2019 ANNUAL SECURITY REPORT

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

CLERY CRIME STATISTICS 2016-2018

The Student Services Building earned a 2019 Best Projects Award of Merit and also will be featured in a construction industry magazine.
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MESSAGE FROM THE PRESIDENT

Cal Poly Pomona is an inclusive polytechnic university with a mission to cultivate student success and scholarly excellence through experiential learning, discovery and innovation. Our core values of academic achievement, diversity and community engagement define all that we do. As we work hard to foster an environment that supports this mission, the safety and wellbeing of our campus community is our top priority.

Cal Poly Pomona publishes an Annual Security Report to keep the campus informed about our public safety procedures and policies, crime statistics and emergency management protocols. It also contains information about crime reporting, crime prevention, victim’s rights and other important services. I invite all members of our community to review the report and to become familiar with the public safety resources available at Cal Poly Pomona.

While the University Police Department has the most visible role of ensuring the safety of the campus, this is a team effort. It is important that each of us look out for one another, be alert for potentially unsafe situations and report suspicious behavior or activity. It is critical that all members of our campus community be engaged and informed about safety-related services, emergency preparedness and crime prevention.

Working together, we will continue to keep Cal Poly Pomona a great place to live, learn and work.

Soraya M. Coley, Ph.D.
President
PREPARING THE ANNUAL SECURITY REPORT

The publication of the Annual Security Report (ASR) is part of a collaborative effort to promote safety and security at Cal Poly Pomona and to comply with the Jeanne Clery Disclosure of Campus Security Policies and Campus Crime Statistics Act (hereafter the Clery Act or Clery). This report complies with state and federal crime awareness and campus security legislation, including the Clery Act, California Education Code section 67380, the Higher Education Opportunity Act (HEOA), and The Violence Against Women Reauthorization Act of 2013, including the Campus Sexual Violence Elimination Act (Campus SaVE). The report includes statistics for the previous three years concerning Clery reportable crimes, hate crimes and violations of state and local drug, liquor, and weapons laws occurring within Clery defined geography where arrests or referrals for discipline were made. Clery geography includes: 1) on campus, 2) campus residential, which is a sub-set of on-campus, 3) non-campus, which is defined as certain off-campus buildings or property owned or controlled by the university, and 4) public property within, or immediately adjacent to and accessible from the campus. The report includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual violence, and other matters. The report meets HEOA campus safety requirements in hate crime reporting and missing student notification. Institutions that maintain on-campus housing facilities must collect fire statistics, publish an Annual Fire Safety Report, and keep a “fire log”. Cal Poly Pomona’s Annual Security Report and Annual Fire Safety Report are separate publications.

In collaboration with University Police, campus partners, and other law enforcement agencies, the campus Clery Compliance Officer (CCO) is responsible for preparing the ASR. The CCO and campus partners compile criminal offense and arrest statistics of Clery reportable crimes made to University Police, other Campus Security Authorities (CSAs), and local law enforcement, and crime/disciplinary referral data from University Police and other CSAs, including the Title IX, Survivor Advocacy Services, Student Health, University Housing Services, Foundation Housing Service/Village, Student Conduct and Integrity, and Athletics. CSA’s are defined as individuals with significant responsibility for students and/or campus activities. This ensures that statistics are captured for incidents in which the victim elected not to file a police report and/or no criminal charges or arrest were made. The CCO, University Police, and conduct personnel cross-reference crime reports, administrative cases, and disciplinary referrals to avoid duplicate reporting. Campus partners provide information and data relevant to their area of responsibility for inclusion in the report.

The CCO submits crime statistics requests to the City of Pomona Police Department, Los Angeles County Sheriff’s Department, and other law enforcement agencies for public property and non-campus locations. Crime statistics for properties leased by student organizations and off-campus incidents associated with a university related activity are reported in the non-campus category. University Police maintains collaborative relationships to encourage reporting by those agencies serving public property and non-campus locations wherein University Police does not patrol or provide primary law enforcement response. Crimes are recorded in the calendar year in which the crime was reported.

By October 1 of each year, all enrolled students and employees receive an email notification, which includes a summary of the ASR content, availability, direct web link to access, and how to request a report print copy. Prospective students and employees receive information regarding the report and availability from Admissions and Human Resources, respectively. Cal Poly Pomona annually submits statistical data to the U.S. Department of
Education, which publishes crime data for colleges and universities on their Campus Safety and Security web site.

Compiling Crime Statistics

The following definitions used for reporting Clery crimes are derived from the Federal Bureau of Investigation’s (FBI) Uniform Crime Reporting (UCR) Program and Department of Regulations:

- The definitions for Fondling, Incest, and Statutory Rape are excerpted from the FBI’s UCR National Incident-Based, Reporting System (NIBRS) User Manual.
- The definitions for Larceny-Theft (except Motor Vehicle Theft), Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are from the FBI’s UCR Hate Crime Data Collection Guidelines and Training Manual.
- The definitions for Dating Violence, Domestic Violence, And Stalking are from the Department of Education’s Clery Act implementing regulations at 34 C.F.R. §668.46.

The statistics provide an overall picture of crime at Cal Poly Pomona from January 1 to December 31 for 2016, 2017, and 2018.

Clery Act crime statistics are classified and counted pursuant to the guidelines specified in the U.S. Department of Education, Office of Postsecondary Education, and The Handbook of Campus Safety and Security Reporting, 2016 Edition, Washington, D.C., 2016 (“Clery Handbook”) and separated by the following geographical areas:

- On campus;
- On-campus residential housing facilities;
- On public property (within and immediately adjacent to the institution);
- In or on non-campus property (either owned or controlled by the institution in direct support of or related to its education purposes; or a building or property owned or controlled by an officially recognized student organization not reasonably contiguous to the main campus)

Counting Hierarchy

When multiple offenses occur in a single incident, Cal Poly Pomona uses the FBI’s UCR Hierarchy Rule. Under this rule, when more than one Criminal Offense is committed during a single incident, only the most serious offense is counted. A single incident means the offenses were committed at the same time and place. Beginning with the most serious offense, the following list shows the hierarchy for Clery Act reporting:

- Murder and Non-Negligent Manslaughter
- Manslaughter by Negligence
- Sexual Assault
- Robbery
- Aggravated Assault
• Burglary
• Motor Vehicle Theft

There are exceptions to using the Hierarchy Rule when counting Arson, Sexual Assaults, Hate Crimes, and VAWA Offenses. Under the following exceptions:

• Always count Arson regardless of the nature of any other offenses committed during the same incident.
• When multiple offenses are committed during the same distinct operations as the Arson offense, report the most serious offense along with the Arson.
• Include incidents in which persons are killed as a direct result of the Arson as Murder and Non-Negligent Manslaughter and Arson or Manslaughter by Negligence Arson.
• Fondling is recognized as an element of Sexual Assault. Include a Sexual Assault as Fondling only if it is the only Sexual Assault. If Fondling occurs in the same incident as Murder, count both the Fondling and the Murder.
• Count both the Sexual Assault and the Murder if Rape, Fondling, Incest or Statutory Rape occurs in the same incident as Murder.

The Hierarchy Rule does not apply to Hate Crimes; all of the offenses committed in a multiple offense incident that are bias motivated are counted. For any Criminal Offense that is also a Hate Crime, statistics will indicate the offense and also the category of bias. See crime statistics chart for bias categories.

The Hierarchy Rule does not apply to Violence Against Women Act (VAWA) Offenses, which include Dating Violence, Domestic Violence, and Stalking. Therefore, for any Criminal Offense, Hate Crime, or arrest for Weapons, Drug, or Liquor Law Violations that is also a VAWA Offense, statistics reflect the original offense and the VAWA Offense.

**Unfounded Crimes**

In accordance with 34 C.F.R. § 668.46, Cal Poly Pomona may only exclude a reported crime from an upcoming ASR or remove a reported crime from its previously reported statistics after a full investigation. Only sworn or commissioned law enforcement personnel can make a formal determination that the report was false or baseless when made and the crime report was therefore unfounded.

Crime reports can be properly determined to be false only if the evidence from the complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or determined to be improperly classified. The unfounded crime will be included in the total count of unfounded crimes for the year in which the crime was originally reported.
## CLERY CRIME STATISTICS 2016-2018

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<th>OFFENSE</th>
<th>YEAR</th>
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Note: This table does not include any incidents that have occurred at the former Lanterman Developmental Center site as this is outside of the campus Clery geography and reporting requirements.

*In all crime statistics tables herein, Campus Residential is a subset of Campus crime statistics; therefore, the Campus is the total crime statistics on campus and Campus Residential are those crimes that occurred in campus residence facilities.
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**HATE CRIMES**

Reports of hate crimes in the criminal offenses listed above plus larceny-theft, simple assault, vandalism/destruction/damage of property, and intimidation, and indicated bias based on race, gender, gender
identity, religion, sexual orientation, ethnicity, national origin, or disability. In 2016 – There were no reported hate crimes; 2017 – There were no reported hate crimes; 2018 – There were no reported hate crimes.

Reporting Criminal Actions and Emergencies

Although the University does not have a formal institutional policy, students, staff, faculty and guests are strongly encouraged to accurately and promptly report all crimes, emergencies, and public safety related incidents to University Police or appropriate police agencies if the incident occurred in an off campus location.

The University encourages accurate and prompt reporting of all crimes to University Police and the appropriate police agencies, when the victim of a crime elects not to, or is unable to make such a report.

Crimes should be reported to University Police for purposes of assessing the crime for potential timely warning notice distribution and for disclosure in the annual crime statistics. Crime reporting is critical as it may prevent future crimes, protect the community, and increase the likelihood of apprehension and adjudication of perpetrators.

Report Crimes and Police, Fire, Medical, and other emergencies immediately to University Police.

| University Police Department | Bldg. 109, Cypress & Oak Ln. East of Parking Structure 1 | Dial 9-1-1 from campus landline & Code Blue phones From cell phone, call (909) 869-3070 |

Cell Phone Use: Emergency 9-1-1 calls made on campus from a cell phone are routed to the California Highway Patrol. Campus community members are encouraged to program the Police business line (909) 869-3070 into their cell phones to reduce emergency response time and provide one-touch dialing in any emergency.

Although University Police strives to maintain a safe and sensitive environment for victims to report crimes, other campus personnel are available to assist persons who may not wish to contact the police. For this reason, sexual violence – sexual assault, dating violence, domestic violence and stalking - may also be reported to the University Title IX Coordinator.

Option for Reporting Sexual Violence

| Title IX Coordinator | Student Services Building (121-2701) – 2nd Fl., West side | (909) 869-2708 Mon-Fri, 8:00 a.m. -5:00 p.m. After hours contacts in recorded message |

Response to Reported Crimes

A professional police dispatcher and sworn police officers are on-duty 24 hours a day, year round, to answer your call and provide assistance. In response to a call, University Police or the Title IX Coordinator will take the required action. University Police will dispatch an officer while Title IX will encourage the reporting party to go to University Police to file a police report. A Title IX report will be taken whether or not the survivor elects to file a police report.

A police report will be taken and investigators will investigate a report when warranted.
University Police may forward crime or incident information to the Office of Student Conduct and Integrity (SCI) should the incident potentially involve a violation of the Student Conduct Code. For incidents involving faculty and staff, Academic Personnel or University Human Resources, may be informed. Additional information obtained via the investigation may be forwarded to the appropriate office. University Police will contact the appropriate unit if assistance is required from another agency, such as local law enforcement, Los Angeles County Fire Department or the Deputy State Fire Marshal assigned to the University.

