/or University events, or other remedies intended to discourage similar misconduct or as deemed appropriate based upon the nature of the violation.
4. **Denial of Access to Campus or Persons**. A designated period of time during which the Student is not permitted: (i) on University Property or specified areas of Campus;[8] 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 reenrollment may be specified.
    b. A Student who is suspended for one academic year or more shall be separated from Student status but remains eligible to reapply to the University (subject to individual Campus application polices) once the suspension has been served. Conditions for readmission may be specified.

c. Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the Student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

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

Sex Offender Notice

Disclosure of Sex Offender Information:
Members of the campus community may obtain sex offender information under California Megan's Law (Penal Code, Sections 290 and 290.4) by visiting: www.meganslaw.ca.gov

Mandated Sexual Offender Registration Program:
Effective October 28, 2002, the Sexual Offender Registration law now requires convicted sex offender, even out of state offenders, to register with UPD if they are, enrolled as a student or are employed (even part employment) with the CSUB. Penal code section 290 indicates that persons required to register as a sex Offender must register within 5 working days of start of the semester/quarter system.

Pursuant to Section 290 of the California Penal Code convicted sex offenders are required by law to register within 5 days of changing residence locations (every 60 days if they do not have permanent residence), starting school, employment at school, or within 5 days of each birthday. UPD does not maintain a public database of registrants at CSUB. If there are requests to know who is a registered sex offender on the campus, contact the California Sex Offender information line 1-900-448-3000 or the Megan's Law Internet website. Offender's campus involvement will be listed as a secondary registration location.

Online registration form link:

http://www.meganslaw.ca.gov/pdf/DOJ%20Online%20Course%20Registration%20Form.pdf?lang=ENGLISH

Crime Statistics

Per the Clery Act, the University must disclose statistics for reported Clery crimes that occur: (1) on campus, (2) on public property, (3) in or on noncampus buildings or property that the University owns or controls.

Property Definitions (24 C.F.R. 668.46(a))

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing Facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crime Definitions

Per the Clery Act, the University must classify crimes based on the FBI's Uniform Crime Reporting Handbook (UCR). For sex offenses, the definitions from the FBI's National IncidentBased Reporting Systems (NIBRS) edition of the UCR are used. To classify hate crimes, the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines* and *Training Guide for Hate Crime Data Collection* are utilized.

Criminal Homicide—Murder & Non-negligent Manslaughter: The willful killing (nonnegligent) of one human being by another.

Criminal Homicide—Negligent Manslaughter: The killing of another person through gross negligence. Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.

Sex Offense[1]: Any act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. This includes rape, sodomy, sexual assault with an object, and fondling.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Rape: The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault With An Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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

Liquor Laws Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

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[1] The definition of sex offense was changed in 2013 to remove "forcible."

Weapons Laws Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use growing, manufacturing, and making of narcotic drugs.

Arrests: Persons processed by arrest, citation or summons.

Referred for Campus Disciplinary Action: The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

CRIME STATISTICS					
OFFENSE	**YEAR**	**CAMPUS**	**RESIDENCE HALLS**	**NON-CAMPUS**	**PUBLIC PROPERTY**
Murder	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Negligent Manslaughter	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Sex Offenses					
Rape	2012	0	0	0	0
	2013	1	0	0	0
	2014	0	0	0	0
Fondling	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Incest	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Statutory rape	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Robbery	2012	0	0	0	0
	2013	0	0	0	0
	2014	1	0	0	0

Aggravated assault	2012	2	2	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Burglary	2012	6	0	0	0
	2013	5	0	0	0
	2014	6	1	0	0
Motor vehicle theft	2012	1	1	0	0
	2013	6	1	0	0
	2014	1	0	0	0
Arson	2012	1	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Dating violence	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Domestic violence	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Stalking	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
Liquor law arrests	2012	0	0	0	0
	2013	3	0	0	0
	2014	4	0		
Liquor law referrals	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	12	0	0

Drug law arrests	2012	1	0	0	0
	2013	2	0	0	0
	2014	7	0	0	0
Drug law referrals	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	2	0	0
Weapons law arrests	2012	0	0	0	0
	2013	0	0	0	0
	2014	1	0	0	0
Weapons law referrals	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0

*The changes to the definition of "sex offenses" are reflected in the statistics for 2014.

**On-campus crime statistics are inclusive of the Residence Halls data (e.g. in 2014, there were 2 reported cases of aggravated assault, 2 of which occurred in the residence halls).

*** Updated on 6/8/2016. The statistics have been updated to reflect one rape on-campus, which was omitted in the original report due to a clerical error.

