

CALIFORNIA STATE UNIVERSITY NORTHRIDGE



2021

ANNUAL SECURITY REPORT

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

Clery Crime Statistics 2018-2020

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California State University Northridge

ANNUAL SECURITY REPORT

MESSAGE FROM PRESIDENT ERIKA D. BECK



Welcome to the 2021 Annual Security Report for California State University, Northridge (CSUN) for the years 2018–20. This report is prepared pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

I had the privilege to begin my presidency at CSUN at the beginning of 2021 and, like most universities and organizations, the pivot to mostly virtual instruction and operations due to the emergence of COVID-19 in early 2020 made it an unprecedented and anomalous year, which are reflected by the data in this year's report.

Regardless of our mode of operation, CSUN is always committed to the safety and security of all members of our campus community. In partnership with campus public safety personnel, a well-informed and alert community is critical. Campus safety is a responsibility we all share and I hope as students and staff become more active on campus, we can all work together to maintain a safe and secure environment for everyone, particularly our students who live, attend classes and engage in activities that are all part of a rich and vibrant college experience. Let's all look out for one another, reduce opportunities for crime, and immediately report suspicious or criminal activity to the University police.

The enclosed report has been compiled by the Clery Compliance Team on behalf of the University in compliance with the following federal laws:

- the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act;
- the 2008 Revision to the Higher Education Opportunity Act;
- California Education Code section 67380, which informs members of the community of institutional policies concerning campus security (including University Police law enforcement authority, crime reporting policies, alcohol and drug use, crime prevention, sexual assault and other matters of related importance);
- the Violence Against Women Reauthorization Act of 2013 (VAWA), which amends the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, commonly known as the Clery Act, under the Campus Sexual Violence Elimination Act provision (i.e., Campus SaVE Act).

This report contains statistics of the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by CSUN or any of its recognized student organizations; and on public property within or immediately adjacent to and accessible from the CSUN campus. Crime statistics are gathered from crimes reported to the university police department personnel, campus security authorities, and law enforcement agencies who provide public safety services to non-campus properties. Methods in which reports are received include the university police on-line reporting system, WE TIP anonymous reporting hotline, in-person police reports, and electronic or hardcopy forwarding of reported information. This report is available to the CSUN community both online at <http://www.csun.edu/sites/default/files/clery-report.pdf> and in person. Interested parties can request a hard copy of the report via: (a) in person at the CSUN Department of Police Services office at the corner of Darby Ave. and Prairie St.; (b) by phone—dial 818-677-5343 to reach Records Unit; or (c) by email to erika.breazile@csun.edu.

PREPARING THE ASR

The Clery Director within the Office of the Vice President Administration and Finance with the cross-departmental Clery Compliance Team (CCT) prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act Executive Order 1107. Individuals within the CCT include a Student Conduct Administrator, the Title IX Coordinator, the Police Chief, the Housing Director, the Greek Life Director, the Athletic Director, the Dean of Students and Vice President of Student Affairs, the Public Information Officer (PIO), the Director for International Programs, and Campus Counsel. The CCT will assist the Clery Director in the collection of information and required crime statistics, assist in developing, writing, reviewing and ensuring the accuracy of the ASR and campus policies required to be included in the ASR, assist in the proper identification of relevant Clery Act geography, assist in programming, developing, and providing training and outreach efforts on the campus for compliance, and assist in overall compliance with the Clery Act and state student safety.

CLERY CRIME STATISTICS 2018 – 2020

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder and Non-Negligent Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Rape	2018	10	7	0	0
	2019	6	5	1	1
	2020	5	4	0	0
Fondling	2018	3	2	0	0
	2019	9	2	0	0
	2020	4	1	1	0
Incest	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	1	0	0	0
	2019	2	0	0	0
	2020	0	0	1	0
Aggravated Assault	2018	5	1	0	0
	2019	2	0	0	0
	2020	1	0	0	0
Burglary	2018	4	2	0	0
	2019	2	2	1	0
	2020	7	4	0	0
Motor Vehicle Theft	2018	4	0	0	1
	2019	4	0	0	0
	2020	3	0	1	3
Arson	2018	0	0	0	0
	2019	1	0	0	0
	2020	1	0	0	0
Dating Violence	2018	19	8	0	0
	2019	14	6	2	0
	2020	8	4	1	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Domestic Violence	2018	4	2	0	0
	2019	1	1	0	0
	2020	2	1	0	0
Stalking	2018	21	4	1	0
	2019	19	4	0	0
	2020	0	0	0	0

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2018	4	0	0	0
	2019	0	0	0	1
	2020	0	0	0	0
Liquor Law Referrals for Disciplinary Action	2018	124	122	0	0
	2019	64	59	0	0
	2020	2	2	0	0
Drug Law Arrests	2018	18	1	2	3
	2019	10	0	0	5
	2020	6	0	0	0
Drug Law Referrals	2018	118	118	0	0
	2019	80	79	0	0
	2020	23	22	0	0
Weapons Law Arrests	2018	1	1	0	0
	2019	3	0	0	0
	2020	2	0	0	0
Weapons Law Referrals for Disciplinary Action	2018	5	5	0	0
	2019	2	2	0	0
	2020	0	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2018	0
	2019	0
	2020	0

HATE CRIMES

2018 – There were (3) three crimes reported. One (1) crime was a larceny on the CSUN campus and indicated bias based on race. The other two (2) were vandalisms on the CSUN campus, the first was an indicated bias based on sexual orientation, and the second was an indicated bias of race, religion, and ethnicity.

2019 – There was (1) crime reported. The crime was a simple assault on the CSUN campus and indicated bias based on race.

2020 – There were no reported hate crimes.

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

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

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

REPORTING CRIMINAL ACTIONS & EMERGENCIES

Criminal actions and other emergencies occurring on campus should be reported immediately to the Department of Police Services by calling (818) 677-2111 or dialing 911 from campus or cellular phone. Other reporting methods include "blue light" emergency telephones, yellow TTY enabled emergency call boxes, visit the Department of Police Services facility located at the corner of Prairie and Darby; or by contacting a police officer on patrol. A confidential "We Tip" line is also available at (818) 677-TIPS (8477). Crimes should be reported to the CSUN Department of Police Services for the purpose of making timely warning reports to the community and for disclosure in the annual crime statistics as stated in the Executive Order #1107 at <https://calstate.policystat.com/policy/6590697/latest/>.

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

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

Crime Log:

The department maintains a publicly available "Daily Crime Log" (<http://www.csun.edu/police/daily-crime-log>) which is available on the Department of Police Services website at: <http://www.csun.edu/police/>.

VOLUNTARY CONFIDENTIAL REPORTING

CSUN communicates to all of its first-time freshmen students that they are required to attend New Student Orientation. During this orientation, first-time freshmen receive a New Student Handbook that provides an explanation of CSUN's policy prohibiting sex discrimination, including sexual harassment and sexual misconduct. The Student Handbook also includes contact information for the Campus Title IX Coordinator and other resources, examples of acts that may constitute sexual misconduct and links to on and off campus resources, some of which are confidential resources. In addition to providing in-person training, the Office of Equity and Diversity distributes to students CSUN's Title IX Notice of Non-Discrimination, Rights and Options brochures, and "Student Resources and Reporting Options for Sexual Misconduct and Relationship Abuse" pamphlets, which provide information on CSUN's policy, Executive Order No. 1097 <https://calstate.policystat.com/policy/6743499/latest/>, and procedures regarding sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking; myths and facts about sexual violence, risk reduction tips, and confidential and non-confidential resources – both on and off campus.

As described in the "Rights and Options for Victims of Sexual Misconduct, Dating and Domestic Violence, and Stalking" brochure, when CSUN's University police is contacted they will escort the victim to a safe place and transport them to a hospital or a sexual assault response center for a medical examination, if needed. University police can also provide access to a confidential Sexual Assault Victim's advocate. If the victim prefers not to notify the police, then they are strongly encouraged to seek assistance from the campus Title IX Coordinator who can provide information about their options, rights and remedies, and/or the Campus Sexual Assault Victim's Advocate. The campus Title IX Coordinator is available to assist in notifying the police, if the victim wishes. The CSUN Campus Care Advocate can also assist in notifying the police and/or the campus Title IX Coordinator.

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

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

CALIFORNIA EDUCATION CODE SECTION 67380(A)(6)(A)

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

- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and
- 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.

TIMELY WARNING POLICY

The primary intent of this policy is to provide members of the community with information to aid in preventing them from becoming victims of crimes posing a serious or ongoing threat to the campus communities. Additionally, it is intended to provide faculty, staff, and students with timely information about Clery reportable crimes occurring within the defined Clery geography of their campuses, and to comply with the Timely Warning requirements of the Jeanne Clery Act. The systemwide Timely Warning Policy shall serve as the authoritative statement of policy on Timely Warning for each campus. Lastly, the intent of this policy is to provide uniformity in the manner in which CSU campuses evaluate and communicate the occurrence of these crimes.

As required by the Clery Act, CSU campuses will keep their campus communities informed by providing a timely warning when appropriate.

- Upon receipt of a Campus Security Authority (CSA) report of a Clery Crime on Clery Geography, a Timely Warning analysis shall be completed and documented by the Clery Director. The Clery Director shall have authority to delegate this responsibility as appropriate.
- If it is determined that the report includes a Clery Crime on Clery Geography, the Clery Director and Chief of Police (or management designees) will confer to **analyze** the known pertinent facts to determine whether they constitute a serious or ongoing threat to the campus community.
- If a CSA report includes 1) a Clery Crime 2) on Clery Geography and 3) a discernable serious or ongoing threat, a timely warning as described below shall be issued expeditiously.
- In the absence of any of these three elements, no timely warning will be issued.
- The Chief of Police (or management designee) shall have ultimate authority and responsibility for determining whether to issue a Timely Warning issuance.

Each reported incident must be analyzed on a case-by-case basis. All known factors shall be considered in the case-by-case analysis to determine whether a timely warning should be issued. No single factor should govern the decision regarding the issuance of a timely warning. Campuses are prohibited from circumventing a case-by-case analysis by issuing a blanket rule that timely warnings will be issued for all reports of any given Clery reportable crime. Requests from an outside law enforcement agency to refrain from issuing a timely warning is insufficient grounds on its own for not issuing or delaying the issuance of a timely warning, unless the Chief of Police concurs that by issuing a timely warning, an identified risk can be articulated that would compromise the law enforcement efforts of the outside agency investigating the crime to gather evidence and/or apprehend suspect(s).

The case-by-case analysis will involve reviewing relevant factors including, but not limited to, the following, if known:

- The timing of the report: shortly after the occurrence of the crime vs. days or weeks after the occurrence of the crime, *i.e.*, a "cold report"

- Physical injury to the victim
- Use of weapons
- Forced entry used and/or tools used in commission of the crime
- A suspect arrested or incapacitated by injury
- A suspect that is identified or otherwise can be located by law enforcement
- A suspect that is out of the area
- A victim who fears for their safety from the suspect
- A clear modus operandi and/or pre-planning indicated
- Multiple suspect(s) involved
- A pattern of similar crimes established
- The possible risk of compromising law enforcement efforts, such as to gather evidence and/or apprehend suspect(s), if a warning was issued

ADDITIONAL CONSIDERATIONS

The Clery Director (or management designee) shall notify the campus president, as soon as practicable, that a timely warning will be or has been issued.

The Chief of Police (or management designee) is responsible for collaborating with surrounding law enforcement agencies to encourage them to share information with UPD about crimes reported to local law enforcement that occur in Clery geography.

Nothing in this policy precludes campuses from maintaining a campus policy about informing, re-publicizing and/or sharing with the campus community crimes or other informational notices, (e.g., traffic advisories, events, prevention information) the campus deems may be of interest to the campus community. Such a policy is separate and distinct from this timely warning policy. Such notices must differ in appearance or be distributed in a manner that assures that members of the community understand such notices are different from a timely warning notification required by the Clery Act; members of the campus community should not be misled to believe such notices are timely warnings.

CONTENTS OF A TIMELY WARNING

When a Timely Warning is issued it shall be entitled "Timely Warning Crime Bulletin" and contain the following:

- A statement that reads, "This Timely Warning Crime 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."
- Identify the Clery crime that occurred (i.e. rape, burglary, motor vehicle theft, arson, etc.)
- The date, time, and location the crime occurred
- The date the Timely Warning is issued
- Description of the suspect when deemed appropriate, and only if there is sufficient detail. Only include a description of the suspect when the descriptors provided by the reporting party could reasonably lead to conclusive identification of the perpetrator(s).

- At least three preventative tips or points of information specifically related to the circumstances of the crime which occurred that could help others from becoming the victim of a similar crime
- The phone number of UPD and a statement encouraging community members to report all information about crimes to UPD
- If appropriate, the phone number of support services

The Timely Warning shall not include, under any circumstances, the name of the victim, or information so specific (i.e. specific address or dorm room number or floor) that would, or likely could, identify the victim of the crimes of sexual violence, rape, dating violence, domestic violence, or stalking. Timely Warnings should use gender-inclusive and culturally-appropriate language and avoid victim blaming and bias language.

METHODS OF DISTRIBUTION

Timely Warnings will be distributed as quickly as possible in a manner that will likely reach the entire campus community. Distribution methods vary from campus to campus and include, but are not limited to, any of the following:

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

This list is not intended to be exhaustive or intended to prioritize the method of distribution. The Chief of Police will confer with the Clery Director (or management designee), if available, to determine the most appropriate method(s) to distribute a Timely Warning. In the absence of the Clery Director (or management designee) the Chief of Police will determine the appropriate method of distribution. Campuses are required to maintain a list of distribution methods for timely warnings and include said list in the campus's Annual Security Report.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Statement of Policy for Addressing Security and Access

The CSUN Department of Police Services provides 24-hour patrol of university property including academic and administrative buildings, parking lots, and residence halls. All state laws and applicable federal codes are enforced on the campus. Security and safety conditions on campus are continually evaluated by members of the Department of Police Services, Environmental Health and Safety, and Physical Plant Management.

Officers patrol the campus on a regular basis and are responsible for reporting and investigating crimes, issuing traffic citations, responding to medical emergencies, traffic accidents, reports of fire, as well as other incidents that require police assistance.

Most campus educational facilities are open to the public during business hours (8:00am to 10:00pm). Certain facilities, including buildings, offices, and other areas of the campus may be restricted as to hours or access requirements. These restrictions are posted at each location. Access to campus residence buildings operated by Residential Life is restricted to residents, their guests, and university officials. Access to University Park Apartments is controlled by electronic card-keys.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The CSUN Department of Police Services regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Physical Plant Management for correction.