If an incident of sexual assault or abuse, dating violence, domestic violence or stalking is reported, police officers or the Title IX Coordinator will offer the complainant information regarding, rights, options, advocacy and support services, and resources. Cal Poly Pomona has a certified survivor advocate and crisis and support services available to assist a complainant 24 hours a day. Use of these services does not require a police report and the survivor advocate can maintain confidentiality if desired.

Hate Motivated Crimes and Incidents Reporting and Resources
Students or employees experiencing, or receiving a report of hate violence or bias-motivated incidents are urged to report it to University Police immediately.

For additional support, referrals, and resources you may contact the following campus offices.

- Office of Student Life and Cultural Centers (909) 869-2841
- The Pride Center (909) 869-3064
- Human Resource Services (909) 869-3729

Off Campus Hate Crime Resources
California Attorney General’s Office - Victim’s Services Unit: (877) 433-9069, TYY (800) 735-2929
Web: www.oag.ca.gov/victimservices

Hate Crimes Brochure - What You Need to Know to Protect Yourself and Others
L.A. County Commission on Human Relations: (213) 738-2788
Web: http://www.lahumanrelations.org/about/index.htm

Anonymous Tip Line
To report anonymous crime or incident information to University Police, contact the Anonymous Tip Line at (909) 869-3399. When leaving a message, please provide the time, date and as much specific information regarding the incident as possible. University Police personnel check messages regularly and refer to appropriate personnel for follow-up. For crimes in progress or emergencies, please contact University Police immediately. Dial 9-1-1 from campus landlines or Code Blue phones or (909) 869-3070 if using a cell phone on campus.

Clery Act Exempt Employees
Professional and pastoral counselors are not required to report crimes under the Clery Act. However, when deemed appropriate, professional counselors are encouraged to inform their clients of procedures to report crimes by filing a police report and of options to file a report on a voluntary, confidential basis.
Every attempt is made to encourage reporting where the information is otherwise privileged.

**Timely Warnings**

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

The Chief of Police is responsible for the decision to issue a timely warning (or a management designee in the absence of the Chief) and will confer with the Clery Director if one is designated by the campus and available, upon receiving a report of an incident reported to a CSA and/or University Police. The Chief of Police, with the Clery Director if one is appointed and is available, will complete a case by case analysis utilizing open communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets all of the following factors: 1) is a Clery reportable crime; 2) occurred in Clery defined geography; and 3) poses a serious or ongoing threat to the community. If it is determined that any of the three factors are not met, then no timely warning will be issued.

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

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

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

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

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

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

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

While all campuses encourage members of their community to promptly report all crimes to UPD, campuses do have policies requiring confidential, exempt sources defined in the Clery Act (Professional and Pastoral Counselors) to report information disclosed to them of a crime in a confidential session. All confidential exempt sources are encouraged to provide victims of all options and support resources for reporting crimes on campus for administrative or criminal investigation and action.

**Anonymous Reporting**
Community members may also consider making a voluntary, anonymous crime report, or providing information regarding potential criminal activity or suspicious or concerning persons or behavior to the UPD Anonymous Crime Tip Line by calling (909) 869-3399. Reports made in this manner may be counted and disclosed in the Annual Security Report crime statistics if sufficient, credible information is provided to determine the crime classification and location where the incident occurred meets Clery reporting criteria. Every attempt to substantial the facts will be made. The anonymous crime tip line is not monitored in real time. If reporting an emergency or crime that may pose a serious or continuing threat, please Dial 9-1-1 or (909) 869-3070.

**SECURITY OF AND ACCESS TO CAMPUS FACILITIES**
University and departmental policies and procedures are in place to determine security of and access to campus academic, administrative and residential facilities.

Per the [University Key Issuance and Control Policy](#), as a state-supported institution, Cal Poly Pomona is committed to ensuring access to its buildings and facilities to promote the smooth operation and educational mission of the University while maintaining the security of its buildings and facilities and their contents and other University property and records and to protect the safety of all members of the University community.
The Vice President for Administrative Affairs has overall responsibility for campus buildings and facilities. University Police has the primary responsibility for the safety of persons and the security of University buildings and property. The Facilities Planning and Management Department has responsibility for the maintenance of locks, lock hardware, issuing of keys, record keeping, coding and storing of keys, and similar devices.

The designated Approving Authority per the Key Issuance and Control Policy has the responsibility to ensure that keys are issued to individual users in accordance with the Key Issuance and Control Policy. The person to whom a key(s) is issued is responsible to use the key(s), provide notice of a lost key(s), return the key(s) and otherwise comply with the requirements of the Policy and written procedures.

The Use of University Buildings, Facilities, or Grounds-Presidental Order provides additional guidance concerning authorized access and use of campus buildings, facilities and property. This Presidential Order concerns the use of university buildings and grounds for purposes of commercial transactions and solicitation, non-commercial transactions and solicitation, freedom of expression activities, amplified sound, and posting or chalking, including the distribution of handbills and circulars at Cal Poly Pomona. It applies to students, student organizations, campus affiliated organizations, faculty, staff, and other off campus groups or persons while on campus grounds, including commercial vendors or solicitors.

**Campus Facilities - Academic and Administrative Buildings**

Cal Poly Pomona is an open campus. Most campus buildings are accessible to students, employees, guests and visitors at a minimum during normal business hours, Monday through Friday, and for limited designated hours during special events. Some buildings are open on a 24-hour basis. Many campus buildings have security access control and alarm systems that are operational during and/or after normal business hours. These buildings have various access levels and authorization requirements depending on security and access permissions and needs.

University police officers patrol campus buildings on a regular basis. Police dispatchers monitor designated alarms and respond to certain designated priority alarm activations 24 hours a day, 7 days a week.

Identification and sign-in registration for campus buildings are generally not required. Some departments require prior approval for students requiring after-hours access. Students in these facilities after hours are required to carry documentation of authorization and photo identification. Staff and faculty working after hours should carry employee identification. Anyone working after business hours in alarmed facilities should notify University Police at (909) 869-3070. For questions or for more information, contact the building Dean’s office or department head, or contact University Police at (909) 869-3070.

**Alarm and Access Control**

The Division of Information Technology is responsible for the management of campus alarm and access systems. University Police retains responsibility for response to alarm activations. You may find procedures for door access requests, installation guidance or repair requests on line at: [http://www.cpp.edu/~police/alarm-and-access-control.shtml](http://www.cpp.edu/~police/alarm-and-access-control.shtml)
On-Campus Student Housing Facilities

University Housing Services policies restrict access to University Housing facilities to residents, their approved and escorted guests and other approved members of the campus community. Residents gain entry by utilizing a key or their access card via an access control system. On-Campus Student Housing facilities have varied security systems. The residence halls (dorms) are primarily key access, with the exception of some interior secured areas (e.g. front desk, Residence Hall Coordinators office). Phase 1 of the Suites utilizes a card access system on all front lobby doors with key entry at entry to suites and interior bedrooms. Phase 2 Suites employ card access at the front lobby doors and entry to suites, with key access at interior bedroom doors. Foundation Housing Services, Inc. (Village) apartments employ a key entry system in all complex common areas, apartment front doors, and interior bedrooms.

Per their University Housing License Agreement, residents shall permit no visitors or guests to enter University Housing facilities except as permitted per the policies and regulations and community guidelines. Providing access to buildings to those other than residents or staff who have a key or card, or attended guests, by any means is prohibited. Guests must be escorted at all times, including when they are in the resident’s room. Overnight guests must be registered with University Housing Services.

All University Housing Services buildings/residences are locked 24 hours per day. Call phones are located outside the main front entrance of each residence hall and suites to reach a Resident Advisor On Duty or front desk. A professional staff Area Coordinator is on-duty 24 hours a day should there be an immediate security or other safety concern.

University Housing security is monitored by University Housing Services professional staff and student on-duty Residence Life personnel. University Police Student Assistants provide additional security presence and patrol during designated nighttime hours primarily in exterior areas. They may also conduct interior rounds in coordination with Residence Life student staff. University Housing and Foundation Housing Services, Inc. (Village) exterior areas are patrolled by police officers on a regular basis. University Housing Services and Foundation Housing Services, Inc. (Village) also enforce security measures to enhance safety and work with residents to maintain a positive residential community respectful of individual and group rights.

The University employs video cameras in some areas of the campus, including some student residence facilities. Although, video is not monitored in real time, video surveillance footage is an effective tool as a crime deterrent and is utilized when possible to aid in police investigations.

Access to Campus Facilities for Events

All special events on campus must have prior authorization. Various campus departments are responsible for special events approval and scheduling. Many special events require University Police approval and may require police, security, and/or parking staffing based on an event assessment (e.g. alcohol service, number of attendees, safety and security concerns, parking and traffic impacts). The table below provides contact information and resources regarding campus access for special events.
<table>
<thead>
<tr>
<th><strong>Department</strong></th>
<th><strong>Location</strong></th>
<th><strong>Phone and/or Email</strong></th>
<th><strong>Website</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>License of Facilities</td>
<td>Campus-wide</td>
<td>(909) 979-4446 or <a href="mailto:lof@cpp.edu">lof@cpp.edu</a> for</td>
<td><a href="http://www.cpp.edu/~licensingo_fsmpace/index.shtml">http://www.cpp.edu/~licensingo_fsmpace/index.shtml</a></td>
</tr>
<tr>
<td>Office of Student Life and Cultural Centers</td>
<td>Outdoor &amp; Indoor Spaces, Vendors</td>
<td>(909) 869-2841</td>
<td><a href="https://www.cpp.edu/~oslcc/index.shtml">https://www.cpp.edu/~oslcc/index.shtml</a></td>
</tr>
<tr>
<td>Associated Students, Inc. (ASI)</td>
<td>Bronco Student Center</td>
<td>(909) 869-2847</td>
<td><a href="https://asi.cpp.edu/bronco-student-center/reserve-a-room/">https://asi.cpp.edu/bronco-student-center/reserve-a-room/</a></td>
</tr>
<tr>
<td>College of Agriculture</td>
<td>AGRScapes</td>
<td>(909) 869-6722 <a href="mailto:agriscapesinfo@cpp.edu">agriscapesinfo@cpp.edu</a></td>
<td><a href="https://www.cpp.edu/~agriscapes/visitor-center.html">https://www.cpp.edu/~agriscapes/visitor-center.html</a></td>
</tr>
<tr>
<td>Cal Poly Pomona Foundation, Inc.</td>
<td>Kellogg House Pomona</td>
<td>(909) 869-3004 <a href="mailto:khpevents@cpp.edu">khpevents@cpp.edu</a></td>
<td><a href="http://www.kellogghousepomona.com/">http://www.kellogghousepomona.com/</a></td>
</tr>
<tr>
<td>University Police</td>
<td>Campus wide</td>
<td>(909) 869-5435 <a href="mailto:edr@cpp.edu">edr@cpp.edu</a></td>
<td><a href="http://www.cpp.edu/~police/services/index.shtml">http://www.cpp.edu/~police/services/index.shtml</a></td>
</tr>
</tbody>
</table>

**Maintenance of Campus Facilities**

The University makes every effort to design and maintain campus facilities and grounds to promote safety, prevent crime, and minimize hazardous conditions. Particular attention is given to crime prevention in the maintenance of facilities, landscaping and exterior lighting. Facilities Management maintains the University buildings and grounds. Campus facilities are inspected on a regular basis and repairs that affect safety and security are made promptly. Campus groundskeepers are mindful of security and safety concerns, keeping vegetation controlled around lighting facilities and along campus walkways and roadways on a regular schedule. Strategies and concepts of crime prevention through environmental design are considered in the design and construction of new facilities. University Police Department police officer and auxiliary employees regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Members of the campus community are encouraged to report safety-related facilities issues promptly to University Police at (909) 869-3070 or police@cpp.edu for immediate attention or to Facilities Management at (909) 869-3030.