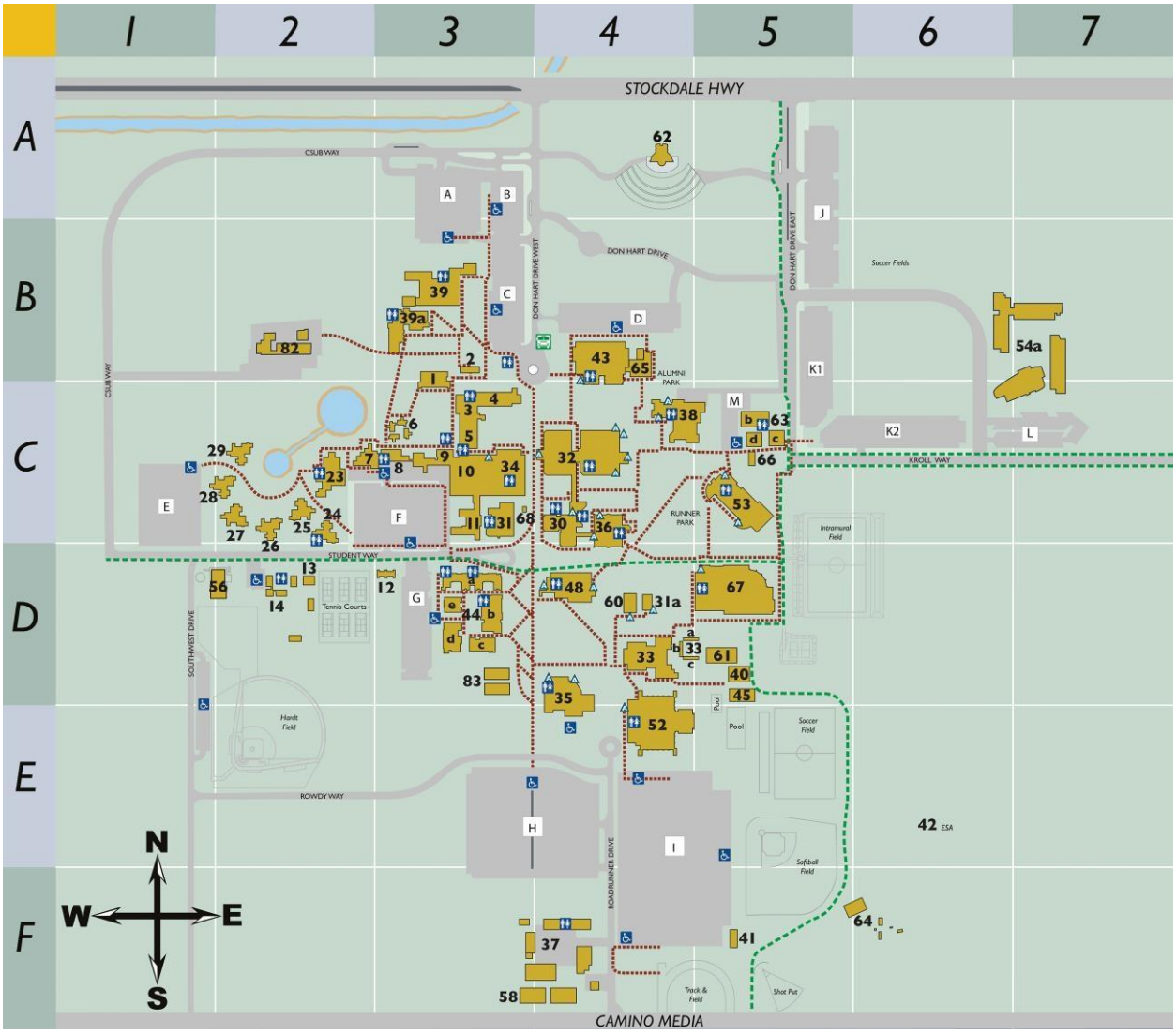
Reporting of Hate Crimes 2012-2014.

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

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

- 2012-2014: There were no crimes reported at CSUB.

CSUB Campus Map



CSUB
Annual Fire Safety Report
2014

FIRE SAFETY REPORT

The 2015 Annual Fire Safety Report is provided in compliance with the Higher Education Act, as amended by the Higher Education Opportunity Act, Public Law 110-315, also known as the Clery Disclosure Act, and California Education Code section 67380. This report informs the campus community about important procedures, policies, crime prevention programs, and campus crime statistics. A notice is mailed annually to students and employees advising them that the report can be accessed on the department web site at http://www.csub.edu/BAS/police/. Hard copies of the report may also be obtained from the UPD. Prospective students and employees are afforded the same information at the time they obtain an application for admission or employment. Any person may have access to this report.

Compilation of information for this report is accomplished through cooperative efforts with University Police, Resident Housing and Office of the President. Fire Safety information is presented as it relates to the Office of Student Housing & Residence Life.