Under the direction of Environmental Health and Safety, members of the campus community, including representation from the Department of Police Services, conduct an annual night safety walk. The purpose of this walk is to find safety concerns that appear on the campus at night. Documentation is made of the findings and repairs/corrections are initiated and tracked through to completion.

The campus community is encouraged to report any safety concerns, exterior lighting, or emergency telephone malfunctions to Physical Plant Management at 818-677-2222 or to the Department of Police Services at 818-677-2111. In University housing areas, the housing maintenance department should be notified at 818-677-2234.

Statement Regarding Firearms and Weapons

Any person who brings or possesses a firearm on the grounds of the university, without the prior written permission of the Department of Police Services Chief of Police, or as otherwise provided by law, is in violation of state law (California Penal Code, Section 626.9) and university regulations (Policy No. 800-01), and is punishable by imprisonment, university disciplinary action, or both. Additional California weapon laws affecting the possession of firearms, dirks, daggers, knives, batons, clubs, BB guns, etc. on California State University property are delineated within California Penal Code sections 626 through 626.11, 25400, 25850, and 26350. The Student Housing Rules and Regulations prohibiting all weapons, firearms, and ammunition are located at <https://www.csun.edu/sites/default/files/student-housing-rules-and-regulations.pdf>.

LAW ENFORCEMENT AUTHORITY

The University Police Department has statewide law enforcement authority to enforce federal and state laws under Penal Code § 830.2, and primary concurrent jurisdiction within a mile of campus under the California Education code § 89560.

Under the California State University – the California State University Police Services and Public Safety Program, formerly Executive Order 1046, is the delegation of authority and responsibility to the campus president to implement campus police services and public safety program policies that are consistent with the California State University Police and Public Safety Policy guidelines. CSUN Department of Police Services' Officers are vested with full law enforcement powers of arrest and meet or exceed training mandated by the California Commission on Peace Officers Standards and Training, as well as training designed to meet the needs of the university community. As state peace officers, their police authority extends throughout the state, including concurrent jurisdiction with the Los Angeles Police Department on the adjacent streets in the surrounding community. California Penal Code 830.2 (c) states the following persons are peace officers whose authority extends to any place in the state: A member of the California State University Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code. Department of Police Services' police officers enforce California State University policies, California state laws as well as Federal laws.

It is the policy of the CSUN Department of Police Services to comply with applicable federal, state and local laws. In keeping with this requirement, a memorandum of agreement (MOA) has been crafted with the Los Angeles Police Department to meet the requirements of the Kristen Smart Campus Safety Act of 1998. This law mandates that university police departments enter into written agreements with local law enforcement agencies in order to clarify operational responsibilities for investigation of Part 1 violent crimes occurring on campus. The Act was amended in 2015 to include violent crime reporting procedures within the university as well as the forwarding of said reports to the local law enforcement agency with which the campus has an operational agreement or MOU (i.e., LAPD – Devonshire Division). The CSUN Department of Police Services also has a letter of agreement with the Los Angeles Sheriff's Office (LASO), Los Angeles School Police (LASPD), and California Highway Patrol (CHP) to provide a formal mechanism for the Department of Police Services to request assistance to augment university police resources. This assistance would normally be requested for such situations as demonstrations, marches, rallies, parties, dances or other situations as determined by the Chief of Police.

The Department prepares and submits a monthly Uniform Crime Report to the California Department of Justice and the Federal Bureau of Investigation. The Department also enters reported stolen vehicles and property with serial numbers into the National Crime Information Center computer, allowing for recovery throughout the United States.

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

The University requests that all crimes or suspected crimes be reported accurately and promptly to the Department of Police Services and/or the appropriate law enforcement agency where the crime occurred, to include when the victim elects to or is unable to make a report. Crimes occurring on University properties leased by Medtronic Inc. should be reported to the Los Angeles Police Department. Crimes occurring on University properties leased by Northridge Academy High School should be reported to the Los Angeles Unified School District Police or the Los Angeles Police Department. Should there be a question as to whom a crime should be reported to, contact the CSUN Department of Police Services for assistance.

Two police investigators are assigned full-time to follow up on crime and incident reports. They are responsible for follow-up investigations, apprehending suspects, recovering property, preparing cases for filing, and making crime prevention recommendations or referring people to the Department of Police Services Crime Prevention Unit to reduce the chance of criminal activity.

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

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

intent exists. **NOTE:** Even if the incident, absent the element of specific intent, is still a crime, the original report shall be reclassified to that crime.

All reported Clery crimes determined as “unfounded” and subsequently withheld from the reported crime statistics are disclosed within the Crime Statistics section of this Annual Security Report.

SECURITY PROCEDURES AND PRACTICES

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

- Promptly report all crimes and suspicious persons or activity to University Police.
- Always be aware of your personal safety and your surroundings.
- Never leave your property unattended and lock bicycles and doors and windows to your car, office, and residence.
- Always double check your doors and windows to ensure they are completely closed and locked before you go to sleep or leave your room or residence.
- Keep all valuables with you or leave them at home.
- Walk on well-traveled pathways and in well-lit and populated areas. Walk with friends or groups when possible.
- Call the Department of Police Services for a safety escort if you feel afraid or need to walk in isolated areas or at times when areas are unpopulated or closed.
- Get to know people in and around your place of residence. Do not invite or let unknown people into your residential building, nor go with them to an unfamiliar place. If you know someone by their first name only or met them on the internet, consider them a stranger.
- Engrave owner identification numbers onto electronics and items of value, keep a list of serial numbers and description of property, and provide it to the Police in the event your property is stolen.
- Use the internet wisely and never send money or provide personal identifying information, credit card information, or bank information to someone you do not know or to a company or person you did not initiate contact with on your own (such as Airlines, Department Stores, Amazon, etc.).
- Use good bicycle theft prevention measures. Use a combo or flat key U-lock. Most cable locks can be and are easily cut. Lock both the front and rear wheels when possible and make sure to put your lock(s) through a closed part of the bike frame. Wheels can easily be taken off. Register your bike with the Department of Police Services and use the campus bicycle compounds. Although all bikes are prone to theft, the newer and more expensive a bike is, the more of a target it will be.

CSUN through the Department of Police Services offers other programs to enhance the security awareness and safety of its campus community. Such programs include, but are not limited to:

- **Analytic Closed Caption Television (CCTV)** – the university uses a state-of-the-art video surveillance system on campus which incorporates video analytics, allowing the University to further enhance its security/safety efforts while “future proofing” their investment.
- **Amber Light Patrol** – Parking enforcement officers patrol parking lots and structures with their amber lights on to be visible to those who need assistance with vehicle lock-outs and jumpstarts. *Wallet cards are available at the Department of Police Services.*
- **Personal Safety Escort Program** – Personal Safety escorts are provided to locations on campus during hours of darkness. For a night safety escort, please call 818-677-2111. *There were 941 safety escorts provided in 2020.*

- **Security Surveys** – Departments can request a security survey be conducted and the Department of Police Services will evaluate the concerns and make recommendations.
- **Intrusion and Duress Alarm Assessments** – Departments can request a site survey/assessment be conducted and the Department of Police Services will evaluate the concerns and needs of a security alarm system making recommendations where needed.
- **STOP Anti-Theft Program** - Security plates adhered to computers and other electronics items and is available for the both personal and state owned. The serial and production information is uploaded the STOP website case the item is lost or stolen. The department facilitated the application of 205 STOP plates.
- **Matador Bicycle Compound and Bicycle Registration** – The Bicycle compounds are fully enclosed and more secure locations to park bicycles on campus. Cyclists are given access to the bicycle compounds located in the B3, B5 and G3 parking structure and in Student Housing. Additionally, cyclists can register their bicycles with the department. In 2020 29 bicycles were registered with the department and also for the compound. For more information and to enroll in the program, call 818-677-2111 or visit the Department of Police Services at the corner of Darby Avenue & Prairie Street.

See the below Crime Prevention Programs section for information on both specific security and public safety programming provided to the campus community in 2020.

CRIME PREVENTION PROGRAMS

CSUN provided community wide or audience specific outreach and program efforts that included in person presentations and tabling events from university police officers, Klotz Student Health Center professional and student staff, residential life professional and student staff, as well as Greek and other student life representatives. Campus educational programming in 2020 was comprehensive and intentional; integrating programming initiatives, strategies, and campaigns intended to inform the campus community about safety procedures and ways to prevent crime.

Details on the variety of crime and controlled substance prevention topics are available from the department of police services (DPS) in separate publications at the department of police services or the department's website <http://www.csun.edu/police/> and the university student health center's website <https://www.csun.edu/shc>. Presentation requests for current programs, or a request for one not shown in the above list to meet a specific need, may be made by calling the department of police services at 818-677-2201.

The DPS crime prevention unit maintains a highly visible presence within the community providing quality services, crime prevention programs, resources and educational opportunities that promote personal safety and the protection of property. Among the crime prevention programs listed below are the security awareness programs listed in the previous section for the CSUN community.

Crime Prevention and Safety Workshops, Classes, Tabling Events during the 2020 year

Program Type	Conducted By	To Whom	Number of Programs Held	Description
General Crime Prevention & Personal Safety Events	Department of Police Services	Students/Faculty/S taff	Four sessions during the year	These workshops cover information on basic crime prevention and personal safety tips.
Community Relations Events (tabling)	Department of Police Services	Students/Faculty/S taff	One resource tabling events in the year	DPS staff go to different events on campus passing out information regarding the wide variety of safety

Program Type	Conducted By	To Whom	Number of Programs Held	Description
				programs and resources available through the department's crime prevention unit.

CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

The Los Angeles Police Department, 10250 Etiwanda Ave., Northridge, CA 91325 (Devonshire Division 818-832-0633/818-832-0665 TDD/TTY) is the primary responding law enforcement agency to all officially recognized non-campus fraternities, sororities, and other student organizations controlling residences and/or property(s) located within the city of Los Angeles. The Department of Police Services requests crime reports and statistics about crimes occurring at these locations from the Los Angeles Police Department. The Department of Police Services may also respond to crimes in progress at these locations, depending upon the nature of the crime and the proximity to the campus. Crime reports and statistics for these locations are maintained by the Los Angeles Police Department; however, they are included in this report as required by law.

ALCOHOL AND DRUGS

Consistent with its mission of enabling students to reach their educational goals, California State University, Northridge (CSUN) is committed to maintaining a safe and healthy environment for the university community. Alcohol and other drugs should not interfere with the university's educational mission. All CSUN students, faculty, and staff are subject to local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol and illegal drugs. Violators are subject to university discipline, criminal prosecution and/or removal from university housing. The unlawful manufacture, distribution, dispensing, possession or use of illegal drugs on the university campus or at any university-sponsored event off-campus is also prohibited. A complete description of these regulations is contained in the University Alcohol and Illicit Drugs Policy (#900-06) which can be viewed at http://www.csun.edu/sites/default/files/900-06-policy_1.pdf or obtained in hard copy at the offices of student affairs, Valera Hall 310. This policy, which delineates CSUN policy concerning alcohol and drugs, provides procedural guidelines, communicates the consequences of failing to adhere to established policies, and provides guidance as to available resources is a significant component of the university's overall compliance with the Drug-Free Schools and Campuses Regulations, which implement The Drug-Free Schools and Communities Act Of 1989. A campus contact for students interested in prevention programs and resources is Marianne Link, MPH, MCHES, Assistant Director, Health Promotion And Administration (marianne.link@csun.edu) located at the Klotz Student Health Center on campus. Students can seek treatment with Dr. Steve Silver, Psychologist and Substance Use Specialist at University Counseling Services. Dr. Silver also has off-campus referral resources for students, if a higher level of treatment is determined to be more beneficial. Employees can contact the Employee Assistance Program (EAP) via their website for information <http://www.csun.edu/enrichment/employee-assistance-program> this is a free service that can refer individuals to external resources for themselves and their family members. CSUN has a drug-free workplace policy, which addresses marijuana and the new proposition 64 which can be found at: https://www.csun.edu/sites/default/files/540-50_0.pdf. "the recent passage of proposition 64 by California voters, which legalized the recreational use of marijuana by persons over the age of 21, does not alter the drug-free workplace policy. Marijuana use, in any form, and marijuana production, possession, cultivation, purchase, sale, transportation, or distribution on CSUN property and/or in connection

with CSUN activities remains prohibited – both by CSU policy and under State and Federal Law. Nothing in Proposition 64 changes the obligations of CSUN to maintain a drug-free community, prevent illegal drug use and misuse of legal drugs, and discipline employees and students who violate this policy.”

The university respects the right of individuals within the university community to determine whether to engage in the lawful consumption of alcohol under circumstances authorized by the University policy. Members of the campus community, particularly students, who elect not to use alcoholic beverages, or not to include alcohol as a part of sponsored events and activities, will be fully supported in that choice.

The CSUN Department of Police Services strictly enforces Federal and State Laws, as well as the University Zero-Tolerance Policy, for underage drinking and the use and sale of illegal drugs. No one may use illegal substances, or abuse legal substances, including alcohol. Students engaging in the sale of illegal drugs may be arrested and face University discipline, up to and including expulsion. Students found in violation of University Alcohol, Drug, And Weapons Policies may also be subject to arrest and are subject to academic probation, suspension or expulsion. Parents or guardians may be notified by the Office of Judicial Affairs about any University disciplinary violation involving alcohol or a controlled substance that has been committed by a student who is under the age of 21. Information about financial aid and drug violations can be found at: <https://www.csun.edu/financialaid/what-affects-my-aid> .

Employees in violation of the University alcohol and drug policies may be subject to arrest, corrective action, or dismissal. Employees may also be requested to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under federal, state, and local statutes for the unlawful possession or distribution of illicit drugs and alcohol range from probation, diversion, imprisonment in the county jail, to imprisonment in State Prison. A police officer can confiscate the driver license from any person suspected of driving under the influence of alcohol and drugs, who refuses to take a blood alcohol test.

