

SACRAMENTO STATE

2019 Annual Security Report



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

Clery Crime Statistics 2016-2018



SACRAMENTO STATE
Redefine the Possible

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Message from the Chief



Dear Sacramento State Community:

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), Sacramento State introduces the 2019 Jeanne Clery Act Annual Security Report. Enclosed you will find information about key institutional policies, personal safety and crime prevention, how to report suspicious and criminal activities, and required Clery Act crime statistics for the last three calendar years.

Sacramento State combines a beautiful campus setting in the heart of California, top-rated student residential facilities, a world-class track, which could arguably be the best in the United States, and a friendly and collaborative atmosphere to provide an educational experience that fosters intellectual, cognitive, social, and personal growth. Sacramento State continues to strive for academic excellence in education. Safety is one of the University's five imperatives and continues to be an integral part of our success as we move forward.

This report compiles information gathered from throughout our community in 2018 and includes reports from all divisions and all employees defined in the Clery Act as "campus security authorities." It shows our commitment to provide policies, practices, and outreach to make the safest community possible for all to live, work, and learn. Crime prevention and safety takes the cooperation and collaboration of the entire community. The Sacramento State Police Department appreciates working with and within the community to maintain a proactive approach to safety.

I wish everyone a successful educational experience and appreciate your on-going support in keeping Sacramento State safe and prosperous.

Mark M. Iwasa
Chief of Police

Preparing the Annual Security Report (ASR)

Preparing the Annual Security Report (ASR)

The Clery Director shall prepare, publish, distribute and maintain an Annual Security Report (ASR) containing security-and safety-related policy statements, emergency preparedness and evacuation information, crime prevention and sexual assault, and drug and alcohol prevention programming, and statistics of Clery Act crimes for the Sacramento State campus.

The ASR is not combined with the Annual Fire Safety Report. The Annual Fire Safety Report is compiled and published by the Director of Housing & Residential Life.

Compilation Statistics for the ASR

The Clery Director, in coordination with the Sacramento State Police Department, is responsible for the collection and compilation of crime statistics for Clery-qualifying crimes, including hate crimes, through working relationships with Campus Security Authorities (CSAs) and the cross-departmental Clery Compliance team. The Clery Compliance team also provides policy related information and educational efforts and programs for Clery Act reportable crimes, hate crimes, and violations of state and local drug, liquor, and weapons law occurring in Clery Geography, where arrests or referrals for discipline were made. The Sacramento State Police Department is responsible for conducting documented outreach efforts to law enforcement agencies to request Clery-reportable crime statistics from the Clery Act geography that the department does not patrol or provide primary law enforcement response.

Distribution of Annual Security Report (ASR)

The Annual Security Report will be posted online at the campus homepage and that of the Sacramento State Police Department; hard copies are available upon request. The Clery Director in coordination with the appropriate departments will disseminate a notice by email to all current students and employees that the Annual Security Report is published and available.

The Clery Director, in coordination with the Division of Human Resources, Division of Student Affairs, and other appropriate departments, will ensure that the availability of the Annual Security Report is posted within appropriate campus employment websites, campus application materials, campus course catalogs, and other locations to ensure notice is provided to all prospective employees and students that the ASR is available upon request.

Sacramento State's policy for preparing the Annual Disclosure of Crime Statistics can be found at <http://www.csus.edu/umannual/admin/adm-0179.html>.

Sacramento State's policy for collecting and reporting crime statistics can be found at <http://www.csus.edu/umannual/admin/adm-0182.html>.

California State University Executive Order 1107 policy for the Annual Security Report (ASR) can be found at https://www.csus.edu/campus-safety/_internal/_documents/clery/eo-1107.pdf.

For more information regarding the ASR, please contact Nikki Khamsouksay, Clery Director at 916-278-2560 or nikki.khamsouksay@csus.edu.

Crime Statistics

Clery Act Geographical Areas

Crime statistics are reported pursuant to the guidelines specified in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Disclosure Act, which use the definitions under the FBI Uniformed Crime Reporting procedures and separated by the following geographical areas:

- **On-Campus:** any building or property owned or controlled by the University within the same reasonably contiguous geographic area.
- **On-Campus Residential:** on-campus residential facilities for students (American River Courtyard, Desmond Hall, Draper Hall, Jenkins Hall, Sierra Hall, Sutter Hall, Riverview and the Upper Eastside Lofts). Please note that the statistics reported in this category are a subset of those reported in the “On-Campus” category (i.e., a crime that occurred at an on-campus residential facility for students is reported in **both** the “On-Campus” and “On-Campus Residential” categories).
- **Non-Campus:** any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by the University that is used in direct support of, or in relation to, the University’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the University.
- **Public Property:** all public property—including parks, thoroughfares, streets, sidewalks, and parking facilities—that is within the campus or immediately adjacent to and accessible from the campus.

Crime Categories

The Clery Act requires Sacramento State to include four general categories of crime statistics:

1. **Criminal and Sex Offenses**

The definitions used for the criminal offenses of Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson are consistent with those in the FBI’s Uniform Crime Reporting (UCR) Summary Reporting System (SRS) User Manual. The definitions used for the sex offenses of Fondling, Incest, and Statutory Rape are consistent with those in the FBI’s National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR.

2. **Violence Against Women Act (VAWA) Offenses**

The definitions used for the VAWA offenses of Domestic Violence, Dating Violence, and Stalking are consistent with those provided by the Violence Against Women Act (VAWA) of 1994 and repeated in the Department of Education’s Clery Act regulations.

3. **Hate Crimes**

The definition used for Hate Crimes, a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim, is consistent with the definition provided by the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual.