**LAW ENFORCEMENT AUTHORITY**

**University Police Law Enforcement Authority, Jurisdiction, Policies and Agreements**

Campus safety and security is the primary responsibility of the Cal Poly Pomona University Police. The department employs sworn police Peace Officers who are vested with full arrest authority in the State of California, pursuant to California Penal Code, Section 830.2(c) and Education Code, Section 89560.

Police officers meet all California Peace Officer’s Standards and Training Commission (POST) requirements mandated for all sworn California law enforcement officers. Police officers are trained in the use of weapons and carry them on campus. In addition to law enforcement authority, University Police Officers may enforce
University policies, and if policies are violated, make referrals to the appropriate campus entities so that the institution may take appropriate action.

The University Police department’s primary jurisdiction covers all property owned or controlled by the University. Police officers also patrol adjacent public streets and property typically within a mile radius.

University Police Officers conduct foot, vehicular, and bike patrols on campus 24 hours a day. University Police is responsible for reporting and investigating all criminal offenses committed on campus, with the exception of Homicide, Missing Juveniles and Officer Involved Shooting per the Kristin Smart Campus Safety Act. Should one of these incidents occur, University Police will liaison with the outside agency to provide mutual assistance as requested, and ensure that department procedures are followed and that appropriate emphasis and concern is given to the case.

An Administrative Agreement between the Cal Poly Pomona Police Department, City of Pomona Police Department, and Los Angeles Sheriff’s Department designates responsibility for providing law enforcement services for the Law Enforcement Jurisdiction and Criminal Investigations at California State Polytechnic University, Pomona in compliance with the Kristin Smart Campus Safety Act and HEOA.

University Police has mutual aid agreements and cooperates fully with local and state law enforcement agencies, including the City of Pomona Police Department, the Los Angeles County Sheriff and Fire Departments, and the California Highway Patrol. Crimes committed in other jurisdictions are generally reported to the police agency where the offenses occurred, although University Police may assist in the investigation of such crimes if warranted. University Police investigators meet regularly with area law enforcement representatives to share information regarding criminal activity, law enforcement intelligence, cases and trends. University Police also collaborates and communicates with the California State University, and other campus law enforcement, public safety and security offices to enhance investigations and crime prevention activities.

The University strongly encourages the accurate and prompt reporting of all crimes to University Police, the Office of Equity, Inclusion and Compliance (Title IX Office) (for sexual violence only), or the appropriate law enforcement agency that has jurisdiction where the crime occurred, including when the victim elects to or is unable to make a report. New students and employees are provided information regarding reporting of crimes. Employees with reporting obligations as Responsible Employees complete an on-line training module annually. Campus Security Authorities receive training regarding their reporting obligation under the Clery Act.

**Monitoring Criminal Activity at Student Organization Locations**

The University does not own or control any off-campus student organization residences or facilities. A limited number of Greek Life chapter residences are leased by the student organization. Crime statistics for these locations are included in the Non-campus category. Crime statistics for residences where Greek or other student organization members live together but hold individual lease agreements are not included in this report unless the crime or incident is related to a University sponsored activity.

University Police collaborates with local police agencies, the Office of Student Life and Cultural Centers, the Office of Student Conduct and Integrity, and student organizations to address any serious or ongoing issues occurring at known student housing locations to mitigate crime and city ordinance violations. University Police will continue to work with the City of Pomona and Los Angeles Sheriff’s Department to enhance
communications regarding criminal activity and other safety concerns at locations associated with our students and/or student organizations.

SECURITY PROCEDURES AND PRACTICES

Cal Poly Pomona offers security awareness programs designed to: 1) Inform the campus community about safety and security procedures and practices, and 2) Encourage students and employees to take responsibility for their own security and the security of others. Collectively, these programs support the University’s overarching goal to maintain a safe environment to support the academic mission of the University and ensure the safety and well-being of campus community members and visitors. Many departments, both independently and in collaboration with one another, provide a wide range of programs, workshops, training, and presentations toward this end.

University Police, the Office of Equity, Inclusion and Compliance (Title IX), Student Health Services, Counseling and Psychological Services (CAPS), Survivor Advocacy Services, the Wellness Center, University Housing Services (UHS), Foundation Housing Services, Inc. (Village), Orientation Services, Risk Management, Emergency Management, Environmental Health and Safety, and other departments provide ongoing orientations, workshops, presentations and trainings in a range of settings.

Emergency Preparedness and Safety Training
The Office of Emergency Management and Business Continuity (formerly part of Institutional Risk) and the University Police Department conduct ongoing trainings on preparation, response and recovery to critical incidents and potential threats. Training topics include (but are not limited to) the following: major disasters or explosions, earthquakes, fire safety, evacuation, evacuation tips, evacuation for persons with disabilities, disaster preparedness, shelter in place, response to potential threats, bomb threats, suspicious persons, suspicious packages, and armed intruders. These trainings improve both individual and collective readiness and response to a range of emergencies and critical incidents. Trainings are available throughout the year by request. Contact Emergency Management and Business Continuity at (909) 869-4022 or by email at em@cpp.edu or University Police at (909) 869-3068 to request a training.

Orientation Trainings – Student and Parent Health & Safety Trainings and New Faculty Orientation
A panel with representatives from University Police, Student Health Services, Counseling and Psychological Services (CAPS), the Office of Equity, Inclusion and Compliance, and Student Conduct & Integrity provide Health and Safety training at all new and transfer student Orientations and parent orientations on an annual basis. The training purpose is to increase education and awareness regarding a range of health, safety and security concerns, communicate laws and campus policies, and provides information to aid students in keeping themselves, others and our community safe. University Police also provides annual training at all new faculty orientations.

Residence Hall Training and Programs for Residence Life Staff and Students
University police officers and professional staff collaborate with University Housing and Foundation Housing at the Village to provide safety and security education and awareness programs for professional staff, student resident advisors/community advisors and student residents.

The University Police, the Office of Emergency Management and Business Continuity, and Housing professional staff conduct annual staff training for Residence Life professional staff and all Resident and Community Advisors. Training and educational programs are provided to students and staff ongoing by request by University Police, Wellness Center health educators, and other campus partners. These programs focus on security policies, evacuation procedures, emergency response, legal and safe alcohol use, and other relevant topics.

As circumstances warrant, programs may be provided to address specific incidents, security issues or crime trends that may affect various campus constituencies either by request or when warranted.

University Housing Services annually publishes and distributes safety information to all residents. University Police and University Housing partner to provide both active and passive safety related programs ongoing. Programs and active and passive campaigns include such topics as Safe Party, DUI risks and consequences, sexual assault prevention and resources, theft prevention, community safety, and interactive alcohol awareness activities (e.g. beer simulation goggles).

**Associated Students, Inc. – Bronco Student Center (BSC), Bronco Recreation and Intramural Complex (BRIC)**
All BSC and BRIC full-time and student staff receive annual training on building safety and security, emergency preparedness and evacuation procedures to ensure the safest possible facilities and effective emergency response. Safety and security topics and any current issues are concerns are addressed during staff meetings ongoing.

**Safety Surveys and Security Consultation**
University Police staff conduct office and building security and safety consultations by request. Departments are strongly encouraged to consult with University Police and Information Technology if installing alarm or access systems, or implementing new security protocols.

**First Aid/CPR/AED Training**
American Red Cross First Aid/CPR certification is offered through Student Health Services. Typically, three to four courses are offered per academic year for certification and training in American Heart Association Heartsaver CPR AED - Adult, Child, and Infant.

**Environmental Health and Safety Employee Safety and Security Training**
Environmental Health and Safety (EH&S) is responsible for planning, implementing, and administering the University Environmental Health and Safety Program and for providing technical consultation, training, and inspection to ultimately ensure compliance with established laws. Compliance with these laws fosters a safe place to work, study, and/or visit for faculty, staff, students, and visitors while supporting innovation and creativity within academic programs.

In addition to consultation, EH&S provides a variety of safety and security awareness trainings for employees, both on-line and in person on an ongoing basis, and by request. Safety training and refresher trainings are
provided based on regulatory requirements and/or industry best practices based on employee work assignments. For more information, contact EH&S at (909) 869-4697 or email EHS@cpp.edu.

**Community Emergency Response Teams (CERT)**
The Community Emergency Response Team (CERT) Program provides education about disaster preparedness for hazards that may impact an individual’s residential or work area and training in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. Using the training learned in the classroom and during exercises, CERT members can help themselves and assist others in an event when professional responders are not immediately available. Cal Poly Pomona’s CERT team is comprised of campus and community members who meet monthly and attend ongoing training. For more information, contact volunteer CERT Coordinator, Debbi McFall at dsmcfall@cpp.edu.

**CRIME PREVENTION PROGRAMS**

Crime prevention is a key component in maintaining a safe campus. University crime prevention programs aim to engage campus community members, individually and as a collective, to take personal responsibility for their own safety and security, and the safety and security of others. A successful crime prevention program relies upon the active participation of, and collaborative partnerships between University Police, stakeholders across departments and divisions, and campus community members. We all have responsibility for, and play an important role in creating and maintaining a safe campus.

University Police, the Office of Equity, Inclusion and Compliance (OEIC), Survivor Advocacy Services, Student Health Services, and Counseling and Psychological Services (CAPS), the Wellness Center, Office of Student Life and Cultural Centers, University and Foundation Housing, and other departments provide a range of crime prevention education and awareness programs for students, staff and faculty.

Crime prevention topics include (but are not limited to): Sexual violence (sexual assault, dating violence, domestic violence, stalking), bystander intervention, Safe Party, alcohol and other drugs, alcohol and drug recognition for residence life staff, legal and safe alcohol use with simulated beer goggles, emergency preparedness, self-defense classes, workplace violence, sexual harassment, identity theft, office safety and security, theft prevention, personal safety, dealing with difficult people, dealing with people in crisis, and mental health First Aid.

Members of University Police also conduct safety and security awareness and crime prevention presentations for campus units, departments and student organizations upon request. During these presentations, the following topics or information may be provided: common crimes on campus and crime prevention tips, campus security procedures or practices, including encouraging participants to be responsible for their own security and the security of others by taking preventive measures. University Police consistently conveys the message “See Something, Say Something” which promotes vigilance, and encourages the prompt reporting of anything or anyone who may seem suspicious. University Police participates in campus events, such as U-Hour tabling, Resource Fairs, BroncoFusion, B.E. S.M.A.R.T. Alcohol Education and Awareness Fair, Prospective Student Fairs to increase security awareness and address questions related to security, crime trends, and campus safety.
Behavioral Intervention Team (B.I.T.)

Working together with campus community members, B.I.T. aims to proactively identify, assess and offer an integrated and coordinated institutional response to students, campus community members (and non-members) who may pose a risk to themselves, others and/or the campus community.