The University Corporation is licensed by the California Department of Alcoholic Beverage and Control to purchase, serve, and sell alcohol both on and off campus. Consistent with this policy, the Executive Director of the University Corporation or designee shall determine the permitted uses of the Corporation's license and shall approve all policies and procedures concerning the use of alcohol at TUC operated facilities and catered events, including the University Student Union. The Vice President for Student Affairs has jurisdiction over Residential Life and Conference Services and the University Student Union and, consistent with this policy, shall approve all alcohol-related policies established by these departments. The use of alcoholic beverages must comply with California State Law and is strictly limited to persons 21 years of age or older. The possession, transportation, and consumption of alcoholic beverages by individuals younger than 21 years of age are strictly prohibited. Alcoholic beverages may only be consumed by persons over the age of 21. CSUN provides useful and informative prevention education programs throughout the year. CSUN Department of Police Services enforces violations proactively through education and community contacts. Officers and residential life staff regularly make residents aware of the policies regarding drug/alcohol use and misuse as well as personal safety and crime prevention information. Drug and alcohol prevention presentations and information are provided throughout the year at orientations, upon request for departments and areas, and in conjunction with sponsored campus activities (Please see crime prevention and personal safety section).

Campus Drug and Alcohol Educational Programming during the 2020 year

Program Type	Conducted By	# of Students	Date(s)	Description
TIPS Training – Matador Patrol	Klotz Student Health Center	13 Students	1/14/20	TIPs training is a risk-reduction training program designed to prevent high-risk drinking (binge drinking, underage drinking, and drunk driving).
<u>Outreach:</u> -Meet the Clubs – Spring 2020	Matadors4Wellness Peer Health Educators	50 Students	1/28-1/29	This event offers student clubs and organizations an opportunity to have greater visibility, and publicize their events, early in the fall and spring semesters. New and returning students, faculty, and staff can see the many opportunities for involvement on campus in a centralized, energetic and festive setting!
TIPS Training - Associated Students -Big Bash Staff	Klotz Student Health Center – Gabriella Nguyen, Health Educator	22 Students	2/21	Educating them on basic alcohol awareness including, underage drinking prevention, intoxication factors, and bystander intervention.
<u>Workshop:</u> Oasis, Mindfulness and Self-Care	Matadors4Wellness Peer Health Educators	3 Students	2/13	The Oasis is a welcoming destination where CSUN students can find serenity and relaxation amid the rush and activity of campus life. It offers nutrition counseling, meditation, massages, acupuncture, nap pods and workshops focused on wellness and managing stress — all intended to promote student academic success.
<u>Outreach:</u> Spring into Wellness, Sleep, Oasis	Gabriella Nguyen, Health Educator and Susan Krikorian, Health Educator	5	3/9	The Oasis is a welcoming destination where CSUN students can find serenity and relaxation amid the rush and activity of campus life. It offers nutrition counseling, meditation, massages, acupuncture, nap pods and workshops focused on wellness and managing stress — all intended to promote student academic success.
<u>Virtual Workshop:</u> Mindfulness and Self-Care, Institute for Community Health and Well Being (ICHWB) Mindfulness Monday	Susan Krikorian, Health Educator	13	4/20	“learn proven, practical ways that mindfulness and compassion can help you in your own life and explore the powerful roles they can play in developing exceptional leaders; creating happier, healthier, and more productive

Program Type	Conducted By	# of Students	Date(s)	Description
				workplaces; and transforming society.”
<u>Virtual Workshop:</u> Mindfulness and Self-Care, Beat The Blues Peer Educator Meeting	Susan Krikorian, Health Educator	14	4/24	In the discussion of mental health, it is important to acknowledge the stigma and silence surrounding conversations of mental illness, and we at The Blues Project, believe it is imperative to address the "elephant in the room" by starting these conversations.
<u>Virtual Workshop:</u> College Drinking, U100 class	Gabriella Nguyen, Health Educator	35	4/28	Presentation to student groups educating them on alcohol and substance use/misuse while providing tools for dealing with such issues during parties and events.
<u>Virtual Workshop:</u> Sleep Management, Institute's Wellbeing Wednesday	Susan Krikorian, Health Educator	14	7/8	This workshop will address the topics of stress and sleep as well as the ways in which these two issues are related. During the stress portion of the workshop, the term 'stress' will be defined and discussed, including identifying common causes, new ways of thinking about stress, the impact of stress on our functioning as well as beneficial ways of coping.
Matadors4Wellness Peer Educator Training	Gabriella Nguyen, Health Educator	15	8/10-8/14	Wellness presentation provided to student groups, includes the use and misuse of alcohol to include AwareAwakeAlive.
<u>Workshop:</u> MataDOOR To Wellness, Oasis Virtual Programs	Peers	2	9/17	Mindful workshops are designed to bring you healing and balance. Tap into subtle energies within yourself through yoga, mindful breathing, meditation, aromatherapy and more. With an emphasis on relaxation and stress management techniques, these workshops are essential in helping you stay calm amid the rush of campus life.

Program Type	Conducted By	# of Students	Date(s)	Description
Workshop: Stress and Sleep Management (DRES/TAP)	Susan Krikorian, Health Educator	10	9/25	This workshop will address the topics of stress and sleep as well as the ways in which these two issues are related. During the stress portion of the workshop, the term 'stress' will be defined and discussed, including identifying common causes, new ways of thinking about stress, the impact of stress on our functioning as well as beneficial ways of coping.
Workshop: MataDoor To Wellness HSCI Carla Valdez Class	Gabriella Nguyen, Health Educator	29	10/1	Mindful workshops are designed to bring you healing and balance. Tap into subtle energies within yourself through yoga, mindful breathing, meditation, aromatherapy and more. With an emphasis on relaxation and stress management techniques, these workshops are essential in helping you stay calm amid the rush of campus life.
Workshop: Drinking & Drugging, Sigma Omega Nu Meeting	Gabriella Nguyen, Health Educator	14	10/5	Presentation to student groups educating them on alcohol and substance use/misuse while providing tools for dealing with such issues during parties and events.
Alcohol & Cannabis Video: SHINE Leadership Conference https://www.youtube.com/watch?v=qIHndqH0-14&t=4s Video and discussion	Gabriella Nguyen, Health Educator	56	10/12-10/20	Join us to explore myths and realities surrounding alcohol use, cannabis, and other drugs. You'll learn about the importance of measuring standard drinks, recognizing and preventing alcohol poisoning, how cannabis use may affect you as a CSUN student and other important topics to make the safest decisions for yourself.
Workshop: Self-Care During a Pandemic (ICHW)	Susan Krikorian, Health Educator	10 (students/staff)	10/28	Self-compassion can help us get through this troubling time. As we become more and more weary from all that we have been dealing with during this pandemic- budget cuts; lack of safety; loss of family and friends; working virtually at home, especially difficult when with children who are young or need to attend school virtually; preparing to work on-site at schools; restricted life style; food and housing insecurity due to unemployment; loneliness;

Program Type	Conducted By	# of Students	Date(s)	Description
				the unknown future -compassion for ourselves is absolutely necessary to survive. As we suffer from anti-Black racism and all racism, the stress over the election, and the effects from the recent California fires, we need self-compassion.
Workshop: Drinking & Drugging, HSCI Carla Valdez Class	Peers	37	10/28	Presentation to student groups educating them on alcohol and substance use/misuse while providing tools for dealing with such issues during parties and events.
Workshop: Self-Care During a Pandemic (Klotz SHC staff meeting)	Susan Krikorian, Health Educator	40 (staff)	11/19	This Thanksgiving is like no other that we have ever experienced, and the reality of this pandemic is hitting home in a hard way. We have been advised by the Centers for Disease Control and Prevention (CDC) to only share our Thanksgiving meal with family members, and then only a small group. Never have we needed to pay attention more to our own self-care and encourage this activity in others.
eCHECKUP To Go Online Program - Alcohol		9	2020	The Alcohol eCHECKUP To Go is a confidential, interactive online program that allows students to enter information about their drinking patterns and receive personalized feedback, including: <ul style="list-style-type: none"> • An individual drinking profile • Blood alcohol content levels • Your average money spent on alcohol • Comparisons with national and CSUN students • Alcohol's effects on health, career and life goals, fitness and relationships • Referral information and resources • Steps to making changes
eCHECKUP To Go Online Program - Cannabis		20	2020	The eCHECKUP To Go is a confidential, interactive online program that allows students to enter information about their drinking patterns and receive personalized feedback,

Program Type	Conducted By	# of Students	Date(s)	Description
				including: <ul style="list-style-type: none"> • Cannabis use profile • Your average money spent on cannabis • Comparisons with national and CSUN students • Marijuana's effects on health, career and life goals, fitness and relationships • Referral information and resources • Steps to making changes
U100 Class Tours/Orientations at Klotz Student Health Center – Aware Awake Alive Information	SA	56 classes; 1,120 students	2020	Provided AAA cards, sometimes in conjunction with the RADD cards, on Aware Awake Alive, which is an alcohol poisoning prevention program in which CSUN participates: http://awareawakealive.org/ All CSUs have been asked to participate in this programming. The Program's Vision is a world in which no young life is cut short due to alcohol poisoning. Their Mission is equipping youth and their communities with the tools and confidence to prevent lives lost from alcohol poisoning. The website provides videos and tools to educate the youth about alcohol poisoning and connections through social media. In addition, AAA cards were passed out at many other events throughout the year as part of their outreach.

For the spring calendar year in 2021, CSUN's Klotz Student Health Center continues to provide virtual campus-wide education and training on alcohol awareness, RADD, and Aware Awake Alive, in collaboration with campus partners, such as the Department of Police Services. The following educational events were provided:

Campus Drug and Alcohol Educational Programming during the 2021 year

Program Type	Conducted By	To Whom	Number of Programs Held	Description
Workshop: Caring for Your Emotional Health (USU Employee Winter Staff Retreat)	Susan Krikorian, Health Educator	78 staff 89 students	1/14	As we get ready to return to a challenging virtual fall semester at CSUN, it has never been more important for us to consider how to help ourselves. According to the CDC, coping and self-care is a national resource for us during crisis. https://emergency.cdc.gov/coping/selfcare.asp .
TIPS Training- Matadors4Wellness Peer Educators	Gabriella Nguyen, Health Educator and Susan Krikorian, Health Educator	6	2/10	TIPS training is a risk-reduction training program designed to prevent high-risk drinking (binge drinking, underage drinking, and drunk driving).
Workshop: Drinking & Drugging, Sigma Omega Nu Meeting	Gabriella Nguyen, Health Educator and Klotz Student Health Center - Peer Educators	15	2/15	Presentation to student groups educating them on alcohol and substance use/misuse while providing tools for dealing with such issues during parties and events.
Workshop: Drinking & Drugging, HSCI Carla Valdez Class	Klotz Student Health Center - Peer Educators	1	3/8	Presentation to student groups educating them on alcohol and substance use/misuse while providing tools for dealing with such issues during parties and events.

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), including admissions, and protect all people regardless of their gender from Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, and Stalking.

The University seeks to provide an education environment free of Sexual Misconduct/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/Sexual Assault Dating or Domestic Violence, or Stalking as described in this report and University policy.

In an ongoing effort to prevent Sexual Misconduct/Sexual Assault 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/Sexual Assault, 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/Sexual Assault, 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, integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual misconduct and stalking that:

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

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees (i.e., faculty and staff) and ongoing awareness and prevention campaigns for students and employees that:

- a. Identifies domestic violence, dating violence, sexual misconduct, and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual misconduct, and stalking using definitions set forth by California State University Executive Orders 1096 and 1097 (in compliance with federal and state law);
- c. Defines what behavior and actions constitute consent to sexual activity as set forth within California State University; Executive Orders 1096 and 1097 (in compliance with state law);
- d. Provides safe and positive options for bystander intervention. Bystander intervention means safe and positive option that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual misconduct, or stalking against a person other than the bystander. 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. Provides information on risk reduction.
- f. Provides information on procedures for institutional response and disciplinary processes.
- g. Provides an overview of other information contained within the Annual Security Report in compliance with the Clery Act.

The University has numerous primary prevention and awareness programs that include the distribution of educational materials to new students and new employees at such events as New Student Orientation, New

Faculty Orientation, and New Employee orientations held throughout the year. In addition, ongoing prevention and awareness events are presented throughout the year for students and employees detailed below.

Not Anymore and Every Choice (New Undergraduates (including transfer students) and New Graduate Students

All matriculated students (first-time freshmen, transfer, and graduate students) are required to complete mandatory online training on issues of sexual misconduct. The trainings are entitled “Not Anymore (full course)” or “Every Choice (refresher course)” which are video-based online programs educating students on sexual misconduct, dating and domestic violence, and stalking. As with any training tool, it is one of many important components of an effort toward the elimination of sexual misconduct at CSUN.

“Not Anymore” is an interactive online interpersonal violence prevention program designed by Student Success™. It is approximately 75 minutes long. Students must complete the training prior to enrolling in their first semester classes. This video-based program provides critical information about Consent, Bystander Intervention, Sexual Assault, Dating and Domestic Violence, Stalking, and related topics about sexual misconduct and gender-based violence. The concept of bystander intervention is explained and illustrated through a scenarios video, which explores the types of situations in which bystander intervention may be necessary, how to recognize those situations and what to do. The training uses the acronym “ACT” – Assess the situation, Choose your best action, Take the action you can – and provides examples of ways to intervene. A test on bystander intervention at the end of the section measures students’ learning and understanding.

Risk reduction is addressed through the concept of verbal defense and drawing clear sexual boundaries, including using words to attempt to remove oneself from situations causing discomfort. The training uses a video to illustrate how someone might use verbal defense. A further video focuses on alcohol and explains the reasons why alcohol is a common component in sexual assault, including that it can increase sexual aggression, causes individuals to focus on limited information and affects communication. The video further explains that consent is not possible if someone is incapacitated and that intoxication or incapacitation are not a defense to the perpetration sexual assault. There is also discussion of alcohol content in different types of drinks and “how much alcohol is too much alcohol?” A test on alcohol at the end of the section measures students’ learning and understanding.

“Every Choice” is an online, video- based “refresher” program aimed at reducing campus sexual assault, dating/domestic violence and stalking by equipping students with realistic, actionable bystander intervention tools. The training is approximately 25 minutes long and students must take the training every year before enrolling in fall classes. The concept of bystander intervention is revisited through a video examining the concept of Direct, Distract and Delegate as options for intervention and offering examples of all three. A video specifically on intervention identified ways in which a bystander can know if they are looking at a situation that requires intervention and offers examples of “tip offs.”

“Every Choice” includes pre-training and post-training surveys.