The Fire Safety System

The fire safety system includes a notification system which annunciates locally and at the UPD. There are two bells and two pull stations per floor (3 floors per building) located near the interior and exterior stairwells, and 1 bell and 1 pull station in each lobby. Each room is equipped with individual smoke detectors. Where hearing impaired students are housed, strobes have been added to the alarm systems. The entire system is checked at least annually to ensure operation of every system component. In the event the system is out of service, the UP institutes a manual fire-watch for the duration of inoperability.

Fire Drills

Fire drills involving the residential population occurred twice this past year, once in October with the initiation of the Fall Term, and again at the Spring Term. Fire drills include student housing evacuation, as discussed in the Residence Life Handbook, with oversight assistance by Residence Hall Staff and the University Police. During Professional Staff and Residential Assistant training, fire safety policy and protocol are reviewed: each staff member receives a copy of the policies and protocols.

Policies on Portable Electronic Appliances, Smoking, and Open flames

Residential housing policies and rules for portable electrical appliances, open-flames, and smoking are contained in the Residence Life Handbook (Policies, Procedures, Contracts, Forms).

Per the Residence Life Handbook, the following actions are prohibited and may result in adverse action up to and including prosecution or fines:

- Tampering or damaging fire equipment or intentionally misusing fire alarms, smoke detectors, fire sprinklers, fire extinguishers, emergency exit signs or pulling the fire alarm when the cause is unrelated to notification of a fire.
- Intentionally or negligently causing and/or creating a fire, explosion or release of poisonous gas or fumes.
- Failure to evacuate a building immediately following the sounding of an alarm, unless otherwise instructed by Residential Life staff, fire-safety or other emergency response personnel.
- Possessing or storing gasoline, fireworks and/or combustible decorations and chemicals.
- Storing fuel-driven engines including motorcycles, mopeds, etc. in residential housing. They may be parked in parking lots as long as they follow all University Police and Parking Services guidelines.
- Open flames (including candles and incense), combustible decorations and chemicals, deep fat fryers, electric fry pans, grills, space heaters and halogen lamps are prohibited.
- Disabling, opening, damaging, or propping exits used exclusively as fire exits is prohibited (unless being used properly as an exit during an emergency situation).

Smoking Policy

Due to California State University policy, smoking is prohibited in all of our buildings, residential hallways, restrooms, lounges, stairs, balconies, volleyball and basketball courts, pool areas, and all public areas. Residents may only smoke 30 feet away from any building. E-cigarettes, electronic cigarettes, smokeless cigarettes, etc. are prohibited in the same manner as smoking regular cigarettes.

Housing Evacuation Procedures

In the event of a fire alarm, stay calm.

Before exiting the room, feel the door for heat and look at the door seals for signs of smoke. If the door is hot or you see smoke, stay in your apartment, put a wet towel at the base of the door, and call for help.

If it's safe to exit the apartment, put your shoes on, grab your keys, and evacuate the building immediately. If it's safe to do so, bring a wet towel to cover your nose, mouth, face and head if necessary.

IF YOU ENCOUNTER SMOKE, STAY LOW.

IF YOU ARE OVERCOME BY FLAMES: STOP, DROP, ROLL, AND COVER YOUR FACE.

Move to the designated Evacuation Point outside the building, and wait for instructions from a staff member.

- Pinyon Hall: Dirt lot area East of Pinyon Hall (facing Edgewater Apartments)
- Juniper North: Grass field behind Juniper North (Stockdale side)
- Juniper West: Soccer field West of Juniper West (AYSO Field)
- Community Center-West half of community center evacuates to the soccer field area/
- East half of community center evacuates to the Pinyon evacuation point.

Look for your RA, or a member of Housing Staff. They will have an orange vest on and a roster. Please make sure that they check you off and you remain at the evacuation point until emergency personnel release you.

Whenever the fire alarm sounds you are to leave your room at all times even if there is no fire or smoke immediately outside your door.

Please also see the California Fire Code articles 12, 13, 25 and California Code of Regulations, Title 19. Public Safety

Fire Safety Education and Training Programs

Fire Safety Training is conducted each year as part of a 2 week intensive staff training program. In addition, we hold at least two fire drills each academic year for our resident students. One is part of a larger campus Evacuation Drill that happens during the day and the other is an evening drill which involves coordination with UPD and Campus Facilities.

Fires can be Reported

- To UPD by dialing 2111 from a campus phone
- By Blue and Yellow Emergency Phone, which are located throughout campus and which dial directly to the UP dispatcher
- To a Residence Assistant, at least one resides in each residence hall

To an On-Call Residence Housing Staff at 661-321-6290

CSUB Statistics and Related Information Regarding Fires in Residential Facilities

Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
9051 Stockdale Highway	0	N/A	N/A	N/A	N/A	N/A