The Behavioral Intervention Team (B.I.T.) (formerly PolyCares) is a network of campus professionals that are committed to prevention, education, and early intervention to assist students in distress while providing support and resources to faculty and staff. The primary goal of B.I.T. is to provide timely support to our students to provide the greatest opportunity for safety and success while providing the greatest level of protection for our community. To reach out to the Care Services Coordinator for a confidential consultation, call (909) 869-5286 or email cppbitt@cpp.edu

Sexual Violence Prevention & Education

Survivor Advocacy Services and OEIC professional staff provide extensive education awareness programming to address the issues of sexual assault, dating violence, and stalking. Staff provides classroom presentations, campus programs, sponsor campus Sexual Assault and Domestic Violence Awareness months, and other outreach activities. These programs are offered at least quarterly and are available upon request.

See Sexual Violence section for more information regarding prevention programs and training to increase education awareness and reduce the incidence of sexual violence on campus.

Safety Escort Program

University Police Student Assistants provide safety escorts on foot or vehicle to or from your class to a safe campus destination such as to your vehicle parked on campus, Residential Hall/Suite, or the University Village. Student Assistants are available Monday through Thursday after 6:00 p.m. Call 869-3070 or extension 3070 from any campus phone to request a safety escort. Be prepared to provide the police dispatcher with your name, clothing description, pick-up location, and your destination.

Safety Escorts are provided on a “first come, first served” basis and escort vehicles can transport a maximum of two passengers at a time. Use of the escort service is encouraged to enhance personal safety, however is not intended for use simply as a means of transportation. Abuse of the service can affect response times for legitimate purposes. Walking with a friend or in groups, taking the Bronco Express, and staying in well-lit, frequently traveled areas are also recommended safety practices. Safety escorts are not provided to City of Pomona streets, including South Campus Dr., Temple Ave. and Valley Blvd.

Self-Defense Programs

In collaboration with University Police, Survivor Advocacy Services, ASI and other campus departments provide self-defense programs annually. Instructors and Police Officers teach self-defense techniques and provide sexual
violence prevention education, awareness and resources. For more information, contact the University Police Watch Commander at (909) 869-4500.

Social Media, On Line Media and Print Materials
University Police works closely with Strategic Communications to ensure the timely and appropriate release of information in order to prevent crime and enhance the safety of the community. Cal Poly Pomona Strategic Communications has a very active social media presence across applications (e.g., Facebook, Snapchat, Instagram, Twitter). While social media is used to communicate a broad range of campus-related information and engage the community, it is also a very powerful tool in informing the community regarding crime prevention measures, safety and preparedness information, encouraging reporting (“If You See Something, Say Something”), and relaying time sensitive information. University Police maintains Twitter and Instagram accounts to increase social media presence and conducts other community outreach activities.

The Poly Post, PolyCentric and University web pages provide ongoing information regarding safety, crime prevention, emergency preparedness, and campus safety issues. The Poly Post receives a weekly Police crime and incident log from University Police and publishes the “Crime Blotter” in each issue. Brochures, posters, and on line information on crime prevention and health and safety issues are available at offices throughout the campus, such as University Police, Student Health Services, Counseling and Psychological Services (CAPS), Survivor Advocacy Services, and OIEC. Written materials are widely distributed at resource fairs, student orientation, and other campus events.

Education and Awareness Programs
University departments provide a broad range of education and awareness programs throughout the year. The tables below highlight some of the primary prevention and awareness programs offered in calendar year 2018.

Programs provided by University Police (UPD) in 2018

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Frequency</th>
<th>Audience</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health &amp; Safety for Students</td>
<td>Annually</td>
<td>Student and Parent Orientation</td>
<td>Crime prevention, safety, sexual violence, student code of conduct, policies, campus mental health resources</td>
</tr>
<tr>
<td>Workplace Violence/Active Shooter</td>
<td>Annual; By Request</td>
<td>Residence Life staff and students; Students, Staff, Faculty, Administrators</td>
<td>Types of workplace violence and armed intruder/active shooter preparedness, prevention and response; Active Shooter</td>
</tr>
<tr>
<td>Alcohol Education and Awareness</td>
<td>Annually, By Request</td>
<td>New Students – Housing RAs lead programs</td>
<td>Alcohol laws, university policies, safe and legal alcohol use, beer goggle activities</td>
</tr>
<tr>
<td>Campus Safety Training</td>
<td>Annually, By Request</td>
<td>Staff, Administrators, Student groups</td>
<td>Campus safety, evacuation, preparedness, critical incident individual response concepts</td>
</tr>
<tr>
<td>Safety and Security Topics</td>
<td>By Request</td>
<td>Students, Staff, Faculty</td>
<td>Presentations and trainings tailored to meet specific need or objectives (e.g. safety concerns, incident response or follow up, classroom presentations)</td>
</tr>
<tr>
<td>--------------------------------------------</td>
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</tr>
<tr>
<td>Office Safety Protocols and Procedures</td>
<td>By Request</td>
<td>Faculty, Staff, Administrators</td>
<td>Office safety site surveys and review of current safety protocols</td>
</tr>
<tr>
<td>Program Type</td>
<td>Frequency</td>
<td>Audience</td>
<td>Description</td>
</tr>
<tr>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Event – BESMART</td>
<td>Annually</td>
<td>Campus wide</td>
<td>Alcohol awareness event featuring educational passive and interactive activities. Student organizations and campus departments host booths and lead activities.</td>
</tr>
<tr>
<td>Event - Alcohol Education</td>
<td>Annually</td>
<td>Students – ASI Event</td>
<td>Alcohol awareness at Midnight Madness</td>
</tr>
<tr>
<td>Let’s Talk About Sex</td>
<td>Monthly; By Request</td>
<td>Students – UHS, UB, Academic presentations, Greek Life, OSLCC</td>
<td>Sexual health, healthy relationships, affirmative consent, sexual violence prevention</td>
</tr>
<tr>
<td>Topics tailored to need</td>
<td>By Request</td>
<td>Campus wide</td>
<td>Programs and workshops designed for target or specific audiences</td>
</tr>
</tbody>
</table>

**On-Campus Resources - Safety, Prevention and Support**

**Counseling and Psychological Services (CAPS)**
Counseling and Psychological Services (CAPS) goal is to provide quality mental health services to support students’ overall health and wellbeing. CAPS provides many services such as individual or group therapy, wellbeing coaching, crisis intervention, workshops, and support to access on and off-campus resources.

College can be a fun and exciting experience, but it can also present a variety of difficult challenges. CAPS’ experienced, professional staff is committed to providing students with support and culturally sensitive services that a respectful of diverse identities. CAPS staff includes psychologists, marriage and family therapists, and a wellbeing coach. Currently enrolled students may utilize services at no additional fee (funded by a mandatory health fee that is included in tuition).

A psychiatrist is also available on staff. Crisis counseling and consultation is available 24 hours a day.

CAPs workshops are available to assist students in coping with their concerns. Wellbeing Workshops are drop-in sessions designed to teach students coping strategies for a variety of presenting concerns, such as stress, relationships, negative emotions and communication difficulties.

For more information, to schedule an appointment or to learn more, CAPS is located in Building 66 or call (909) 869-3220. For student counseling services and appointment information go to [https://www.cpp.edu/~caps/our-services/index.shtml](https://www.cpp.edu/~caps/our-services/index.shtml) For Crisis Assistance for Students online information go to [https://www.cpp.edu/~caps/emergency/index.shtml](https://www.cpp.edu/~caps/emergency/index.shtml)

If you, or someone you are in contact with, is having a potentially life-threatening medical or psychological emergency at any time, please call (909) 869-3070 (University Police if on-campus) or 911 (if off-campus)
**Student Health Services** and **Bronco Wellness Center**

The Student Health and Wellness Services (SHWS) mission is to promote students’ health lifestyles and academic success by providing quality medical, psychological and wellness services. SHWS is a fully accredited ambulatory care facility (you must be able to walk in on your own to receive care) and provides students with affordable, accessible and student-centered health care and wellness services so students can receive the care and assistance they may need. Services are available to all enrolled Cal Poly Pomona students and most services are provided at no cost (funded by a mandatory health fee that is included in tuition). Services provided include medical appointments with licensed and board-certified clinicians, nurses and physician assistants, digital x-rays, travel consultations, well-patient physicals, minor surgical procedures, well-womxn exam, flu shots, Tdap vaccine, Tuberculosis screening, and common STI/STD testing. Other low-cost services are also available.

The **Bronco Wellness Center** is committed to creating a supportive environment for life-enhancing behaviors, which contribute to safety and crime prevention, individual health, community well-being, and academic success. With a focus on prevention, the Bronco Wellness Center provides a range of free, health and education services including: health assessments, one-on-one education sessions on various health topics, free health promoting giveaways, quit nicotine services, latex barriers and other safer sex supplies. Bronco Wellness Center staff also provide on-campus programs, workshops, counseling and referrals on alcohol and other drugs, stress management, nutrition and fitness and other health related issues. To request programming assistance you may submit a **Wellness Assistance on-line request form**. Wellness Services is located in Bldg. 46 (West Entrance) and may be reached at (909) 869-5272.

**Survivor Advocacy Services (SAS)**

Survivor Advocacy Services (SAS) provides support for individuals impacted by sexual violence, dating violence, domestic violence, harassment and stalking. SAS also provides education and awareness programs at least monthly and by request in the form of training, workshops and classroom presentations. SAS also provides individual security training, such as assisting in developing safety plans. See the Sexual Violence Prevention and Education section of this report for more prevention program information.

SAS is located in Building 66 – Bronco Bookstore – Room 117 C&D. For more information or to schedule a prevention program or workshop, contact Naomi Chu at (909) 869-3102, the general line at (909) 869-2196 or email nmchu@cpp.edu.

**Integrated Care Network**

The Cal Poly Pomona Integrated Care Network is part of the Student Health and Wellbeing cluster within the Division of Student Affairs. By offering a range of specialized support services, the Integrated Care Network strives to promote, maintain, and improve the health and wellbeing of Cal Poly Pomona’s students through integration and partnerships, prevention, early intervention, and access to resources.

**Behavioral Intervention Team (B.I.T.)**

Cal Poly Pomona is committed to providing support to students to address any issues that may be affecting their academic and personal success. Cal Poly Pomona values our students’ success not only academically but also
emotionally and physically. The Behavioral Intervention Team (B.I.T.) (formerly PolyCares) is a network of campus professionals that are committed to prevention, education, and early intervention to assist students in distress while providing support and resources to faculty and staff. Working together with campus community members, B.I.T. aims to proactively identify, assess and offer an integrated and coordinated institutional response to students, campus community members (and non-members) who may pose a risk to themselves, others and/or the campus community.

The primary goal of B.I.T. is to provide timely support to our students to provide the greatest opportunity for safety and success while providing the greatest level of protection for our community.

**What is YOUR role?**

All campus community members play a role in ensuring the safety and wellbeing of our students, employees and campus community. If you “See Something then Say Something” is more than a slogan. When community members practice this basic principle we can ensure that students and employees receive help and support when they need it most and maintain a safe campus environment.

Submit a Broncos Care for Broncos form if you observe and/or are made aware of any behavior that is concerning, leaves you worried, and/or alarmed.

When in doubt, please reach out to the Care Services Coordinator for a confidential consultation at cppbit@cpp.edu or (909) 869-5286.