CSU Sexual Misconduct Prevention Program (All employees)

All faculty and staff are required to take a similar training program entitled “Eliminate Campus Sexual Misconduct (CSU)” presented by the LawRoom organization through the CSU training portal. This course provides practical training for identifying, reporting, and preventing campus sexual misconduct. Interactive case studies and videos provide engaging educational content that explains how to respond to known or suspected sexual violence, which includes sexual assault, dating violence, domestic violence, and stalking. Many interactions are based on real cases that teach important concepts to help create a safe campus community and create a culture that does not tolerate sexual misconduct. Interactive case studies and videos provide engaging

educational content that explains how to respond to known or suspected sexual violence, which includes sexual assault, dating violence, domestic violence, and stalking. Examples are based on real cases that teach important concepts to build a safe campus community and create a culture that does not tolerate sexual violence. The course teaches employees valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence. It also helps post-secondary institutions comply with the employee training requirements of Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act).

The course also provides state-specific legal definitions of sexual violence, and describes victim protections, bystander intervention strategies, and school disciplinary proceedings. The course is taken each year by all employees, including student assistants. The training takes approximately 30 minutes to complete.

CSUN's Policy and Procedure

In addition to providing in-person training, the Office of Equity and Diversity distributes to students CSUN's Title IX Notice of Non-Discrimination, Rights and Options brochures, and "Student Resources and Reporting Options for Sexual Misconduct and Relationship Abuse" pamphlets, which provide information on CSUN's policy, Executive Order No. 1097 <https://calstate.policystat.com/policy/6743499/latest/>, and procedures regarding sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking; myths and facts about sexual violence, risk reduction tips, and confidential and non-confidential resources – both on and off campus. The New Student Handbook also contains information on the University's response to incidents of sexual misconduct and includes resources for students.

CSUN uses the same procedures for responding to complaints about the conduct of students, faculty and staff. After a complaint is received by the Office of Equity & Diversity, the Title IX Coordinator meets with the Complainant, the person filing the complaint, as soon as possible and no later than 10 working days after the complaint was received. The purpose of the intake meeting is to explain the investigation procedure and timeline, the Complainant's rights during the process, discuss interim measures and provide information on filing a criminal complaint. The Title IX Coordinator will also meet with the Respondent, the person accused of allegedly violating the policy, and provide similar information on the procedure and Respondent's rights.

The Title IX Coordinator or an investigator will investigate the allegations. During the investigation, the Complainant and Respondent will have equal opportunities to present relevant witnesses and evidence. Before reaching a final conclusion on a policy violation, the investigator advises the Parties (verbally or in writing) of any evidence upon which the findings will be based and gives the Parties an opportunity to respond to the evidence. The policy provides that an investigation shall be completed no later than 100 working days after the intake interview unless an extension is needed to conduct a thorough investigation. After the Parties review the evidence, and the investigator considers any relevant evidence provided by the parties, the investigator will prepare an investigation report. The investigation report includes a summary of the allegations, a description of the investigation process, and the evidence considered.

For complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking that fall under Title IX, and for complainants of sexual misconduct, domestic violence, dating violence, and stalking involving students, the investigation report will be sent to a Hearing Officer for a live hearing. The parties will be informed of the date of the hearing no less than 20 working days prior to the hearing. The parties will have an opportunity to object to the Hearing Officer due to bias or conflict of interest within 5 working days of being informed of the identity of the Hearing Officer.

During the hearing, both parties will have an equal opportunity to offer witnesses, provide evidence, and ask questions to the other party. Within 10 working days of the hearing, the Hearing Officer will prepare a report, which will be immediately delivered to the parties, containing a summary of the allegations, a description of

the investigation process, the evidence considered, and findings, employing the preponderance of the evidence standard, on whether the policy was violated.

If there is a finding of a violation of policy, parties and the Office of Equity and Diversity, will then have 5 working days to draft impact statements and make recommendations as to the appropriate sanction, considering both mitigating and aggravating factors. Within 5 working days of receiving the impact statements and sanctioning recommendations, the Hearing Officer will issue a sanctioning recommendation to the campus President or President's designee, which explains in writing the reason for the sanction and considers both aggravating and mitigating factors.

Within 10 business days, the campus President or the President's designee will then issue a final sanction. The outcome notice containing the sanction will also advise the Parties of their right to file an appeal. Any party who is not satisfied with the outcome of the investigation may file an appeal with the Office of the Chancellor no later than 10 working days after the date of the notice of investigation outcome. Under the policy, the Chancellor's Office shall respond to the appealing party no later than 30 working days after receipt of the written appeal, which may be extended an additional 30 working days by the Chancellor's Office if necessary. The appeal response is final and concludes the complaint and appeal process.

For other complaints, the investigation report contains findings, employing the preponderance of the evidence standard, on whether the policy was violated. The investigator submits the investigation report to the Title IX Coordinator for review.

Within 10 working days of the issuance of a finding of a violation of policy or no violation, through the investigation report, the Title IX Coordinator will notify the Complainant and Respondent of the investigation outcome in writing. If there is a finding of responsibility, sanctions for students are determined by Student Conduct, for faculty by Academic /Faculty Affairs and staff by Human Resources.

The outcome notice will also advise the Parties of their right to file an appeal. Any party who is not satisfied with the outcome of the investigation may file an appeal with the Office of the Chancellor no later than 10 working days after the date of the notice of investigation outcome. Under the policy, the Chancellor's Office shall respond to the appealing party no later than 30 working days after receipt of the written appeal, which may be extended an additional 30 working days by the Chancellor's Office if necessary. The appeal response is final and concludes the complaint and appeal process.

Our primary prevention programs include definitions of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Consent as defined by the state of California. Please see the Appendix for these definitions found on page 71 of this document.

DEFINITIONS PER EXECUTIVE ORDERS 1095-1097

These policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth in the section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Handbook.

In 2020, through Secretary of Education Betsy DeVos, the United States Department of Education, Office for Civil Rights (OCR) issued and amended federal regulations (Federal Regulations) implementing Title IX of the Education Amendments of 1972. The Federal Regulations are titled *Nondiscrimination on the Basis of Sex in*

Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106). The Federal Regulations were published in the Federal Register on May 19, 2020. The Federal Regulations have been implemented in CSU policy by way of an Addendum to Executive Orders 1096 and 1097 known as “Addendum B – Federal Mandated Hearing Addendum.” The definitions required by the Federal Regulations are included below and identified as “Addendum B Definitions.” These definitions will apply where the campus Title IX Coordinator determines that a Formal Complaint of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking falls within the scope of Addendum B. Additional Executive Order definitions are included. These definitions apply to conduct that falls outside of the scope of Addendum B.

SEX DISCRIMINATION

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

SEXUAL HARASSMENT

ADDENDUM B: Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

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

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

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

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment. Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not

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

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. 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 (ADDENDUM B):

RAPE: the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

FONDLING: the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.

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

STATUTORY RAPE: is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

AFFIRMATIVE CONSENT

- An informed, affirmative, conscious, voluntary, and mutually agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent. Affirmative Consent must be voluntary, and given without coercion, force, threats, or intimidation.
- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A

request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.

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

DOMESTIC VIOLENCE

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

EXECUTIVE ORDER: Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent has or had a dating or engagement relationship; or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. It does not include roommates who do not have a romantic, intimate, or sexual

relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the Parties while sharing the same living quarters; (2) sharing of income or expenses; (3) joint use or ownership of property; (4) whether the Parties hold themselves out as spouses; (5) the continuity of the relationship; and, (6) the length of the relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self, or another. Abuse does not include non-physical, emotional distress or injury.

DATING VIOLENCE

ADDENDUM B: Physical violence or threat of physical violence committed by a person—

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

EXECUTIVE ORDER: 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 self or another. Abuse does not include non-physical, emotional distress or injury.

STALKING

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

EXECUTIVE ORDER: Engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his or her safety or the safety of others, or to suffer Substantial Emotional Distress. For purposes of this definition:

- Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the complainant;
- Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Protected Status includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

CSUN communicates to all of its first-time freshmen students that they are required to attend New Student Orientation. During this orientation, first-time freshmen receive a New Student Handbook that provides an explanation of CSUN's policy prohibiting sex discrimination, including sexual harassment and sexual misconduct.

The Student Handbook also includes contact information for the Campus Title IX Coordinator and other resources, examples of acts that may constitute sexual misconduct and links to on and off campus resources, some of which are confidential resources. Additionally, the New Student Orientation includes a theatrical performance by TAKE, which demonstrates powerful transitional issues incoming students may face, including sexual misconduct. Education on sex discrimination, including sexual harassment and sexual misconduct are also presented at other new student orientations, including transfer students and international students.

CSUN also provides education to all incoming students about CSUN's policy prohibiting sexual harassment, sexual misconduct, dating and domestic violence, and stalking, how to file a Title IX complaint regarding sexual misconduct, dating and domestic violence, and stalking by way of its "Title IX Notice of Non-Discrimination," victim's rights and options, myths and facts about sexual violence and prevention and risk reduction tips, which can be found in printed materials located in the Office of Equity & Diversity ("E&D"), on E&D's website (<http://www.csun.edu/eqd>) and on CSUN's Department of Police Services website. Information regarding CSUN's policy prohibiting sexual harassment and sexual misconduct and how to file a Title IX complaint is also contained in CSUN's Schedule of Classes/Online University Catalog.

The new freshmen class, incoming transfer students, and student clubs and organizations receive further education focused on maintaining healthy relationships, establishing affirmative consent before engaging in sexual activity, the critical role of bystanders in intervening when they see potentially dangerous situations unfolding around them, preventing alcohol from clouding decision-making and other important issues, including how the University responds to reports of sexual violence. As part of New Student Orientation, students are asked to participate in "Classrooms and Community" sessions focused on student safety and well-being and in which they are made aware of CSUN's policy prohibiting sexual harassment and sexual violence, support resources, and consequences for violations of the policy.

Additionally, CSUN's President sends an email titled "Emergency Desk Reference" at the beginning of every semester to all students, faculty and staff, which provides information related to CSUN's policies and procedures regarding sexual misconduct, dating and domestic violence, stalking and sexual harassment. Significantly, the email directs students to the Title IX Notice of Non-Discrimination, the Office of Equity & Diversity and the Department of Police Services for both on-campus and off-campus resources for sexual violence emergencies and CSUN's procedures for filing related complaints.

Students reporting sexual misconduct, dating and domestic violence, and stalking may also receive information about filing a complaint from CSUN's Title IX Coordinator, and deputy coordinators, CSUN's care (survivor) advocate, campus law enforcement, University Counseling Center, Office of Student Housing, and the Klotz Student Health Center.

BYSTANDER INTERVENTION

Campus wide training also includes information on risk reduction tips and bystander intervention. Ongoing campus prevention and awareness programs are provided to the CSUN community throughout the year to include: a statement prohibiting new sexual violence Clery crimes; definition of the new sexual violence Clery crimes; definition of "consent" for sexual activity; options for bystander intervention; information on risk reduction; and applicable administrative and reporting procedures after a sexual violence Clery crime is reported. Awareness programs are those activities, events, and/or campaigns provided by the campus, which inform our community members of potential personal safety risks while providing risk reduction strategies. 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.

After identifying the signs that someone may be experiencing sexual violence or intimate partner violence, the training explores the concept of bystander intervention and strategies that a bystander could utilize to intervene.

Video scenarios are used to illustrate the types of situations that could arise – after each video, the employee answers a question about what steps they would take.

CSUN also provides a range of programs and activities to students, many of which are organized directly by student peer educator, such as Project D.A.T.E. and MenCARE.

Barrett Morris, Director of Equity and Diversity, serves as the primary contact for Title IX-related training, including training on sexual misconduct, and can be reached at (818) 677-2077 / email: equityanddiversity@csun.edu.

In 2020, the Title IX office staff meet with various departments throughout the year to provide students, staff, and faculty with information on Sexual Misconduct, Prevention, and Response (including rights and options under Title IX and VAWA) on the following dates:

Title IX Meetings on Sexual Misconduct, Prevention, and Response during the 2020 year

Departments	Date(s) Held	To Whom
Athletics	2/27	All student athletes and Coaches
Associated Students	3/27	Camp Matador Student Leaders
Matador Involvement Center	10/15,	Student Leaders, Greek 102 (students in Greek organizations); Greek 101
University Counseling Services	10/21	Students – Peer Educators
Women’s Research & Resource Center	3/26	Students
Student Housing	8/5	Student Leaders
DRES	8/19, 11/13	TAP Coaches
It’s On Us- Virtual Fair	10/13	Introduction to E&D
Pride Center	10/23	Student Employees
Arts, Media	11/12, 11/13	Peer Coaches
Strengths United	1/28, 10/27, 10/28	Peer Educators
Tseng College- Professor Susan Cohen	12/2	Students
Health- Professor Doris Abrahimi	12/9	Students

- **Project D.A.T.E.** - is a peer education, date or acquaintance rape prevention program sponsored by University Counseling Services and Strength United. Project D.A.T.E can be reached at (818) 677-7723 and Strength United can be reached at (818) 886-0453 or (661) 253-0258. Peer educators of Project D.A.T.E. made classroom presentations that are designed to achieve the following:
 - ❖ Educate students of the psychological and cultural issues related to rape
 - ❖ Inform students of the legal and medical issues related to rape
 - ❖ Develop awareness of the issue of rape and ways to prevent rape
- **MenCARE** - (Creating Attitudes for Rape-Free Environments), a part of Project DATE, is a campus-wide prevention program to end sexual violence through education, cultural change, and leadership development. As with Project DATE, MenCARE is a unique collaboration between Strength United, a center of the Michael D. Eisner College of Education sponsored by the Department of Educational Psychology and Counseling, and University Counseling Services. The centerpiece of Men CARE is peer education for men, by men, through small group discussion, workshops, and outreach events. Men CARE will be driven by male students from every aspect of the campus community including fraternities,

athletics, residential advising, and cultural organizations. Objectives include increased awareness about rape and sexual assault, increases in knowledge about the effects of rape and sexual assault, decreases in tendencies towards engaging in behaviors that lead to rape and sexual assault, knowledge about where to receive help in response to a sexual assault, and positive attitudes towards promoting safety in interpersonal relationships. If you are interested, or have Any Questions, feel free to reach out to them. Email: mencare@strengthunited.org or voicemail: (818) 933-9492

- **Joint Advocates on Disordered Eating (JADE)** – University Counseling Services (UCS) is the sponsor of Joint Advocates on Disordered Eating (JADE), a peer education program dedicated to the awareness and prevention of eating disorders. Student peer educators receive extensive training in recognizing and articulating causes, symptoms, treatment and referral sources as they prepare to present this information to classes, clubs and organizations on the California State University, Northridge campus. In addition, they teach students how to help their friends and encourage body image acceptance. National Eating Disorder Awareness Week was promoted to promote health relationships with food, celebrate body, diversity, and ED recovery. Klotz Student Health Center offers free peer nutrition counseling as well as free nutritional guidance from a registered dietician. Just call (818) 677-3666 for an appointment. If you think you have an eating disorder or are concerned about someone you care about, you can call (818) 677-7500 for more information about JADE and up-to-date information and resources. You can also call University Counseling Services at (818) 677-2366 or (818) 677-7834 (TTY) for an appointment to discuss your concerns, or email coun@csun.edu. For after hours, urgent care assistance (818) 677-2366, Option 3.
- **The BLUES project** - is a peer education volunteer program to help participants overcome depression and prevent suicide. Suicidal thoughts occur when a feeling of hopelessness sets in, rendering notions that one is alone and that pressures and problems are more than one can bear and will never go away. It can be difficult for people who want to commit suicide to see that the pain does go away and the quality of one's life can improve with time. If you have any questions about The BLUES Project, call (818) 677-2610 or email blues.project@csun.edu.

For calendar year 2021, CSUN's Title IX Office continues to provide campus-wide education and training on the prevention of sexual misconduct both independently and in collaboration with campus partners, such as Police Services, the Care Advocate, Student Affairs, Human Resources, and peer educators. For example, between January and March 2021, training on sexual misconduct prevention and response was provided to the following:

Title IX Meetings on Sexual Misconduct, Prevention, and Response during the 2021 year

Departments	Date(s) Held	To Whom
Athletics	2/12 (2), 2/17 (2)	All Staff
Greek Life	3/27 (8)	Greek 102 (students in Greek organizations); Greek 101

PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT

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

Persons who have experienced Sexual Misconduct/Sexual Assault, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe

place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a Sexual Assault Victim Advocate. Regardless of whether an individual chooses to notify the police, they are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or counselor who can provide information on options, rights and remedies.

A written explanation of rights and options must be provided to a Student, Employee or Third Party who reports to the University that s/he has been a victim of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking, whether the offense occurred on or off Campus. It is the Title IX Coordinator's responsibility to ensure this written Notice is provided to the complainant/victim(s). The Title IX Coordinator annually provides the written explanation of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking (Attachment C in Executive Order 1095) to all members of the campus community including Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking victims. The written explanation of Rights and Options is described in detail later in this document.

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

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

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

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

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

PRIVILEGED AND CONFIDENTIAL REPORTS

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

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

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

EXCEPTIONS TO CONFIDENTIALITY

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/Sexual Assault, 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.

See more about voluntary confidential reporting in the Voluntary Confidential Reporting section above.

PRESERVATION OF EVIDENCE

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

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

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

REPORTING OPTIONS

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

REPORTING TO THE POLICE

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

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

If a victim reports to a local police agency or the University Police about Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself, including the identity of the perpetrator if known, to the Title IX Coordinator being sure not to reveal the victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed. All publicly available record keeping will be maintained without the inclusion of personally identifiable information about the victim.

REPORTING TO A CSA

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

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

REPORTING TO A TITLE IX COORDINATOR OR RESPONSIBLE EMPLOYEE

Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX Coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and

policies related to Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking. The campus Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant formal complaint process, and rights to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

California State University, Northridge has designated the Director for the Office of Equity and Diversity as its campus Title IX Coordinator to monitor and oversee issues of sexual misconduct and gender-based discrimination and harassment. Your campus Title IX Coordinator is available to explain and discuss:

- Your right to file a criminal complaint;
- The University's administrative complaint and investigation process;
- How confidentiality is handled; available resources, both on and off campus; and other related matters.

For emergencies, please call the police immediately by dialing 9-1-1.

Campus Care Advocates:

Danielle Samuel danielle.samuel@strengthunited.org
Alexandra Strait alexandra.strait@strengthunited.org
Klotz Student Health Center, 2nd Floor, Room 201
(818) 677-7492

Title IX Coordinator:

Barrett Morris
Office of Equity and Diversity
Valera Hall 285
Phone: (818) 677-2077 or <http://www.csun.edu/eqd/>
Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m.

University Police:

Monday – Friday: 8:00 a.m. to 5:00 p.m. (818) 677-2201
All other hours: (818) 677-2111 (24 hour police dispatch)
<https://www.csun.edu/police/>

U.S. Department of Education, Office of Civil Rights:

(800) 421-3481 or ocr@ed.gov
If you wish to fill out a complaint form online with the OCR, you may do so at: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Most University employees have a duty to report disclosed incidents of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking when they are on notice of it. When a victim tells the Title IX Coordinator or another non-confidential University employee about a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident, the victim has the right to expect the University to take

immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking directly to the campus Title IX Coordinator.

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

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

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

The Title IX Coordinator will provide the written explanation of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking (Attachment C in Executive Order 1095) which includes written information to victims about supportive measures. This includes information on preservation of evidence, how and to whom to report the alleged offense, the options available regarding and involving law enforcement and campus authorities (including notification of law enforcement authorities, being assisted by campus authorities in notifying law enforcement if the victim chooses, and declining to notify the authorities), and notification of the rights of victims to seek orders of protection and request "no-contact" orders, and restraining orders. The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for

handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide Supportive Measures requested by the victim and the other party to a complaint, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Make connections to individuals on campus who can provide support and solutions with respect to a variety of logistics, including transportation assistance, visa/immigration assistance, and financial aid assistance.
- Provide security and support, which could include issuing a mutual no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules or adjustments for assignments, tests, or work duties, including supervisory reporting relationships and leaves of absence; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The Title IX Coordinator remains available to assist the victim and provide reasonable Supportive Measures requested throughout the reporting, investigative, and disciplinary processes, and thereafter.

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

The University will not generally notify parents or legal guardians of a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

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

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

NON-REPORTING

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

CIVIL LAWSUIT

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

RESTRAINING ORDERS

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

For more information about filing a restraining order, please contact any of the below resources:

CSUN Title IX Coordinator

Barrett Morris
18111 Nordhoff Street, Northridge, CA 91330-8208
Valera Hall, Room 285
Phone: (818) 677-2077
E-Mail: barrett.morris@csun.edu
Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday
<http://www.csun.edu/eqd>

CSUN Title IX Deputy Coordinator

Samuel Richman
18111 Nordhoff Street, Northridge, CA 91330-8208
Valera Hall, Room 285
Phone: (818) 677-2077
E-Mail: samuel.richman@csun.edu
Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday
<http://www.csun.edu/eqd>

Campus Care Advocates

Danielle Samuel
18111 Nordhoff Street, Northridge, CA 91330-8208
Klotz Student Health Center, Room 201

Phone: (818) 677-7492
E-Mail: danielle.samuel@strengthunited.org
Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday

CSUN Department of Police Services

9222 Darby Avenue, Northridge, CA 91330
Located on the corner of Darby Ave. & Prairie St.
24 Hour Police Dispatch: (818) 677-2111
<http://www.csun.edu/police>

Local Police

Los Angeles Police Department
Devonshire Community Police Station, Sex Crimes Unit
10250 Etiwanda Avenue, Northridge, CA 91325
Phone: (818) 832-0979

DISCIPLINARY PROCEDURES

COMPLAINTS MADE BY STUDENTS

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

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

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

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

COMPLAINTS MADE BY STUDENT-EMPLOYEES

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-

employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person's status as an employee and not their status as a student. Executive Order 1096 can be viewed at <https://calstate.policystat.com/policy/6743499/latest/>

The following is a description of the CSU's disciplinary procedures for matters involving allegations of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, and Stalking. Full policies and procedures are contained within [CSU Executive Order 1095](#), [CSU Executive Order 1096](#), and [CSU Executive Order 1097](#). Any questions about CSU Title IX-related policy should be directed to the campus Title IX Coordinator.

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.

Victims are not required to participate in any University disciplinary process and may choose not to be a part of it. Disciplinary procedures will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, and Stalking and how to conduct an investigation and hearing process that protects members of the campus community and promotes accountability;
- Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the 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.

STANDARD OF EVIDENCE

The standard of evidence that will be used during all CSU disciplinary proceedings arising from allegations of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, and Stalking is the Preponderance of the Evidence. Preponderance of the Evidence means the greater weight of the evidence, i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side.

SUPPORTIVE MEASURES

Supportive Measures are individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or Respondent regardless of whether a complaint is filed under CSU Executive Order 1096 or 1097 (including Addendum A or Addendum B) or with campus police or local law enforcement. Supportive Measures are designed to restore or preserve equal access to CSU Education Programs or Activities without unreasonably burdening the other Party, including to protect the safety of all Parties or the educational environment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escorts, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures.

After receiving a report of Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, or Stalking, the Title IX Coordinator will contact the Complainant promptly to discuss the availability of Supportive Measures. During the discussion, the Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a complaint, and explain the process for filing a complaint.

COMPLAINT PROCEDURES

The CSU has adopted and published complaint procedures that provide for prompt, impartial, and equitable resolution of complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The complaint procedures that will apply in a particular case will depend on certain factors described below. There are three sets of procedures that could apply:

EXECUTIVE ORDER 1096 OR 1097 SINGLE INVESTIGATOR PROCESS

Executive Order 1096 is the applicable policy and procedure for a complaint made by an employee or third party. Executive Order 1097 is the applicable policy and procedure for a complaint made by a student. The complaint procedures under Executive Orders 1096 and 1097 are called a "single investigator process." This means that an Investigator interviews the Parties and witnesses, and gathers any documentary evidence. The Parties have an opportunity to review the evidence gathered, request that additional evidence be gathered, and respond to the evidence gathered. Once the evidence is reviewed by the parties, the Investigator makes a determination as to whether the policy was violated. The single investigator process will be used in response to complaints of Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking that are not mandated to be addressed under either Addendum A: State Mandated Hearing Addendum, or Addendum B: Federal Mandated Hearing Addendum (see below).

ADDENDUM A: STATE MANDATED HEARING ADDENDUM

In January 2019, a California Court of Appeal ruled that students accused of Sexual Misconduct who face severe discipline (expulsion or suspension) at any California university have the right to a hearing to cross-examine (question), directly or indirectly, their accusers and other witnesses if witness credibility is "central" to the case. To implement the new requirements, the CSU created an addendum to Executive Orders 1096 and 1097. This addendum is known as Addendum A: State Mandated Hearing Addendum ("Addendum A"), and it describes the investigation and resolution process for cases that meet the above requirements. Cases that proceed under Addendum A **do** involve a hearing (where the case is not resolved through Informal Resolution).

ADDENDUM B: FEDERAL MANDATED HEARING ADDENDUM

On May 6, 2020, the United States Department of Education, Office for Civil Rights (OCR) issued and amended Title IX Regulations implementing Title IX of the Education Amendments of 1972. The Regulations are titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (34 C.F.R. 106).

To implement the requirements of the Title IX Regulations, the CSU created a further addendum to Executive Orders 1096 and 1097. This addendum is known as Addendum B: Federal Mandated Hearing Addendum (“Addendum B”), and it describes the investigation and resolution process for cases covered by the Title IX Regulations. Addendum B applies to cases involving allegations that are defined by the Title IX Regulations as Sexual Harassment in an Education Program or Activity against a person (including, but not limited to students and employees) in the United States. Cases processed under Addendum B **do** involve a hearing (where the case is not resolved through Informal Resolution).

UNIVERSITY RESPONSE TO REPORTS OF SEXUAL MISCONDUCT/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 Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and Stalking, the Title IX Coordinator will 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 Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

Complaints alleging Sexual Misconduct/Sexual Assault, Sexual Assault, Domestic Violence, Dating Violence, and Stalking will initially be assessed to determine if they meet the requirements for the case to proceed under Addendum B.

When the Title IX Coordinator receives a Formal Complaint,¹ the Title IX Coordinator will simultaneously provide both Parties a written Notice of Allegations. The Notice of Allegations includes the factual allegations and policy violations alleged.

MANDATORY AND DISCRETIONARY DISMISSAL OF A FORMAL COMPLAINT

When the Title IX Coordinator receives a Formal Complaint, or information from a third party, the Title IX Coordinator will assess whether the Formal Complaint meets the requirements of the Federal Regulations to move forward under the process in Addendum B to Executive Order 1096 (if the Complainant is an employee or a third party) or Executive Order 1097 (if the Complainant is a student). A determination that allegations in a Formal Complaint do not meet the requirements of Addendum B will result in a dismissal of the allegations in the Formal Complaint that do not meet the requirements and, in some cases, a referral of the allegations to another process as the University may have an obligation to address the matter under other laws and policies. During the process, a Formal Complaint or any allegation in the Formal Complaint, may be dismissed under the circumstances listed below.

¹ A Formal Complaint is defined as a document or electronic submission filed by a Complainant that contains the Complainant's physical or digital signature or a document signed by the Title IX Coordinator alleging Sexual Harassment (as defined under Addendum B) against a Respondent and requesting an investigation of the allegation of Sexual Harassment. At the time that the Formal Complaint is filed, a Complainant must be participating in or attempting to participate in an Education Program or Activity of the CSU. A Formal Complaint may exist even without a signature where something otherwise indicates that the complainant is the person filing the formal complaint. An e-mail from the Complainant would be sufficient.

The Federal Regulations, Addendum B, require that there be two types of dismissals: mandatory and discretionary.

MANDATORY DISMISSAL/REFERRAL

A Formal Complaint must be dismissed as to any conduct alleged that:

1. would not meet the definition of Sexual Harassment even if proved;
2. did not occur in an Education Program or Activity; or
3. did not occur in the United States.

DISCRETIONARY DISMISSAL

At any time during the process, it is within the discretion of the Title IX Coordinator to dismiss a Formal Complaint, or any conduct alleged within a Formal Complaint, where:

1. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any part of it;
2. the Respondent is no longer a Student or Employee; or
3. if the specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

WRITTEN NOTICE

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

APPEAL OF A FORMAL COMPLAINT DISMISSAL/REFERRAL

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

Appeals will be filed with the Chancellor's Office (CO) Systemwide Title IX Unit. and will be addressed to:

Systemwide Title IX Unit

Systemwide Human Resources

Office of the Chancellor

TIX-Dismissal-Appeals@calstate.edu

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

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

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

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

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

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

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

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

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

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

INVESTIGATIVE PROCEDURES

The Title IX Coordinator will either promptly investigate a complaint or assign this task to another Investigator.

ADVISORS

During the investigations the Parties may be accompanied by Support Advisors. During Addendum B hearings, the Parties must also have a Hearing Advisor to conduct cross-examination.