Additional Faculty and Staff Resources:

- Crisis Assistance for Students
- Supporting Students in Distress
- Suicide Prevention for Faculty Staff

**Pride Center** and **Safe Zone Ally Program**

The Pride Center provides education, advocacy, support and a safe space for lesbian, gay, bisexual, transgender, intersex, queer, questioning (LGBTIQQ) and ally community at Cal Poly Pomona. The Pride Center serves the campus community by promoting empowerment and social justice on topics of sexual orientation and gender identity.

The Safe Zone Ally Program is a network of Cal Poly Pomona students, faculty and staff who are visibly supportive of lesbian, gay, bisexual, transgender, and queer (LGBTQ) people of anyone dealing with sexual orientation and gender identity issues AND who have attended the Safe Zone training workshop. Participants of the training workshop learn about LGBTQ topics and terminology, receive resources and referral information, interact with an LGBTQ student panel, and discuss ways to be an Ally. An Advanced Safe Zone Ally training is available to further ones knowledge.

The Pride Center is located in Building 26 (University Stables), 107. For more information on Pride Center services, resources, or the Safe Zone Ally training schedule, contact the Pride Center at pride_center@cpp.edu or (909) 869-2573.
Disability Resource Center (DRC)

The DRC, in collaboration with the campus community, promotes equal access and opportunity for individuals with disabilities. The DRC further seeks to empower students to fulfill their potential through self-knowledge, life-long learning, and growth. The DRC authorizes and facilitates the use of accommodations and services. Types of accommodations provided include: Alternative Media, Classroom Accommodations, Deaf and Hard of Hearing Services, Housing Accommodations, Mobility Assistance, and Testing Accommodations. The DRC also provides supplemental advising, peer mentoring, executive skills coaching, and referral services. The DRC is located in Building 9, Room 103 or call (909) 869-3333.

CRIMINAL ACTIVITY AT NON-CAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

The University Student Code of Conduct extends to non-campus locations that are owned or controlled by the student organization, or when students are engaged in University Sponsored or campus related events or activities. The University does not own or control any student organization residences or facilities. Crime statistics for residences leased by the student organization, and reports of crimes occurring off-campus that are associated with a university related activity, are included in the crime statistics non-campus location category.

University Police communicates and collaborates with local police agencies regarding issues occurring at known student residences to mitigate crime or violations of city ordinances (i.e. noise, party host responsibilities).

ALCOHOL AND DRUGS

The unlawful possession, use, manufacture, distribution, or sale of illicit drugs or drug-related paraphernalia, tobacco or alcohol, and the misuse of legal pharmaceutical drugs or alcohol by any faculty, staff, recognized auxiliary employee, student, registered student club or organization, campus entity, visitor or visiting organization is strictly prohibited in the workplace, on University premises, at University activities, or on University business, on campus or off. University Police officers enforce all local, State and Federal laws pertaining to alcohol and drugs including underage drinking. Any faculty, staff, student or student organization, campus entity, visitor or visiting organization that violates this policy is subject to disciplinary action as set forth in the University Alcohol and Other Drugs Policy and/or will be referred to the appropriate authorities for legal prosecution.

The University does allow limited use of alcoholic beverages on campus in compliance with all laws and the University Alcohol and Other Drugs Policy. Alcoholic beverages may be purchased in designated food service operations, and may be served at specified events upon the approval of the Vice President for Student Affairs or their designee.

Possession or consumption of alcoholic beverages on campus by persons under the age of 21 is strictly prohibited. The use of alcoholic beverages by persons 21 years of age or older is permitted only in student residential areas as designated by the Director of University Housing Services or the Director of the Cal Poly Pomona Foundation, Inc. Kegs of alcoholic beverages, regardless of type or size, are prohibited in student
residences. All University Housing Services (UHS) and Foundation Housing Services, Inc. (Village) residents and their guests must comply with established alcohol and other drug policies specific to their residence community.

University Police strictly enforces local, State and Federal laws, as well as the University's zero-tolerance policy, for the use and sale of illegal drugs. Violators are subject to University discipline, criminal prosecution and/or removal from University housing. Students found in violation of University alcohol and drug policies may be subject to academic probation, suspension, or expulsion.

Employees in violation of the University alcohol and drug policies may be subject to corrective action or dismissal or may be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, State and Federal law for the unlawful possession or distribution of illicit drugs and alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in State Prison.

A University Police Officer can take the license from any driver suspected of driving under the influence of alcohol and drugs, who refuses to take a blood alcohol test.

**Treatment and Health Risks:**

The University recognizes alcohol and other drug dependency as treatable conditions and offers educational and counseling assistance and/or referrals to employees and students to aid them in dealing with problems associated with substance abuse. For students, Counseling and Psychological Services and Student Health and Wellness Services is the campus resource for treatment of alcohol/drug related concerns, as well as for advice in assisting students with related issues. For faculty and staff, the Employee Assistance Program (EAP) is a campus resource that can provide appropriate referrals for assistance with drug or alcohol related problems. Benefits-eligible employees may have coverage in their medical benefits packages for counseling and the treatment of alcohol/drug related concerns.

Auxiliary employees and volunteers should contact the Human Resources representative in their respective auxiliary.

**Health Services** Building 46  
(909) 869-4000  
[http://www.cpp.edu/~healthcounseling](http://www.cpp.edu/~healthcounseling)

**Counseling and Psychological Services (CAPS)** Building 66, Room 116 (Bookstore Building)  
(909) 869-3220  
[http://www.cpp.edu/~healthcounseling](http://www.cpp.edu/~healthcounseling)

**Employee Assistance Program (EAP)** (CPPLifeMatters by Empathia)  
Hotline (800) 367-7474  
[http://www.cpp.edu/~employee-assist](http://www.cpp.edu/~employee-assist)
The use of illicit drugs or tobacco, and the illegal use or excessive use/abuse of alcohol have all been shown to cause serious health consequences, including:

1. Adverse effects on a person’s judgment and decision making and other physical and mental health concerns such as addiction, damage to the brain and other organs, overdose, coma and even death; unpleasant symptoms or difficulty when stopping or reducing use can occur

2. Accidents and car crashes due to effects on vision, judgment, coordination and other physical skills;

3. Social and psychological problems that may interfere with school, job performance, and/or relationships; and

4. Unlawful conduct and/or activity, such as committing crimes, exhibiting violent behavior, and receiving sanctions for inappropriate and/or unlawful conduct. For more information on health risks associated with alcohol and other drugs, contact the Student Health and Wellness Services at (909) 869-5272.

Alcohol and Other Drugs Education Programs

Counseling and Psychological Services (CAPS) and Student Health and Wellness Services, provide annual and ongoing counseling, prevention education and programming that: 1) reinforces healthy lifestyles; 2) provides support services for students who are experiencing problems with substances; and 3) educates students about the impact of both alcohol and other drug misuse and abuse. Student Health and Wellness Services promotes safe practices, responsibility and awareness around alcohol consumption and other drugs. A professional health educator is available to provide presentations on the following topics:

- Alcohol, Marijuana, Tobacco, Prescription Drugs, and other drugs for potential of misuse
- Blood Alcohol Content (“BAC”)
- Choices
- AA Meetings
- Safe Practices
- Assess Your Alcohol Use (eCheckUpToGo)

In addition to alcohol and other drug education, the Wellness Center is committed to creating a supportive environment for life-enhancing behaviors, which contribute to safety and crime prevention, individual health, community well-being, and academic achievement. The Wellness Center provides education and awareness programs, workshops, one-on-one sessions with students, counseling and referrals on general health & wellness, body image, emotional wellness, stress and time management, nutrition and fitness and sexual & relationship health. Contact the Wellness Center at (909) 869-5272 or in person at Bldg. 46 West Entrance.

Alcohol, Tobacco and Other Drug (ATOD) Resources and Information

SEXUAL VIOLENCE

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

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

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

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

Prevention, Education, and Awareness

The University engages in comprehensive, intentional and integrated programming, initiatives, strategies and educational campaigns intended to end sexual assault, dating violence, domestic violence, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, best practices, assessed for learning outcomes, value and effectiveness; and
Consider environmental risk and protective factors as they occur on the individual, relationship, institution, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines what behavior and actions constitute consent to sexual activity in the State of California and/or using the definition of consent found in the CSU Executive Order;
d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
e. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, training for returning students, training for all employees and participating in and presenting information and materials during new employee orientation.

The Survivor Advocate and Title IX Coordinator conduct the majority of education and awareness programs for students and employees. Other campus entities also conduct programs related to sexual assault and other related topics, such as Student Health Services Wellness Center, Counseling and Psychological Services (CAPS), University Police, University Housing Services and Foundations Housing Services, Inc./Village, peer educators, and the Men Against Violence student club.

Training and education and awareness programs are presented to varied audiences in a range of settings, such as new and transfer student orientations, academic courses, and other target campus entities (e.g. Athletics, Greeks, Student Leaders, student residents, University Police). Survivor Advocacy Services (SAS) and the Women’s Resource Center provide programming for Sexual Assault and Domestic Violence Awareness Months and collaborate with the Office of Student Life and Cultural Centers to provide programs that may address ethnic and/or cultural issues related to sexual violence such as stereotypes, cultural barriers to reporting, etc.

Survivor Advocacy Services provides walk-in crisis services, consultations, appointments, assistance with restraining orders, and hospital and court accompaniments for students and employees. Survivor Advocacy Services also actively participates in a range of other campus activities to increase education and awareness,
including tabling and resource fairs such as B.E. S.M.A.R.T. Alcohol Education and Awareness, BroncoFusion, Orientation, etc.