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

HEARING ADVISORS – ADDENDUM B HEARINGS ONLY

In matters proceeding under Addendum B, the Complainant and Respondent must each have a Hearing Advisor at the hearing. A Hearing Advisor will be responsible for asking the other Party and any witnesses all relevant questions and follow-up questions, including those that challenge credibility, during the hearing.

GATHERING OF EVIDENCE

The Complainant and the Respondent shall have equal opportunities to present relevant witnesses and evidence in connection with the investigation. The Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful

REVIEW OF EVIDENCE

After gathering evidence and before issuing a Final Investigation Report, the Investigator will share with the Complainant and Respondent,² all evidence (including, in an Addendum B case, evidence upon which the University does not intend to rely) obtained as part of the investigation that is Relevant (single investigator process or Addendum A) or Directly Related (Addendum B) to the allegations raised in the Formal Complaint (Preliminary Investigation Report). In matters proceeding under Addendum A or Addendum B, the Preliminary Investigation Report will also identify the material facts – disputed and undisputed, with explanations as to why any material fact is disputed.

Each Party will be given a minimum of **10 Working Days** for the initial Review of Evidence to respond to the list of disputed facts and evidence and submit additional questions for the other Party and witnesses During the Review of Evidence, each Party may:

- meet again with the Investigator to further discuss the allegations;
- identify additional disputed facts;
- respond to the evidence in writing;
- request that the Investigator ask additional specific questions to the other Party and other witnesses;

² For an Addendum B matter, this information will also be sent to the Parties' respective Support Advisors, if any.

- identify additional relevant witnesses; or
- request that the Investigator gather additional evidence.

The Investigator will share with the Parties the answers to questions posed during the Review of Evidence. If additional disputed material facts are identified or evidence is gathered, it will be included in the Preliminary Investigation Report (or in a separate addendum) and shared with all Parties, who will be given a reasonable opportunity to respond to the new evidence and submit additional questions to the other Party and other witnesses about the new evidence only. The Investigator determines when it is appropriate to conclude the Review of Evidence.

FINAL INVESTIGATION REPORT

After the Review of Evidence phase is concluded, the Parties will receive a Final Investigation Report that will summarize all Relevant evidence, including any additional Relevant evidence received during the Review of Evidence. Any Relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits.

WRITTEN RESPONSE TO FINAL INVESTIGATION REPORT – ADDENDUM B ONLY

Under Addendum B, the Parties and their Support Advisors will be provided 10 Working Days to review and provide a written response to the Final Investigation Report for an Addendum B matter.

TIMEFRAME FOR COMPLETION OF INVESTIGATION

EXECUTIVE ORDER 1096 OR 1097 SINGLE INVESTIGATOR

An investigation conducted under the Executive Order 1096 or 1097 single investigator process shall be completed no later than **60 Working Days** after the intake interview, unless the timeline has been extended pursuant to Article V. E. of EO 1096 and EO 1097. The timeline should not be extended for a period longer than an additional 30 Working Days from the original due date.

ADDENDUM A OR ADDENDUM B

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

HEARING PROCEDURES

The following will only apply to cases that proceed under Addendum A or Addendum B to Executive Order 1096 or 1097. Differences between the hearing processes under Addendum A and Addendum B are indicated where applicable.

After the investigation and Review of Evidence, there will be a hearing to determine if the policy was violated.

The Parties will be given written notice of the date, time, location, participants, the identity of the Hearing Officer and, for an Addendum B hearing, the purpose of the hearing. The hearing will not be set sooner than **20 Working Days** after the date of notice of hearing.

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

No later than **15 Working Days** before the hearing, each Party will, under Addendum A: a. Provide to the Hearing Coordinator a proposed witness list that includes the names of, and current contact information for, that Party's proposed witnesses as well as an explanation of the relevance of each proposed witness's testimony and the disputed issue to which the witness's testimony relates. Under Addendum B, the Parties may, but are not required to provide this information. No later than **10 Working Days** before the hearing, the Hearing Coordinator will share a final witness list with the Parties and notify each witness of the date, time and location of the hearing.

No later than **5 Working Days** prior to the hearing, the Parties will under Addendum A, and may under Addendum B, submit a list of proposed questions to the Hearing Coordinator. The questions will be provided to the Hearing Officer. The proposed questions will not be shared with the other Party.

Live hearings will be conducted using videoconferencing technology, unless circumstances are such that videoconferencing would not be appropriate. Neither Party will be required to be physically present in the same room as the Hearing Officer, each other, or witnesses. CSU will utilize technology that ensures that Parties will be able to simultaneously see and hear all of the proceedings and testimony.

The Complainant and Respondent may be present (physically or virtually) at all times during the hearing.

The hearing will begin with an overview of the hearing process given by the Hearing Officer, after which the Parties will be given an opportunity to ask questions about the hearing process. Each Party will be given an opportunity to make an opening statement that may not last longer than 10 minutes. Only the Parties themselves will be permitted to make opening statements. Hearing Advisors and any Support Advisors, where present, are not permitted to make the opening statement. The Support Advisor may not speak during an Addendum A or Addendum B hearing. Closing arguments will not be made.

Generally, the Hearing Officer will start the questioning of witnesses and Parties. The Investigator or the Title IX Coordinator (if not the Investigator) will be the first witness and will describe the complaint, investigation process, and summarize the evidence. The Hearing Officer may ask questions of any Party or witness who participates in the hearing.

QUESTIONING BY A HEARING OFFICER DURING AN ADDENDUM A HEARING ONLY

As set forth above, under Addendum A, the Parties will give the Hearing Coordinator a written list of any questions that they would like the Hearing Officer to ask the witnesses. The Parties may also propose follow-up questions to the Hearing Officer during the hearing, at appropriate times designated by the Hearing Officer.

The Hearing Officer will ask the questions proposed by the Parties except for questions that:

- i. seek information about the Complainant's sexual history with anyone other than the Respondent (unless such evidence about the Complainant's sexual behavior is offered to prove that someone other than the Respondent committed the alleged misconduct);
- ii. seek information about the Respondent's sexual history with anyone other than the Complainant, unless such information is used to prove motive or pattern of conduct;
- iii. seek information that is unreasonably duplicative of evidence in the Hearing Officer's possession; or
- iv. the Hearing Officer determines are not relevant to material disputed issues, are argumentative or harassing or unduly intrude on a witness's privacy.

The Hearing Officer has discretion to modify or change the wording of a question proposed by a Party (for example, when a question is unclear or inappropriate in tone) as long as the substance of the question is preserved.

Absent extenuating circumstances, the Hearing Officer will not rely on prior statements made by the Parties or witnesses during the investigation whose credibility is central to the determination unless those Parties or witnesses make themselves available for examination by the Hearing Officer.

QUESTIONING BY HEARING ADVISORS DURING AN ADDENDUM B HEARING ONLY

Under Addendum B, Hearing Advisors will be permitted to ask Relevant questions once the Hearing Officer has concluded their questioning of the other Party and each witness. Parties themselves may not directly ask questions of each other and witnesses.

Each Party's Hearing Advisor is permitted to ask all Relevant questions of the other Party, the Investigator, and any witnesses, and is also permitted to ask follow-up questions, including those questions challenging credibility. A Party may not be directly questioned by their own Hearing Advisor. The Hearing Officer controls the hearing and determines whether a question is Relevant.

A question is not considered Relevant if it relates to the Complainant's sexual predisposition or prior sexual behavior, unless such question about the Complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the question concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is asked to prove consent.

Even if a question relates to a Relevant subject or issue, the Hearing Officer may determine that the Party or witness being asked the question is not required to answer if the question is repetitive or duplicative of prior questions.

The Hearing Officer has the discretion to request information from the Parties or Hearing Advisors regarding questions prior to making a determination about the Relevancy of the question. Neither the Parties nor Hearing Advisors may assert objections to questions.

Immediately after each question is asked by the Hearing Advisor, and before the question is answered, the Hearing Officer will indicate whether the question is Relevant, and if it is not, provide an explanation as to why the question is excluded as not Relevant. A Complainant, Respondent, or witness will only answer questions posed by a Hearing Advisor that the Hearing Officer determines are Relevant.

In reaching a determination, the Hearing Officer will not rely on statements made by the Parties or any witness unless those Parties or witnesses make themselves available for questioning. The Hearing Officer may not draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the hearing or refusal to answer questions.

IN RELATION TO HEARINGS UNDER ADDENDUM A AND ADDENDUM B

Abusive or otherwise disorderly behavior that causes a material disruption will not be tolerated. The Hearing Officer may excuse from the hearing anyone (including either Party or their Hearing Advisor/Support Advisor/Support Person) whose behavior causes a material disruption. Should a Hearing Advisor be removed from a proceeding, the University will provide a Hearing Advisor. The Hearing Officer, in their discretion, may postpone the hearing. In making a determination whether to postpone the hearing, the Hearing Officer will consider the equity of postponement as to both Parties.

Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing.

DETERMINATION REGARDING RESPONSIBILITY

After the hearing, the Hearing Officer will make written findings of fact and conclusions about whether the Respondent violated University policy.

The Hearing Coordinator will simultaneously send the Hearing Officer's Report promptly to the Parties, the Title IX Coordinator, and the appropriate University Administrator, usually within **10 Working Days** (Addendum A) or **15 Working Days** (Addendum B) of the close of the hearing.

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

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

Within **5 Working Days** after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the

president (or designee). The Hearing Officer's Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer's Report"). The Final Hearing Officer's Report will attach the Final Investigation Report.

In cases where the Hearing Officer has found a violation of policy, the president (or designee) will review the Final Investigation Report and the Final Hearing Officer's Report and issue a decision ("Decision Letter") concerning the appropriate sanction or discipline within **10 Working Days** of receipt of the Final Hearing Officer's Report.

PRESIDENT'S SANCTION DECISION/NOTIFICATION

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

The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant. The decision letter will also be sent to the Student Conduct Administrator or other appropriate University Administrator responsible for Employee discipline and the Hearing Officer.

The president will also send the Decision Letter to the Title IX Coordinator so that they may determine whether any additional Remedies (or other supportive measure) will be provided or undertaken in order to maintain a safe and nondiscriminatory University environment.

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

NOTICE OF INVESTIGATION OUTCOME – SINGLE INVESTIGATOR PROCESS ONLY

The following applies only in relation to an investigation conducted under CSU Executive Order 1096 or 1097 in which an Investigator, as opposed to a Hearing Officer determines whether or not there is a violation of university policy.

Within **10 Working Days** of issuance of the Final Investigation Report, the Title IX Coordinator will notify the Complainant and Respondent in writing of the outcome of the investigation. The notice will advise the Complainant and Respondent of their right to file an appeal under the Executive Order.

Where a Complaint is made against another Student and the Executive Order is found to have been violated, the Title IX Coordinator will also notify the Campus Student Conduct Administrator of the investigation outcome, and provide a copy of the investigation report.

Where the Respondent is an Employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation report.

INFORMAL RESOLUTION

INFORMAL RESOLUTION UNDER EO 1096/1097 SINGLE INVESTIGATOR PROCESS

To initiate the Informal Resolution Process under the EO 1096/1097 single investigator process, the Complainant should contact the Title IX Coordinator who shall promptly meet with the Complainant to discuss their concern and possible resolutions as appropriate.

Complainants shall be informed about the range of possible outcomes, including Supportive Measures or disciplinary actions that might be taken against the Respondent, and information about the procedures leading to such outcomes.

Participation in the Informal Resolution process is voluntary. It may include an inquiry into the facts, but does not include an investigation. Means for resolution shall be flexible. Resolution options include but are not limited to discussions with the Parties, a resolution facilitated by the Title IX Coordinator, separating the Parties, referring one or both of the Parties to counseling programs, an agreement between Campus and the Respondent regarding disciplinary action, conducting targeted preventive educational and training programs or providing Remedies to persons harmed by violations of this policy.

The Title IX Coordinator shall meet with the Complainant, the Respondent, and any other persons or witnesses they may determine to be necessary.

If resolution is reached, a written record of the resolution shall be documented and maintained in accordance with applicable Campus recordkeeping policies. The matter shall be considered closed.

Where the Respondent is another Student, the Title IX Coordinator shall inform the Student Conduct Administrator of the outcome of the Informal Resolution process, including any Supportive Measures afforded to the Complainant. Where the Respondent is an Employee, Human Resources or Academic Affairs shall be informed as appropriate.

If resolution is not reached, the Campus shall promptly notify the Complainant and, where applicable, the Respondent in writing that the Informal Resolution process is terminated, and the termination effective date. The Title IX Coordinator shall also determine whether the matter is appropriate for investigation, and so notify the parties in writing. The Complainant shall be provided written notification of the right to file a complaint.

The Complainant shall be notified that the Complainant or the Campus may at any time elect to terminate the Informal Resolution process. In that event, the Title IX Coordinator shall promptly notify the Complainant and the Respondent in writing that the Informal Resolution process has terminated, the effective date thereof, and inform the Complainant of the right to file a complaint.

INFORMAL RESOLUTION UNDER ADDENDUM A

If the Title IX Coordinator or either Party believes that it may be possible to resolve a complaint processed under Addendum A in a prompt, fair, and reasonable manner without a hearing, the Title IX Coordinator may suggest that the Parties consider an Informal Resolution subject to the following:

1. both Parties must agree to engage in the Informal Resolution process;

2. any agreed-upon remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a Hearing;
3. the terms of any resolution must be memorialized in writing and signed by the Parties and the Title IX Coordinator; and
4. the resolution will be final and not appealable by either Party.

INFORMAL RESOLUTION UNDER ADDENDUM B

Under Addendum B, at any time prior to the issuance of the Hearing Officer's Report, if the Title IX Coordinator or either Party believes that it may be possible to resolve the Formal Complaint in a prompt, fair, and reasonable manner without a hearing, the Parties may consider an Informal Resolution that does not involve a full investigation and adjudication, subject to the following:

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

Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should simultaneously be provided written notice regarding Informal Resolution.

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

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

WRITTEN PRELIMINARY ASSESSMENT – ADDENDUM B ONLY

As part of an Informal Resolution under Addendum B, at the request of both Parties, Campuses will provide a written preliminary assessment of the evidence by the Title IX Coordinator. Neither the fact nor the substance of the assessment will be shared with the Hearing Officer or considered relevant at the Hearing.

EMPLOYEE DISCIPLINE

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. Discipline is imposed in accordance with current collective bargaining agreement, when applicable, and may include:

- verbal reprimand
- written reprimand,
- reduction in salary
- temporary or permanent demotion

- paid or unpaid administrative leave
- suspension
- denial or curtailment of emeritus status
- mandated education or training
- change in work location
- restrictions from all or portions of campus
- restrictions to scope of work
- dismissal

STUDENT SANCTIONS

The following sanctions as defined in Article V, California State University Executive Order 1098 may be imposed for violation of the Student Conduct Code:

1. 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.

2. 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.

3. 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.

4. 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.

5. SUSPENSION

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

- 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.

- 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.
- 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.

6. EXPULSION

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

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

OTHER CONSIDERATIONS RELATED TO SANCTIONS:

ADMINISTRATIVE HOLD AND WITHOLDING A DEGREE:

The University may place an administrative hold on registration transactions and release of records and transcripts of a student who has been sent written notice of a pending investigation or disciplinary case concerning that student, and may withhold awarding a degree otherwise earned until the completion of the process, including the completion of all sanctions imposed³.

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 exception⁴. These requirements shall not be waived in connection with any resolution agreement.

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.

³ This is not applicable in matters that fall under Addendum B.

⁴ This is not applicable in matters that fall under Addendum B.

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.

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.

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.

APPEALS

CSU EXECUTIVE ORDER 1096 OR 1097

Any Complainant or Respondent who is not satisfied with a Campus investigation outcome may file an appeal with the CSU Chancellor's Office (CO) no later than 10 Working Days after the date of the Notice of Investigation Outcome.

1. The appeal shall be in writing and shall be based only on one or more of the appeal issues listed below:
 - a. The investigation outcome is unsupported by the evidence, based on the Preponderance of the Evidence standard;
 - b. Prejudicial procedural errors impacted the investigation outcome to such a degree that the investigation did not comply with this Executive Order; or
 - c. New evidence not available at the time of the investigation.

ADDENDUM A

Any Complainant or Respondent who is not satisfied with a Campus hearing outcome may file an appeal with the Chancellor's Office (CO) no later than **10 Working Days** after the date of the Decision Letter.

The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below:

APPEAL GROUNDS

1. The hearing outcome is not supported by substantial evidence (in other words, there was no reasonable basis for such findings or conclusions);
2. Prejudicial procedural errors impacted the hearing outcome to such a degree that the hearing did not comply with this Executive Order;
3. New evidence that was not reasonably available at the time of the hearing and would have affected the Hearing Officer's decision about whether the Respondent violated CSU policy; or
4. The sanction(s) imposed constituted an abuse of discretion based on the substantiated conduct.

ADDENDUM B

Any Complainant or Respondent who is not satisfied with a Campus hearing outcome may file an appeal with the Chancellor's Office (CO) no later than **10 Working Days** after the date of the Decision Letter.

The appeal must be in writing and may be based only on one or more of the grounds for appeal listed below:

APPEAL GROUNDS

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

ISSUES AND EVIDENCE ON APPEAL: EXECUTIVE ORDER 1096 AND 1097

The issues and evidence raised on appeal shall be limited to those raised and identified during the investigation, unless new evidence becomes available after the Campus investigation process and is made part of the appeal by the appealing party. The CO may conduct an interview, at the CO's discretion, with the appealing party to clarify the written appeal.

The CO shall provide prompt written acknowledgement of the receipt of the appeal to the appealing party, and will provide written notification of the appeal to the other party and the Campus Title IX Coordinator.

If an investigation is to be reopened, the CO will return the matter to the Campus and will specify in writing the timeline by which a reopened investigation must be completed. The CO will notify the Parties of the reopening of the investigation and the timeline for completion of the reopened investigation. The Campus will complete the reopened investigation and provide the CO with an amended investigation report. The Campus will also provide the Parties with amended Notices of Investigation Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with the Executive Order. Upon receipt of the amended investigation report, the CO will contact the appealing party to determine whether that party wishes to continue with the appeal.

A copy of the final CO Appeal Response shall be forwarded to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO will respond to the appealing Party no later than 30 Working Days after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.

ISSUES AND EVIDENCE ON APPEAL: ADDENDUMS A & B:

The issues and evidence raised on appeal will be limited to those raised and identified during the Campus hearing, unless new evidence becomes available that was not reasonably available at the time of a Campus hearing that could affect the outcome of the matter and is submitted by the appealing party. The CO may

communicate, at the CO's discretion, with the appealing party, the responding party, and/or the Campus to clarify the written appeal.

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

In relation to an appeal under Addendum B, the appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

If a matter is to be reopened, the CO will return the matter to the Campus and will specify in writing the timeline by which a reopened hearing must be completed. The CO will simultaneously notify the Parties of the reopening of the hearing and the timeline for completion of the reopened hearing. The Campus will complete the reopened hearing and provide the CO with an amended Hearing Officer's Report. The Campus will also provide the Parties with amended Notices of Hearing Outcome, and such Notices will provide the Parties the opportunity to appeal any new or amended findings, in accordance with the Executive Order. Upon receipt of the amended hearing report, the CO will contact the appealing party to determine whether that Party wishes to continue with the appeal.

If the hearing outcome (determination regarding policy violation) is not supported by the facts as determined by the Hearing Officer, the CO may vacate and reverse the Hearing Officer's decision, but only with respect to whether University policy was violated. The CO may reverse the Hearing Officer's decision under extremely limited circumstances, and the factual findings will remain intact

A copy of the final CO Appeal Response will be sent simultaneously to the Complainant and Respondent, as well as the Campus Title IX Coordinator. The CO Appeal Response is final and concludes the Complaint and CO review process under the Executive Order. The CO will respond to the appealing Party no later than **30 Working Days** after receipt of the written appeal unless the timeline has been extended as specified in Article V, E. of EO 1096 and 1097.

Additional detail about the processes described above can be found in the following university policies governing complaints made by students; employees, former employees, third parties, and applicants for employment; and student-employees, respectively.

REGISTERED SEX OFFENDERS

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

EMERGENCY NOTIFICATION POLICY

The primary intent of this policy is to provide uniformity in the manner in which emergency notifications required under the Clery Act are processed. The systemwide Emergency Notification Policy shall serve as the authoritative statement of policy on Emergency Notifications for each campus. This policy outlines the procedures campuses will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and/or employees occurring on the campus.

Any member of the campus community with information believed to constitute a significant emergency or dangerous situation that poses an imminent or immediate threat shall report the information to UPD and/or by calling "911." Examples include, but are not limited to, the following types of incidents:

- Severe weather warning (e.g., flash flooding, tsunami, hurricane, etc.).
- Environmental emergency within an on-campus facility (e.g., hazardous chemical spill, fire, earthquake, building collapse).
- Criminal activity with an imminent threat to campus community (e.g., active shooter, murder, fleeing suspect with a weapon).
- Public Health Emergency (e.g., measles outbreak, swine flu outbreak, etc.).

Once UPD has received the report, the Chief of Police (or management designee) will, without delay and taking into account the safety of the community, 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) a legitimate emergency or dangerous situation exists impacting on-campus geography; **and** 2) the emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community. This confirmation process may include, but is not limited to, visual observation, officer investigation, the assistance of key campus administrators, local or campus first responders, and/or official government reporting through agencies such as the National Weather Service.

If both of the above factors are not met, no emergency notification is required. If it is determined that both of the above factors are met, then an emergency notification as described below shall be issued. The Chief of Police (or management designee) will confer with the Clery Director, if available, to prepare the content of the notification and determine which members of the campus community are threatened and need to be notified. The content of the message will be developed based on a careful but swift analysis of the most critical facts.

Once the notification is prepared, the Chief of Police and/or the Clery Director (or their management designees) 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. If an emergency notification is issued, a timely warning shall not be issued for the same incident.

CONTENTS OF THE EMERGENCY NOTIFICATION

The emergency notification shall contain the following information:

- A statement as to what the emergency or dangerous situation is, in specific terms (e.g., chemical spill, active shooter, building fire)

- A statement providing direction as to what actions the receiver of the message should do to take precautions for their own safety
- A statement as to where or when additional information may be obtained

The Clery Director (or management designee) will provide updates to the emergency notification with pertinent updates or direction to persons for their safety when new information becomes available. Updates will be provided in regular intervals until the emergency has been mitigated or no longer poses an imminent threat, e.g., fire is out and building has re-opened.

METHODS OF DISTRIBUTION

Emergency Notifications will be distributed as quickly as possible in a manner that will likely reach the segment(s) of the on-campus community threatened by the emergency. Segmentation will be considered by the Chief of Police (or management designee) by evaluating which persons are likely to be at risk, and notifying those persons. Segmentation should not be considered if making this determination would delay issuing the emergency notification. The Chief will determine if notification to the larger community is appropriate. Distribution methods, including distribution to the larger community, vary from campus to campus and depending on the nature of the emergency, may include:

- A campus mass notification system, including but not limited to phone, campus email, or text messaging. Systems should provide currently enrolled students, faculty and staff the ability to adjust their subscription preferences to select multiple contact methods from text messages, emails and phone calls, or if desired, to 'opt out' of the service and not receive any notifications
- Audio/visual message boards
- Audible alarms/sirens
- Campus public address systems
- In person or door-to-door notifications in a building or residence halls
- Local media
- Social media
- Other means appropriate under the circumstances

TESTING AND EVACUATION SYSTEM

Testing of the Emergency Notification System and evacuation will be done at least once annually. The tests may be announced or unannounced. Tests must be scheduled, contain drills, exercises and appropriate follow-through activities, and be designed for assessment and evaluations of emergency plans and capabilities. However, at least one test will be publicized in conjunction with the campus's emergency response and evacuation procedures. Each test will be documented to include a description of the exercise, the date of the test, the start and end times of the test, and whether the test was announced or unannounced. The California State University Emergency Management Policy describes these tests and defines responsibility for their completion. A copy of the documentation will be provided to the Clery Director.

CSUN has developed a communication plan to foster a safe environment as well as provide real-time communication to alert the campus community in the event of a significant emergency or dangerous situation on campus. We use a layered communication approach with several technologies. Each communication method augments the others.

Our emergency communications systems will be used to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff, or faculty occurring on the campus, unless issuing a notification would compromise efforts to contain the emergency.

Emergency Communication Methods include:

Blackboard Connect - Mass Notification System. The Blackboard Connect system allows CSUN Police Services the ability to send all students, staff and faculty time-sensitive information about unforeseen events and emergencies using voice, email and text messaging. The system can be used to broadcast pertinent information and provide details on appropriate response. This is our primary mass notification system, and students, staff, and faculty can ensure they receive these communications by making sure their emergency contact information is up to date in the myNorthridge portal at <https://www.csun.edu/>. Students, staff, and faculty can also add additional phone numbers or email addresses for spouses, parents, roommates, family, etc. to receive notifications sent over these channels. Added information can only be modified or removed by the student, staff, or faculty member who entered it as part of their contact information. To receive emergency notifications via text, students, staff, and faculty must opt in through the portal under Update My Personal Information in the Emergency Information section. Students, staff, and faculty have the ability to opt in and out of SMS text messaging only and cannot opt out of messages sent to their CSUN email address or phone messaging.

CSUN Social Media Sites - [Facebook](#) and [Twitter](#) as well as [The Department of Police Services Facebook](#) page will be updated with emergency information as appropriate.

Campus Carillon - Is an outdoor public broadcast system. It is intended to alert persons who are outdoors and is not designed to be heard inside buildings. Real-time messages and emergency instructions can be broadcasted.

CSUN Home Page - During a critical incident or emergency, information will be prominently displayed on the home page.

Informacast Phone Messaging System - The campus VOIP telephones allow CSUN administration or emergency response personnel to simultaneously send an audio and text message through the speaker and display screen of office phones.

Alertus Desktop Takeover System - Provides the University the ability to broadcast a desktop takeover pop-up message on all computers connected to the CSUN server. This includes the Matador Information Network Displays (MIND screens).

Emergency Signage - May be placed along the campus perimeter and within the campus to alert you to campus evacuation, closure, partial closure or testing of emergency communications. The signs include the LED message boards, the electronic marquee on Zelzah Avenue and laminated signs on sandwich boards strategically placed around the campus.

Radio Stations - Both KABC 790AM and KNX 1070AM participate in the Emergency Alert System, which will allow them to send and receive regional emergency information quickly and automatically during a disaster. CSUN Administration and emergency response personnel can also use our campus radio station KCSN 88.5FM to broadcast campus specific information.

Two-Way Radios - Are utilized for routine business (for example, Police, Physical Plant Management, etc.) and will also receive alerts and warnings via their radios.

Hand-Held Megaphones - Specially trained CSUN staff and faculty acting in the capacity of volunteer Building Marshal or CSUN CERT (Community Emergency Response Team) members have access to hand-held megaphones to assist in communicating information during an emergency or critical incident.

Vehicle Public Address Systems - In cases where an isolated or targeted message may be required, university vehicles equipped with public address speakers (i.e. CSUN police and parking vehicles) may be also be used to augment other methods of communication.

Blue Light Phones - To report an emergency, faculty, staff and students can utilize the blue light phones located on the campus (including parking structures). When activated, the phone connects directly to a CSUN police dispatcher. There are 94 Blue Light phones strategically placed on campus. There are also Yellow Emergency Call Boxes that are TTY compatible for the hearing impaired.

Campus Status Information - You may call toll free numbers during a campus emergency or critical incident for information on the status of the campus, i.e., if the campus is closed, if classes have been cancelled, or other announcements.

Faculty/Staff Campus Status: 866-535-2786
Students and Community: 866-515-2786

Emergency/Non-Emergency Contact Numbers

24-hour Emergency (CSUN Police, Fire or Medical): 911

24-hour Non-Emergency: 818-677-2111

Useful Telephone Numbers at CSUN

Vehicle Jump starts or Key Lock-Out Assistance:	818-677-2111
Emergency Preparedness:	818-677-5973
Threat Assessment Unit:	818-677-3901
Office of the Chief of Police:	818-677-2201
Crime Prevention Unit:	818-677-5820
Matador Patrol (Personal Safety Escorts):	818-677-5042 or 677-5048
Environmental Health and Safety:	818-677-2401
Klotz Student Health Center:	818-677-3666
Physical Plant Management:	818-677-2222

The University complies with the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS), and CSU Executive Order 1056.

The University's Emergency Operations Plan (EOP) provides guidelines for the management of immediate actions and operations required to respond to emergencies or disasters affecting the campus community in the Clery-defined campus geography. The University's emergency response and management is directed by the University's Director of the Emergency Operations Center/Chief of Police or his/her alternate.