Annual training and education and awareness programs include, but are not limited to, the programs listed in the following table. Training and programs can be developed and/or tailored to suit specific needs.
<table>
<thead>
<tr>
<th>Type of Program</th>
<th>Frequency</th>
<th>Dept. Provider</th>
<th>Audience</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health &amp; Safety</td>
<td>Annually</td>
<td>UPD, SAS, Student Health Services, Counseling and Psychological Services (CAPS), Student Conduct &amp; Integrity (SCI), OEIC</td>
<td>Orientation – All Incoming Students and Parents</td>
<td>Sexual Violence training</td>
</tr>
<tr>
<td>Eliminate Campus Sexual Misconduct Online Training</td>
<td>Annually</td>
<td>Office of Equity, Inclusion &amp; Compliance (OIEC)</td>
<td>All Faculty, Staff &amp; Administrators</td>
<td>Sexual violence (Sexual assault, domestic violence, dating violence, stalking) on-line education and prevention, training re: Title IX campus procedures, referral to on and off campus resources – hereafter Sexual Violence training</td>
</tr>
<tr>
<td>Title IX/Sexual Violence and related topics Online Trainings</td>
<td>Annually</td>
<td>OIEC</td>
<td>All undergraduate and graduate students</td>
<td>Sexual Violence on-line training</td>
</tr>
<tr>
<td>Title IX/Sexual Violence</td>
<td>Annually 1/16/18, 8/8/18, 8/10/18</td>
<td>OIEC</td>
<td>Housing - Staff and Resident Advisors</td>
<td>Sexual Violence training</td>
</tr>
<tr>
<td>Title IX/Sexual Violence and related Topics</td>
<td>Annually/ Upon Request 5/5/18, 5/14/18, 6/18/18, 6/21/18,7/9/18,7/16/18,8/16/18,8/16/18</td>
<td>OIEC</td>
<td>Students – Athletes, Social Justice and Student Leaders, Greek Quarterly</td>
<td>Sexual Violence training</td>
</tr>
<tr>
<td>Title IX Sexual Violence &amp; Related Topics</td>
<td>Annually 4/19/18</td>
<td>OIEC</td>
<td>All Athletic Coaches and Staff</td>
<td>Sexual Violence training</td>
</tr>
<tr>
<td>Event Description</td>
<td>Frequency</td>
<td>Requested by</td>
<td>Provider</td>
<td>Attendees</td>
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<tr>
<td>Alternative to Title IX Online Trainings: Escalation Workshop</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students</td>
<td>Wrapped around a video about interpersonal violence – the workshop trained students on consent, bystander intervention, healthy/unhealthy relationship, and sexual assault.</td>
</tr>
<tr>
<td>Alternative to Title IX Online Trainings (in person)</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Faculty, staff, students – by request</td>
<td>Sexual Violence training in person one on one</td>
</tr>
<tr>
<td>Professional training: Violence Prevention Services and Resources</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Staff – Test Center</td>
<td>Understand trauma on students that experience interpersonal violence &amp; How to respond to survivors with PTSD</td>
</tr>
<tr>
<td>Guest Lecture Workshop: Human Sexuality Course</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students</td>
<td>Provide a workshop that discuss boundaries, consent, unhealthy/healthy relationships, and types of abuse and bystander intervention.</td>
</tr>
<tr>
<td>Community Workshops (Village)</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>CPP Foundation Village</td>
<td>Workshops include: Self-identity, boundaries, healthy communication, relationships, and self-care</td>
</tr>
<tr>
<td>Violence prevention/Bystander Intervention Training</td>
<td>Annually; By request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students Leaders (RISE RAs, Summer Bridge, Village RAs, Village Student supportive staff, etc.)</td>
<td>Recognizing warning signs of potential predatory behavior, how to effectively and safely intervene to assist someone in need. Refresh student’s recollection on consent, bystander intervention, and interpersonal violence</td>
</tr>
<tr>
<td>Denim Day Art Reception</td>
<td>Annual</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students, Faculty, and Staff</td>
<td>Raising awareness by educating the community about sexual violence during sexual assault awareness month, and an Art/Narrative Display</td>
</tr>
<tr>
<td>Event Description</td>
<td>Frequency</td>
<td>Organizer</td>
<td>Audience</td>
<td>Description</td>
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<tr>
<td>Condom Wall Display</td>
<td>Annual 2/1/18 – 2/28/18</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students, Faculty, Staff, Visitors</td>
<td>Raise Awareness of Safe Sex by providing free condoms with lollipops to the community. Provided a space to have conversation about consent and healthy relationships.</td>
</tr>
<tr>
<td>Orgasm: An Open Talk About Sex</td>
<td>Annually 2/6/18 (2 sessions)</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students</td>
<td>A workshop that provided a safe space for students to learn about self-love, safe sexual practices, consent, &amp; healthy relationships.</td>
</tr>
<tr>
<td>Film Screening - The Light of the Moon</td>
<td>Annual 4/19/18</td>
<td>SAS and Alpha Phi Gamma sorority, Caps</td>
<td>Campus-wide – Students, Staff, Faculty</td>
<td>“A raw and realistic portrayal of the six weeks after a woman is sexually assaulted”. Fundraiser to support survivors on campus.</td>
</tr>
<tr>
<td>Moving Forward: Finding ways to heal from the past</td>
<td>One-time 5/8/18</td>
<td>SAS, CAPS</td>
<td>Students</td>
<td>Learn how people deal with trauma and stress - Mental health training.</td>
</tr>
<tr>
<td>Violence Prevention and Safety Planning</td>
<td>By Request</td>
<td>By Request</td>
<td>SAS and Bronco Wellness</td>
<td>Students – University Housing Residents</td>
</tr>
<tr>
<td>Safety Planning and Bystander Intervention</td>
<td>By request 9/19/18</td>
<td>SAS and Bronco Wellness</td>
<td>Students – University Housing Residents</td>
<td>How to prepare for a night out; knowledge of alcohol and impacts; how to respond to emergency situations.</td>
</tr>
<tr>
<td>Types of abuse in relationships</td>
<td>By request 10/4/18, 10/23/18</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students – classroom</td>
<td>Understanding the difference between healthy, unhealthy, and abusive relationships in your life using common signs.</td>
</tr>
<tr>
<td>Self-Care</td>
<td>By Request</td>
<td>By Request</td>
<td>Survivor Advocacy Services (SAS)</td>
<td>Students – University Housing Residents</td>
</tr>
<tr>
<td>Topic</td>
<td>Date</td>
<td>Provider</td>
<td>Audience</td>
<td>Description</td>
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<tr>
<td>The 5 love Languages</td>
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<td>Survivor Advocacy Services (SAS)</td>
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**Definitions Per Executive Orders 1095-1097†**

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

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

a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a person’s employment terms or conditions, academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or

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† As mandated by the Clery Act’s Violence Against Women Act (VAWA)/Campus SaVE Act, these policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth in the next section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Handbook.
b. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as limiting their ability to participate in or benefit from the services, activities or opportunities offered by the University; or

c. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as creating an intimidating, hostile or offensive environment.

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

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The University’s policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to University policy.

**Sexual Misconduct**

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

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

**Sexual Assault**

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

**Sexual Battery**

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

Rape
A form of Sexual Misconduct 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 they are incapacitated from alcohol and/or drugs, are under 18 years old, or if a mental disorder or developmental or physical disability renders a person incapable of giving consent. The respondent’s relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)

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

Affirmative Consent
An informed, affirmative, conscious, voluntary, and mutually agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent. Affirmative Consent must be voluntary, and given without coercion. Force, threats, or intimidation.

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions.
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making ability, awareness of consequences, and ability to make informed judgments. A person’s own intoxication or incapacitation from drugs or alcohol does not diminish that person’s responsibility to obtain Affirmative Consent before engaging in sexual activity.
• A person with a medical or mental disability may also lack the capacity to give consent.
• Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.
• It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
  o The person was asleep or unconscious;
  o The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
  o The person was unable to communicate due to a mental or physical condition.
• It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  o The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
  o The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

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

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

Stalking
Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for their or others’ safety, or to suffer Substantial Emotional Distress. For purposes of this definition:
• Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property;

• Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the complainant;

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

• Protected Status includes Age, Disability, Gender, Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct

Call 9-1-1 in any kind of emergency or when facing immediate harm or threat of harm.

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

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

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

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

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

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

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

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

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. Counselors and advocates can provide victims with that assistance if requested. Treating physicians, psychotherapists, professional counselors, and clergy will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.
Exceptions to Confidentiality
Under California law, any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct, Domestic Violence, and Dating Violence).

This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

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

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

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

**REPORTING TO THE POLICE**
As soon after the incident as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking may be reported to University Police by dialing 911. University Police will support all victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police.
and the decision to seek criminal prosecution remains with the victim. University Police will protect the confidentiality of the victim to the extent permitted by applicable California State law.

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

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

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

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

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

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

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

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

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

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

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

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University’s response to the incident. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct,
Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim’s identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim’s identity to the police without the victim’s consent or unless the victim has also reported the incident to the police.

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

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

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

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

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

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

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

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

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

DISCIPLINARY PROCEDURES
The University has procedures that provide for an administrative investigation of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking and written findings based on the preponderance of the evidence standard. In cases of Sexual Misconduct when: (1) the respondent is a student; (2) the credibility of a witness is an issue; and (3) there is the potential for the imposition of a severe sanction, the procedures provide for a hearing after an investigation. After the investigation (or hearing, if applicable), written findings based on the preponderance of the evidence standard will be provided to the complainant and respondent. Both the complainant and respondent may appeal written findings from the final investigation report or the hearing. All
appeals are submitted to the CSU Chancellor’s Office. The procedure for complainants filed by and against CSU employees and third parties is separate from but similar to the procedure for CSU students.

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

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

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

After review of evidence by the parties, the investigator will prepare a final investigation report. The report shall include a summary of the allegations, the investigation process, the preponderance of the evidence standard, a detailed description of the evidence considered and appropriate findings. Within 10 days of issuance of the final investigation report, the Title IX Coordinator shall notify the Complainant and the Respondent in writing of the outcome of the investigation.

After the investigation has been concluded, in Sexual Misconduct cases that require a hearing, the parties will receive an investigation report that will (a) describe the allegations; (b) identify the material facts – undisputed and disputed – with explanations as to why any material fact is disputed; and (c) describe the evidence presented and considered. At this stage in the process, the parties will be offered an opportunity to informally resolve the complaint.

If the parties are unable to informally resolve the matter, a hearing will be scheduled. The hearing will be conducted by an independent Hearing Officer who will listen to the witnesses and analyze the evidence presented. The Hearing Officer will ask questions of the parties as well as other witnesses with percipient knowledge of the facts in dispute, and will make findings of fact and a decision about whether CSU policy was violated by a preponderance of the evidence. Although the parties themselves will not ask questions, they may propose questions for the Hearing Officer to ask of the other party and witnesses.

At the conclusion of the University’s complaint and investigation procedure (including hearing), any employee or student found to have violated University policy against Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will be subject to discipline. For employees, discipline would be administered consistent with applicable collective bargaining agreements, University policies and legal requirements. For students, discipline would be administered in accordance with CSU Executive Order 1098 (discussed below). Victims are not
required to participate in any University disciplinary and may choose not to be a part of it. Disciplinary procedures will:

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

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

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

COMPLAINTS MADE BY STUDENTS

COMPLAINTS MADE BY EMPLOYEES, FORMER EMPLOYEES, THIRD PARTIES, AND APPLICANTS FOR EMPLOYMENT
Executive Order 1096, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties” is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct,
Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party.

Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at http://www.calstate.edu/EO/EO-1096-rev-3-29-19.pdf

**COMPLAINTS MADE BY STUDENT-EMPLOYEES**

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not their status as a student. Executive Order 1096 can be viewed at http://www.calstate.edu/EO/EO-1096-rev-3-29-19.pdf

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**Disciplinary Procedure**

The Title IX Coordinator (or designee) is responsible for investigating complaints of Gender Discrimination, Harassment and Retaliation, including Sex Discrimination and Sexual Harassment, as well as Complaints of Sexual Misconduct, Domestic and Dating Violence, and Stalking. (See Executive Orders 1095, 1096 and 1097.)

With respect to cases adjudicated under Executive Order 1097 (i) alleging Sexual Misconduct by a Student that, (ii) if substantiated, could result in a severe sanction (suspension or expulsion), and (iii) where credibility of any Party or witness is central to the finding, a hearing will be conducted after an investigation and a review by the parties of the evidence gathered during the investigation. Generally, within 10 working days of the close of the hearing, the Hearing Officer will make findings of fact and conclusions about whether a violation of CSU policy has occurred. The standard of proof the Hearing Officer will use is whether each allegation is substantiated by a Preponderance of the Evidence.

The Title IX Coordinator will review the Hearing Officer’s Report to ensure compliance with CSU policy. The Hearing Officer’s Report shall be promptly transmitted to the Parties, the Title IX Coordinator, and the Student Conduct Administrator.

With respect to Executive Order 1096 and all other matters falling under Executive Order 1097 that do not meet the criteria articulated above, the Title IX Coordinator investigates those complaints or assigns an investigator. The investigator prepares a report that includes findings of facts and conclusions about whether the applicable Executive Order was violated. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings.

Where a complaint is made against a student and the applicable Executive Order is found to have been violated, the Title IX Coordinator shall also notify the Student Conduct Administrator of the investigation outcome and provide a copy of the investigation report.
Where a complaint is made against an employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation reports. Sanctions are imposed in accordance with current collective bargaining agreement, when applicable, and may include:

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

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

STUDENT CONDUCT DISCIPLINE PROCEEDINGS
In cases where there is no hearing and the investigative report finds a violation of Executive Order 1096 or 1097, or where the finding of a violation has been sustained after an appeal, the report is referred to the Student Conduct Administrator to initiate student conduct proceedings. The Student Conduct Administrator will offer to conduct pre-hearing conferences separately with the complainant and respondent to review information concerning the charges, interim remedies, proposed sanctions or range of sanctions, the nature of further proceedings, and possible disposition without sanction hearing.

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

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

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

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

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

The Hearing Officer shall submit a written report to the president recommending sanctions, if any, as well as any recommendations regarding additional remedies. The report shall include any mitigating or aggravating factors relied upon by the Hearing Officer in reaching the recommendations. The report shall be submitted within 10 working days after the hearing.

DISCIPLINE PROCEEDINGS FOR STUDENT MISCONDUCT CASES

In cases adjudicated under Executive Order 1097 (i) alleging Sexual Misconduct by a Student that, (ii) if substantiated, could result in a severe sanction (suspension or expulsion), and (iii) where credibility of any Party or witness is central to the finding, if a violation is found, within 5 Working Days of receiving the finding the Parties may submit to the Hearing Coordinator an impact statement regarding discipline. The Student Conduct Administrator and/or Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors for the Hearing Officer to consider.

After reviewing submitted information from the parties and the Title IX Coordinator and Student Conduct Administrator, the Hearing Officer will make a sanction recommendation. The sanction recommendation will be submitted to the president (or designee), including recommended sanctions (as defined in EO 1098). The Hearing Officer’s Report will attach the Investigation Report and will include:

a) the factual allegations and alleged policy violations;

b) the Preponderance of the Evidence standard;

c) the evidence considered including an analysis of the credibility of the Parties and witnesses, when credibility assessments are required to resolve factual disputes;
d) any material evidence identified by the Parties or witnesses that the Hearing Officer determined was not relevant (or duplicative) and the reason why the evidence was not considered to be relevant;

e) a list of all questions proposed by the Parties at the hearing, and if any questions were not asked, why;

f) a summary of the procedural issues raised by the Parties before or during the hearing;

gh) the factual findings and the evidence on which the factual findings are based;

h) to the extent that the factual findings required a determination concerning of the relative credibility or lack of credibility of the Parties or witnesses, an explanation as to how that determination was reached; and

i) a determination of whether the Executive Order was violated and an analysis of the basis for that determination.

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**PRESIDENT’S SANCTION DECISION/NOTIFICATION**

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

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

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

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

**STUDENT SANCTIONS**

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

1. **RESTITUTION**

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

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

3. EDUCATIONAL AND REMEDIAL SANCTIONS

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

4. DENIAL OF ACCESS TO CAMPUS OR PERSONS

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

5. DISCIPLINARY PROBATION

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

6. SUSPENSION

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

   a. A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.

   b. A student who is suspended for one academic year or more shall be separated from student status but remains eligible to reapply to the University (subject to individual campus application 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.
A student is not considered to be in good standing for purposes of admission to the University while under a sanction of suspension or expulsion, or while admission or re-admission has been disqualified.

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

**OTHER CONSIDERATIONS RELATED TO SANCTIONS**

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

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

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

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

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

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

**Appeal of President’s Sanction**

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

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

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

**Sexual Violence Reporting Contact Information and Resources**

**University Police**  
**On-duty 24 hours/day, 365 days a year**  
Bldg. 109 (Cypress and Oak Ln. adjacent to Parking Structure 1)  
Phone: Dial 9-1-1 from any campus or Code Blue phone If using a cell phone on campus – (909) 869-3070  
Web: [http://cpp.edu/~police](http://cpp.edu/~police)

**Office of Equity, Inclusion and Compliance – (OEIC) – For Title IX Administrative Reports**  
Student Services Building (121-2701) – 2nd Fl., West side  
Interim Assistant Vice President & Title IX Coordinator – Susan Hua  
Phone: (909) 869-4646  
Email: susanhua@cpp.edu  
Web: [http://cpp.edu/~officeofequity](http://cpp.edu/~officeofequity)

**Survivor Advocacy Services (SAS)**  
Bldg. 66-119 (Bronco Bookstore)
Phone: (909) 869-3102
Web: http://cpp.edu/~healthcounseling/survivor_advocacy

**Student Health Services**
Bldg. 46 – University Dr.
Phone: (909) 869-4000, Monday-Friday, 8am-5pm
Urgent Care: (909) 869-2740
After Hours Nurse Advice Line (after 5pm weekdays and on weekends): (855) 868-4945
Web: http://www.cpp.edu/~healthcounseling/index.shtml

**Counseling and Psychological Services (CAPS)**
3801 W. Temple Avenue, Bldg. 66, Pomona, CA 91768
Phone: (909) 869-3220, Monday-Friday, 8am-5pm
After Hours Crisis Support (Available 24/7): (909) 869-3220 then press 2
Web: http://www.cpp.edu/~healthcounseling/counseling

**Local Police**

**Local Law Enforcement Agencies**

**City of Pomona Police Department**
490 W. Mission Blvd., Pomona, CA 91766
(909) 620-2155
Website: http://www.ci.pomona.ca.us/index.php/contact-us-home/contact-the-police-department

**Los Angeles County Sheriff’s Department – Walnut Station**
21695 E. Valley Blvd.
Walnut, CA 91789
Phone: (909) 595-2264 or (626) 913-1715
Website: http://www.Walnut.DiamondBar.lasd.org

**Community Resources**

**Project Sister Family Services**
To speak with an advocate AFTER HOURS contact:
24 Hour Hotline: (909) 626-4357
P.O. Box 1369, Pomona, CA 91769-1369
Phone: (909) 623-1619,
Website: http://projectsister.org/

**House of Ruth**

*Assisting Families Victimized by Domestic Violence*
P.O. Box 459, Claremont, CA 91711
Pomona Outreach Office (909) 623-4364
24 Hour Hotline: 1-(877) 988-5559

**Pomona Victim Services**
400 Civic Center Plaza - Room 201 Pomona, CA 91766
Local Hospitals

Pomona Valley Hospital Medical Center
1798 N. Garey Avenue Pomona, CA 91767
Phone: (909) 865-9500
Website: http://www.pvhmc.org

San Dimas Community Hospital
1350 W. Covina Blvd. San Dimas, CA 91773 Phone: (909) 599-6811
Website: http://www.sandimashospital.com/
Sexual Violence Risk Reduction Strategies

What You Can Do To Help Stop Sexual Violence and Avoid Perpetrating Sexual Violence

- 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 Violence, 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 Violence, 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 and Assist Others

- 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 Violence 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.
REGISTERED SEX OFFENDERS

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

EMERGENCY NOTIFICATION

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

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

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

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

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

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

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

Students and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit http://www.cpp.edu/~safety/emergency-communication/safety-alert-system.shtml or call the Information Technology Help Desk at (909) 869-6776 for assistance.

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

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

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The responsibility for implementing a campus emergency management program is outlined in California State University Executive Order 1056 – California State University Emergency Management Program. Executive Order 1056 guides campuses on developing and maintaining an emergency management program on each campus that will be activated when a hazardous condition, natural or man-made disaster reaches or has the potential for reaching proportions beyond the capacity of routine campus operations. The Emergency Management Coded Memo RM-2018-1 replaces out-of-date sections provided by Executive Order 1056, further defines the responsibilities, and needs of an effective campus emergency management program.

Emergency Management is a function of the Office of Emergency Management & Business Continuity in the Division of Administrative Affairs. The Emergency Manager and University Police Department work in close collaboration to carry out the full scope of these responsibilities, including the development, implementation and maintenance of a campus emergency management program, including programs, initiatives, and activities in emergency planning, training, response, and recovery.

The campus Emergency Operations Plan is an all-hazards plan that establishes a comprehensive framework for management of emergency events that occur on or near University property or has a significant impact on the University community. The plan establishes the emergency organization, assigns tasks, specifies policies and general procedures, and provides for coordination of planning efforts of the various emergency staff and service elements of the jurisdiction. The framework of this plan is based on the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), National Response Framework (NRF), and Incident Command System (ICS).
The objective of the plan is to incorporate and coordinate all emergency personnel of the University, as well as other external response and supporting agencies, into an efficient organization capable of responding to any emergency. To support its emergency operations, the University will commit to:

- Emergency/disaster planning
- Training of students, faculty and staff, auxiliary personnel, and volunteers
- Public awareness and education on emergency preparedness
- Identifying and security resources needed to cope with emergency/disaster/critical incidents

Emphasis will be placed on prevention and mitigation measures to reduce losses from disasters.

The University’s leadership gives its full support to the Emergency Operations Plan and urges all officials, employees and campus community members, individually and collectively, to do their share in the total emergency effort on the University.

Every member of the Cal Poly Pomona campus is urged to be prepared for emergencies by learning basic emergency procedures and maintaining emergency supplies in their room, office or vehicle. In the event of a major emergency, each individual should react calmly. The success of the campus emergency plan will depend on a thoughtful and cooperative response by the entire campus community working together.

As soon as possible, pre-recorded emergency information will be placed on the university information line at (909) 869-7659 [POLY]. Emergency information may also be accessed on-line via the University home page. General Safety and Emergency Information, evacuation procedures and resources may be found on-line at https://www.cpp.edu/~safety/index.shtml

Faculty and staff should follow their established departmental procedures for responding to the campus to assist with the emergency or for leaving the campus if they are directed to do so.

Each year the campus conducts regularly scheduled drills, exercises and appropriate follow-up activities designed to improve emergency response on an ongoing basis. These tests and exercises, which may be announced or unannounced, are conducted in support of efforts to assess and evaluate emergency response plans and capabilities. After action briefings and corrective action plans may be developed and conducted. Procedures include the documentation of exercises, which include the exercise description, date, time, whether announced/unannounced. This information is available for review upon request. Emergency response and evacuation procedures are also publicized annually in conjunction with such tests. For more information or to schedule a drill, exercise, training or workshop, contact the Office of Emergency Management and Business Continuity at (909) 869-4022.

The Emergency Manager and University Police Department cooperate with local police and fire, including the City of Pomona Police Department, Los Angeles County Sheriff’s Department, and Los Angeles County Fire Department to ensure communication with the university regarding situations reported to them that may warrant a campus emergency response or activation.
The following tables highlight emergency preparedness and evacuation drills, training and activities in calendar year 2018. Due to organizational changes and realignment, Institutional Risk (as the office was titled in 2018) is now the Office of Emergency Management and Business Continuity.