DRILLS

- **Annual drills and exercises** are scheduled by the Department of Police Services' Emergency Manager. This includes building evacuation drills and Emergency Operations Center (EOC) exercises to test the University's Emergency Operations Plan.
- **Scheduled building evacuation drills** are conducted each year per an established 18-month master schedule. These drills are coordinated by the Department of Police Services' Emergency Manager in conjunction with Principal Building Marshals, Physical Plant Management, and Department of Police Services Patrol Operations and Dispatch. Announced and unannounced building evacuation drills are designed to exercise and assess emergency response plans and capabilities for evacuation purposes.
- **After-Action Reports** are created for all drill and exercises coordinated by the Emergency Manager to identify areas for improvement.

EMERGENCY OPERATIONS CENTER (EOC):

California State University, Northridge has an Emergency Operations Center (EOC) comprised of staff from various departments representing critical functions of the University to include those with resources necessary to support emergency response. The EOC is activated when deemed appropriate by the President of the University or the Director of the EOC, or as outlined in the EOP. EOC staff training and exercises are documented through attendance rosters, planning meeting agendas, and exercise documentation.

In conjunction with the Chief of Police, the Emergency Manager will conduct an administrative review of the EOP on an annual basis or as needed. Testing of components of the University's EOP are conducted annually either through tabletop, functional, or full-scale exercises. At the completion of each EOC exercise, full documentation of test results and lessons learned are in the form of an After-Action Report and/or a Corrective Action Plan.

Emergency Preparedness trainings and workshops are conducted for departments, students, faculty, staff, and campus community members throughout the year. Training topics include building evacuation, general emergency preparedness, earthquake and fire safety procedures, personal emergency plan development, and awareness of campus emergency preparedness, notification methods, and resources.

As an illustration of the emergency preparedness and response activities made available in 2020 - on October 15, 2020, the CSUN community participated in the Great ShakeOut Earthquake Drill to test campus readiness in the event of an earthquake. This international event afforded CSUN an opportunity to also test two of the campus' emergency notification systems – Alertus and InformaCast. At 9:15 am, approximately one hour prior to the Great ShakeOut drill, the Alertus desktop takeover system was tested and informed those connected to CSUN's network of the upcoming drill through a pre-scheduled written announcement via display on their monitors. At 10:15 am PST, Informacast was used to advise the campus community of the start of the Great ShakeOut drill and to Drop, Cover, and Hold On. The broadcast began at 10:15 am PST and ended at approximately 10:16 am PST over the campus' telephone system. The test included both voice notification and a visual message display to 3,473 recipients over the campus' Cisco phone system.

2021 emergency preparedness and response activities include a tabletop exercise with the University's Emergency Operations Center Policy Group and Staff, building evacuation drills to include Student Housing, testing of emergency notification systems, virtual public outreach workshops and training.

Training, drill, and exercise documentation is maintained by the Emergency Manager and is available for review upon request.

MISSING STUDENT NOTIFICATION

Individuals having reason to believe that a student who resides in on-campus housing has been missing should immediately notify the CSUN Department of Police Services at 818-677-2111. CSUN Police will initiate an investigation in accordance with the department's missing person policy and will undertake the emergency contact procedures as appropriate.

Missing student reports should be made directly to the Department of Police Services. However, these reports may also be made to a staff member from the Office of Student Housing and Residential Life, located in the main Student Housing Office, or the Vice President of Student Affairs/Dean of Students Office in Valera Hall 310. If the missing person report is made to staff or organizations other than CSUN Police Services, the entity must contact Police Services immediately.

At the beginning of each academic year, CSUN will inform students residing in on-campus housing that CSUN will notify a parent, guardian or an individual selected by the student not later than 24 hours after the time the student is determined to be missing. This information will remain confidential only to be used during a missing person investigation by university officials who retain the information and it may not be disclosed except to law enforcement personnel in furtherance of an official missing person investigation. Information will include the following:

- Students have the option of annually identifying an individual to be contacted by CSUN when they sign up for a housing contract.
- If the student is under 18 years of age, and not an emancipated individual, CSUN is required to notify a custodial parent or guardian and any other designated contact within 24 hours after the time that the student is officially determined to be missing.
- When CSUN Police makes an official determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the Department of Police Services will initiate the emergency contact procedures in accordance with the student's confidential contact designation and will also notify local law enforcement that has jurisdiction in the area the student went missing. This will be done within 24 hours, regardless of whether or not the student had a confidential contact, is above the age of 18 or is an emancipated minor.

POLICE SERVICES ACTIONS:

The Department of Police Services has a law enforcement missing persons policy that is followed in all such cases. The department may release a photo of the missing student as a tool to assist in locating the individual and may seek information and/or assistance from a variety of campus resources during the course of the investigation.

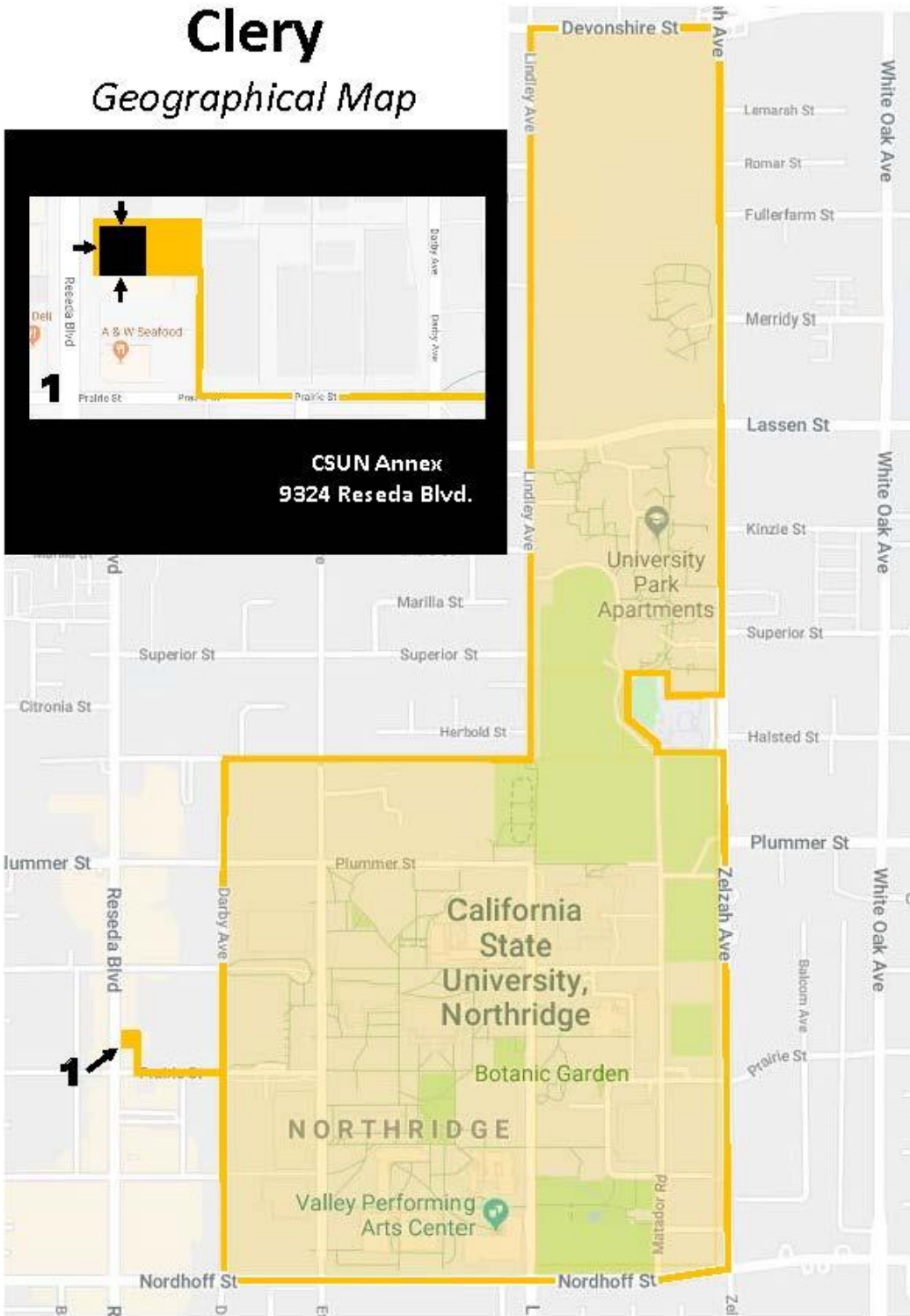
FIRE SAFETY ACT

The 2021 Fire Safety Report is available at the following link:

<HTTPS://WWW.CSUN.EDU/SITES/DEFAULT/FILES/ANNUAL-FIRE-SAFETY-REPORT.PDF>

CLERY GEOGRAPHICAL MAP OF CSUN

Clery Geographical Map



APPENDIX

Rape (CA Penal Code Chapter 1 Section 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.

Sodomy (CA Penal Code Chapter 1 Section 286)

Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

(b) (1) Except as provided in Section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.

(2) Except as provided in Section 288, any person over 21 years of age who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony.

(c) (1) Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(2) (A) Any person who commits an act of sodomy when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of sodomy with another person who is under 14 years of age when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 9, 11, or 13 years.

(C) Any person who commits an act of sodomy with another person who is a minor 14 years of age or older when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

(3) Any person who commits an act of sodomy 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, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person or 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, shall be punished by imprisonment in the state prison for five, seven, or nine years.

(2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.

(3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

(e) Any person who participates in an act of sodomy with any person of any age while confined in any state prison, as defined in Section 4504, or in any local detention facility, as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.

(f) Any person who commits an act of sodomy, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:

(1) Was unconscious or asleep.

(2) Was not aware, knowing, perceiving, or cognizant that the act occurred.

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

(4) 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.

(g) Except as provided in subdivision (h), a person who commits an act of sodomy, and the victim is at the time 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, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to 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.

(h) Any person who commits an act of sodomy, and the victim is at the time 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, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. Notwithstanding the existence of a conservatorship pursuant to 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 legal consent.

(i) Any person who commits an act of sodomy, where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for three, six, or eight years.

(j) Any person who commits an act of sodomy, where the victim 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, shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) Any person who commits an act of sodomy, 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, shall be punished by imprisonment in the state prison for three, six, or eight years.

As used in this subdivision, "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.

(l) As used in subdivisions (c) and (d), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury, or death.

Oral Copulation (CA Penal Code Chapter 1 Section 287)

(a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

(b) (1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(2) Except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony.

(c) (1) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(2) (A) Any person who commits an act of oral copulation when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of oral copulation upon a person who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(C) Any person who commits an act of oral copulation upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

(3) Any person who commits an act of oral copulation 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, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting that other person, commits an act of oral copulation (A) when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, or (B) 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, or (C) where the victim is at the time 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, shall be punished by imprisonment in the state prison for five, seven, or nine years. Notwithstanding the appointment of a conservator with respect to the victim 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 described under paragraph (3), that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.

(3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:

(1) Was unconscious or asleep.

(2) Was not aware, knowing, perceiving, or cognizant that the act occurred.

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

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

(g) Except as provided in subdivision (h), any person who commits an act of oral copulation, and the victim is at the time 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, shall be punished by imprisonment in the state prison, for three, six, or eight years. 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.

(h) Any person who commits an act of oral copulation, and the victim is at the time 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, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. 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 legal consent.

(i) Any person who commits an act of oral copulation, where the victim 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(j) Any person who commits an act of oral copulation, where the victim 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(k) Any person who commits an act of oral copulation, 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

As used in this subdivision, “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.

(l) As used in subdivisions (c) and (d), “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

Bigamy, Incest, and the Crime against Nature (CA Penal Code Chapter 1 Section 289)

(a) (1) (A) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

(D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(2) Any person who commits an act of sexual penetration when 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, shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time 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 or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the appointment of a conservator with respect to the victim 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 legal consent.

(c) Any person who commits an act of sexual penetration, and the victim is at the time 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 or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. 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 legal consent.

(d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

(1) Was unconscious or asleep.

(2) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.

(4) 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.

(e) Any person who commits an act of sexual penetration when the victim 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(g) Any person who commits an act of sexual penetration when 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, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

As used in this subdivision, "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.

(h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.

(i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.

(j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) As used in this section:

(1) "Sexual penetration" is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object.

(2) "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ.

(3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.

(l) As used in subdivision (a), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.

(m) As used in this section, "victim" includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.

Fondling (CA Penal Code Chapter 9. Section 243.4, Assault and Battery)

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched,

and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(e)(1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

(1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.

(2) "Sexual battery" does not include the crimes defined in Section 261 or 289.

(3) "Seriously disabled" means a person with severe physical or sensory disabilities.

(4) "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.

(5) "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.

(6) "Minor" means a person under 18 years of age.

(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars (\$10,000).

Statutory Rape (CA Penal Code, Chapter 1, Section 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.

Incest (CA Penal Code, Chapter 1, Section 285)

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

Abuse: (CA Family Code, 6203 (definitions) and 6211)

(a) For purposes of this act, “abuse” means any of the following:

(1) To intentionally or recklessly cause or attempt to cause bodily injury.

(2) Sexual assault.

(3) To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.

(4) To engage in any behavior that has been or could be enjoined pursuant to Section 6320.

(b) Abuse is not limited to the actual infliction of physical injury or assault.

“Domestic violence” is abuse perpetrated against any of the following persons:

(a) A spouse or former spouse.

(b) A cohabitant or former cohabitant, as defined in Section 6209.

(c) A person with whom the respondent is having or has had a dating or engagement relationship.

(d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).

(e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.

(f) Any other person related by consanguinity or affinity within the second degree.

Domestic Violence/Dating Violence (CA Penal Code, Chapter 2, Section 273.5 and Section 243)

(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

(1) The offender's spouse or former spouse.

(2) The offender's cohabitant or former cohabitant.

(3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.

(4) The mother or father of the offender's child.

CA Penal Code 243

(e)

(1) When a battery (willful and unlawful use of force or violence upon the person of another) is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment.

Stalking

CA Penal Code, Chapter 2, Section 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.

CA Penal Code, Chapter 2, Section 653m

(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith.

(b) Every person who, with intent to annoy or harass, makes repeated telephone calls or makes repeated contact by means of an electronic communication device, or makes any combination of calls or contact, to another person is, whether or not conversation ensues from making the telephone call or contact by means of an electronic communication device, guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith or during the ordinary course and scope of business.

Consent to Sexual Activity (CA Penal Code, Chapter 1, section 261.6)

In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, 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, 287, or 289, or former Section 288a.