### Evacuation Drills

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<td>Rose Float (Satellite Location)</td>
<td>8/25/18 10/27/18</td>
<td>Institutional Risk &amp; Rose Float</td>
<td>Building 64</td>
<td>Unannounced evacuation drill for students and employees (advisors) and visitors</td>
</tr>
<tr>
<td>Type of Program</td>
<td>Frequency/Date</td>
<td>Dept. Provider</td>
<td>Audience</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------</td>
<td>----------------------------------------</td>
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<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Safety Alert Test</td>
<td>Quarterly</td>
<td>Strategic Communications</td>
<td>All - Campus Wide</td>
<td>Test of the campus safety alert system for critical incidents or emergencies</td>
</tr>
<tr>
<td>Building Marshals &amp; Floor Captain ½ Day or Full Day Academy (Training)</td>
<td>Annual (minimum) 3/27/18 5/25/18 6/21/18 10/12/18</td>
<td>Institutional Risk</td>
<td>Campus Building Marshals &amp; Floor Captains – Volunteer staff</td>
<td>Emergency Plan elements, emergency response and evacuation procedures</td>
</tr>
<tr>
<td>Emergency Management Plan Training/Workshop</td>
<td>Annual</td>
<td>Institutional Risk/ Academic Affairs</td>
<td>(20) Campus administrators (Provost, Deans &amp; AF Admin.)</td>
<td>Academic Affairs, Overview and emergency management plan implementation</td>
</tr>
<tr>
<td>First Aid/Triage Training</td>
<td>Annual (minimum) 2/1/19 4/6/18</td>
<td>Institutional Risk</td>
<td>Campus Building Marshals &amp; Floor Captains - Volunteer staff</td>
<td>First Aid and Triage training and certification program</td>
</tr>
<tr>
<td>Fire Extinguisher Use</td>
<td>On-going</td>
<td>Institutional Risk</td>
<td>University Housing, Village EOCs, Collins – Employees and students</td>
<td>Basic fire extinguisher deployment training</td>
</tr>
<tr>
<td>Active Shooter/ Shelter In Place</td>
<td>On-going 9/25/18 *(2) sessions</td>
<td>University Police</td>
<td>Campus-Wide - Employees</td>
<td>Interactive presentation focuses on mental preparedness, warning signs and response to active shooter situations. Emergency Preparedness Week activities</td>
</tr>
<tr>
<td>Emergency Preparedness</td>
<td>On-going 9/27/18 9/28/18</td>
<td>Institutional Risk</td>
<td>Campus-Wide - Employees</td>
<td>General overview of emergency preparedness concepts and action plans for various potential emergencies and/or disasters. The program offered as part of Emergency Preparedness Week activities.</td>
</tr>
<tr>
<td>Type of Program</td>
<td>Frequency/Date</td>
<td>Dept. Provider</td>
<td>Audience</td>
<td>Description</td>
</tr>
<tr>
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</tr>
<tr>
<td>Basic Adult CPR/AED</td>
<td>On-going 9/26/18</td>
<td>Institutional Risk/ ASI</td>
<td>Campus-Wide - Employees</td>
<td>Basic adult CPR and AED training certification program as part of Emergency Preparedness Week activities</td>
</tr>
<tr>
<td>Earthquake Preparedness</td>
<td>On-going 9/24/18 and 9/27/18</td>
<td>Institutional Risk</td>
<td>Campus-Wide - Employees</td>
<td>Workshop on Earthquake preparedness as part of Emergency Preparedness Week activities</td>
</tr>
<tr>
<td>ICS Training (7.5 Hours)</td>
<td>On-going 7/12/18 and 8/20/18</td>
<td>Institutional Risk</td>
<td>EOC/ICS Section Coordinators - Employees</td>
<td>FEMA Incident Command System training and certification for EOC members</td>
</tr>
<tr>
<td>Shelter Fundamentals Course</td>
<td>On-going 3/8/18</td>
<td>Institutional Risk/ American Red Cross</td>
<td>Campus Building Marshals &amp; Floor Captains – Employees (who volunteer to serve in this role)</td>
<td>Shelter Fundamentals, coordinating, and process training for emergency response</td>
</tr>
<tr>
<td>Table Top Exercise/Training</td>
<td>On-going 5/21/18 and 5/30/18 and 10/2/18</td>
<td>Institutional Risk/Campus Safety Group</td>
<td>EOC/ICS Section Coordinators</td>
<td>Overview of various roles and responsibilities in the Emergency Operations Center (EOC) during an emergency; Responses to particular emergency situations through scenario based learning</td>
</tr>
<tr>
<td>Evacuation Chair Training</td>
<td>On-going 1/31/18, 6/15/18, 8/31/18, 9/24/18, 10/12/18, 11/2/18, *(2) sessions 12/7/18</td>
<td>Institutional Risk</td>
<td>Campus-wide – Employees, students</td>
<td>Safe and proper use of evacuation chairs</td>
</tr>
</tbody>
</table>

**Evacuation Procedures**
Information regarding evacuation and other emergency procedures is available on the Emergency Management web site. Evacuation locations for each campus building are posted on-line at https://www.cpp.edu/~em(evacuation-sites.shtml)

Campus evacuation

- Building evacuations will occur when a building alarm sounds and/or you receive notification from an Evacuation Coordinator, or designated emergency personnel.
- If no emergency personnel are present, an individual may leave the building if, in his or her opinion, imperative circumstances dictate that safety is jeopardized by remaining in the building. Contact University Police at 9-1-1 or (909) 869-3070 to advise them of your evacuation.

Building evacuation

- Sound an evacuation alarm via the building alarm system, shouting or any other means.
- Confirm building alarms that are used to start an evacuation and what the “all clear” signal is. Evacuation Coordinators will be using an evacuation checklist to ensure that everyone is out.
- Building occupants will be directed away from the incident to an evacuation site strategically located away from the incident. Re-entry into buildings will be denied until it is safe to return.

In the event your building is evacuated:

- Take all valuables, keys and emergency supplies with you
- Walk quickly to the nearest marked exit and ask others to do the same. Do NOT use the elevators.
- Use stairs and stay to the right to leave a clear path for emergency personnel
- Assist people with persons with disabilities, access and functional needs in your building
- Move away from the building safely and quickly. Do NOT congregate between buildings.
- Report to your building Evacuation Coordinator or designated emergency personnel, who will keep track of employees from your area
- If emergency assistance is required, locate emergency personnel at any evacuation site. During emergencies, Evacuation Coordinators may be identified by wearing neon green/yellow vests and helmet.
- Do NOT leave campus unless advised to do so by officials or emergency personnel.

Additional information regarding safety and emergency management procedures:


Office of Emergency Management: http://www.cpp.edu/~em/
MISSING STUDENT NOTIFICATION

Cal Poly Pomona has established policies and procedures for missing student notification. 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 should immediately notify University Police at (909) 869-3070. Police officers are on duty 24 hours a day, 365 days a year. In addition, a report should be made directly to one of the following individuals, who will immediately refer the report to, and coordinate, with University Police: Residence Life Director, Residence Life Coordinator, or Housing professional staff.

A report of a missing person may be made immediately, or at any time; there is no required wait time or length of time since last contact. University Police, in conjunction with University Housing Services or Foundation Housing Services, Inc./Village staff, will activate established missing student procedures.

Students residing in on-campus housing have the option to identify a confidential contact (separate from emergency contact) person to be notified within 24 hours when the student has been determined to be missing.

- All official missing student reports to on-campus Housing officials will be referred immediately to University Police.
- A resident’s contact information will be retained and confidential and accessible only to authorized campus officials who retain the information and may not be disclosed except to law enforcement personnel in furtherance of an official missing person investigation.
- Even if a resident elects not to register a contact person, University Police and local law enforcement will be notified that the student is missing.
- If the resident is under 18 years of age and not emancipated, a parent/guardian will be notified within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

MISSING PERSONS PROCEDURES

The University will follow specific procedures when a student who resides in an on-campus student housing facility is determined to be missing. Although the HEOA requires that procedures be implemented for students who have been missing for 24 hours, the following procedures are activated immediately or as soon as circumstances warrant.

- If the report is made to a member of Housing Staff, University Police is contacted immediately.
- When deemed appropriate, University Police will contact local law enforcement to take the report and initiate a joint investigation.
- Housing staff will provide the student’s registered contact information to University Police.
- Contacts are made for purposes of notification, and often as a part of the investigation (e.g. to ensure the student has not returned home, or traveled unexpectedly).
- Housing staff will assist University Police with the investigation as requested.
- University Police will follow established policies and involve local law enforcement per Administrative Agreements. Per agreement, local law enforcement will be notified within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that
made the determination that the student is missing. This notification will be made regardless of whether the student has registered a contact person, is over the age of 18, or is an emancipated minor.

**FIRE SAFETY ACT**

The 2018 Fire Safety Report is available at the following link: [http://www.cpp.edu/~housing/Documents/fire_safety_report1.pdf](http://www.cpp.edu/~housing/Documents/fire_safety_report1.pdf)

The Annual Fire Safety Report is prepared by University Housing Services and Foundation Housing Services, Inc. (the Village) in cooperation with University Police Department and the Office of Emergency Management and Business Continuity.

**APPENDIX: CALIFORNIA PENAL CODES RELATED TO SEXUAL VIOLENCE**

**Assault**

240. An assault is an unlawful attempt, coupled with a presentability, to commit a violent injury on the person of another.

242. A battery is any willful and unlawful use of force or violence upon the person of another.

**Rape**

261. (a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

2. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

   (A) Was unconscious or asleep.

   (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

261.5. (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in
a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts:

(A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars ($2,000).

(B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars ($5,000).

(C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars ($10,000).

(D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000).

(2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature.

(3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars ($70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant’s ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

261.6. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

261.7. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.
261.9. (a) Any person convicted of seeking to procure or procuring the sexual services of a prostitute in violation of subdivision (b) of Section 647, if the prostitute is under 18 years of age, shall be ordered by the court, in addition to any other penalty or fine imposed, to pay an additional fine in an amount not to exceed twenty-five thousand dollars ($25,000).

(b) Every fine imposed and collected pursuant to this section shall, upon appropriation by the Legislature, be available to fund programs and services for commercially sexually exploited minors in the counties where the underlying offenses are committed.

262. (a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

(1) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(2) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.

(3) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: (A) Was unconscious or asleep. (B) Was not aware, knowing, perceiving, or cognizant that the act occurred. (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(4) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(5) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in apprising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.
(d) If probation is granted upon conviction of a violation of this section, the conditions of probation may include, in lieu of a fine, one or both of the following requirements:

(1) That the defendant make payments to a battered women's shelter, up to a maximum of one thousand dollars ($1,000).

(2) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant's offense.

For any order to pay a fine, make payments to a battered women's shelter, or pay restitution as a condition of probation under this subdivision, the court shall make a determination of the defendant's ability to pay. In no event shall any order to make payments to a battered women's shelter be made if it would impair the ability of the defendant to pay direct restitution to the victim or court-ordered child support. Where the injury to a married person is caused in whole or in part by the criminal acts of his or her spouse in violation of this section, the community property may not be used to discharge the liability of the offending spouse for restitution to the injured spouse, required by Section 1203.04, as operative on or before August 2, 1995, or Section 1202.4, or to a shelter for costs with regard to the injured spouse and dependents, required by this section, until all separate property of the offending spouse is exhausted.

263. The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

Domestic Violence

13700. As used in this title: (a) "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.

(b) "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to,

(1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

(c) "Officer" means any officer or employee of a local police department or sheriff's office, and any peace officer of the Department of the California Highway Patrol, the Department of Parks and Recreation, the University of California Police Department, or the California State University and College Police Departments, as defined in Section 830.2, a peace officer of the Department of General Services of the City of Los Angeles, as defined in subdivision (c) of Section 830.31, a housing authority patrol officer, as defined in subdivision (d) of Section 830.31, or a peace officer as defined in subdivisions (a) and (b) of Section 830.32.
(d) "Victim" means a person who is a victim of domestic violence.

**Stalking**

646.9. (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.