4. **Clery Arrests and Referrals for Disciplinary Action**

As required by the Clery Act, the University also reports arrests and referrals for disciplinary action for Liquor Law, Drug Law, and Weapons Law violations. The definitions used for Liquor Law, Drug Law, and Weapons Law violations are consistent with those in the FBI's Uniform Crime Reporting (UCR) Summary Reporting System (SRS) User Manual. For Clery Act purposes, an arrest occurs when a person is processed by arrest, citation, or summons, and a referral for disciplinary action means the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

More information on the Clery Act definitions used for the above categories of crimes can be found at <https://www.csus.edu/campus-safety/internal/documents/clery/clery-act-crime-categories.pdf>.

NOTE: Clery statistics represent the number of reported crimes counted when they are reported, not when they occurred. Clery statistics do not represent the findings of an investigation, court proceeding, judge, jury or commissioner, but simply represent reports of **alleged crimes** that meet the definition of Clery crimes that reportedly took place within Clery geography.

CLERY ACT CRIME STATISTICS 2016 – 2018

OFFENSE	YEAR	ON-CAMPUS	ON-CAMPUS RESIDENTIAL*	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Murder	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Manslaughter by Negligence	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Rape	2016	1	1	1	0
	2017	4	4	0	1
	2018	30 ¹	30 ¹	0	0
Fondling	2016	2	0	3	0
	2017	7	6	0	0
	2018	3	1	0	0
Incest	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Robbery	2016	2	0	1	0
	2017	2	0	1	0
	2018	3	0	0	0
Aggravated Assault	2016	1	1	0	1
	2017	0	0	1	0
	2018	1	0	0	0
Burglary	2016	10	0	1	0
	2017	27	0	3	0
	2018	16	3	0	0
Motor Vehicle Theft	2016	7	0	0	0
	2017	3	0	3	0
	2018	2	0	1	0
Arson	2016	0	0	0	0
	2017	2	0	0	0
	2018	0	0	0	0

* A crime that occurred at an on-campus residential facility for students is reported in **both** the “On-Campus” and “On-Campus Residential” categories.

¹The number of sexual assaults reported in 2018 increased over reports from the previous year, but we did not see a significant increase in the number of individuals reporting sexual assault.

VIOLENCE AGAINST WOMEN ACT STATISTICS 2016 – 2018					
OFFENSE	YEAR	ON-CAMPUS	ON-CAMPUS RESIDENTIAL*	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Dating Violence	2016	1	0	0	0
	2017	4	4	0	0
	2018	29 ²	26 ²	0	0
Domestic Violence	2016	0	0	0	0
	2017	0	0	1	0
	2018	0	0	2	0
Stalking	2016	3	1	0	0
	2017	12	1	0	0
	2018	9	1	0	0

* A crime that occurred at an on-campus residential facility for students is reported in **both** the “On-Campus” and “On-Campus Residential” categories.

² The number of dating violence reported in 2018 increased over reports from the previous year, but we did not see a significant increase in the number of individuals reporting dating violence.

CLERY ARRESTS AND DISCIPLINARY REFERRALS STATISTICS 2016 – 2018					
OFFENSE	YEAR	ON-CAMPUS	ON-CAMPUS RESIDENTIAL*	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Liquor Law Arrests	2016	5	0	0	0
	2017	2	0	1	0
	2018	0	0	0	0
Liquor Law Referrals	2016	141	141	0	0
	2017	87	87	0	0
	2018	5	3	0	0
Drug Law Arrests	2016	18	0	0	11
	2017	21	0	0	0
	2018	4	0	0	0
Drug Law Referrals	2016	39	39	0	0
	2017	37	37	0	0
	2018	21	15	0	0
Weapons Law Arrests	2016	5	0	0	0
	2017	6	0	0	0
	2018	0	0	0	0
Weapons Law Referrals	2016	1	1	0	0
	2017	0	0	0	0
	2018	0	0	0	0

* A crime that occurred at an on-campus residential facility for students is reported in **both** the “On-Campus” and “On-Campus Residential” categories.

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2016	0
	2017	0
	2018	0

Hate Crimes

There were no reported hate crimes in 2016, 2017 and 2018.

Reporting Criminal Actions & Emergencies

Sacramento State strongly encourages accurate and prompt reporting of all members of the campus community to contact the Sacramento State Police Department or the appropriate police agency where the crime occurred when they have been the victim of or have witnessed criminal actions. All members of the campus community are encouraged to contact appropriate law police agencies on the victim's behalf when the victim of a crime elects to or is unable to make such a report. Bystander intervention is a powerful concept that is highly valued at Sacramento State.

Reporting of Criminal Offenses

Crimes should be reported to the Sacramento State Police Department for the purposes of making Timely Warning Notifications (TWN) and the annual statistical disclosure.

Report to the Sacramento State Police Department, if known:

- The crime that was reported and the information provided
- The exact location where the crime occurred
- The date and time the crime occurred
- Any witness and perpetrator information
- Victim information, unless the victim requests confidentiality*

*See Anonymous, Voluntary, Confidential Reporting Section.

Sacramento State Police Department

6000 J Street, Sacramento, CA 95819

Phone: 916-278-6000

Hours: The Sacramento State Police Department provides 24-hour law enforcement services throughout the entire year, including all holidays.

- *For in-progress crimes or suspicious activity, including all fire or medical emergencies:* Call 916-278-6000 or dial 9-1-1 from any campus phone.
- *Blue-light phones:* Police dispatch can be also contacted directly by pushing the red button on a "blue-light" campus emergency phone. The emergency phones are strategically located throughout the entire campus and have blue lights for easy visibility.

Additional information regarding Sacramento State's policy on reporting crimes can be found at <http://www.csus.edu/umannual/admin/adm-0182.html>.

California State University Executive Order 1107 policy for Crime Reporting can be found at <https://www.csus.edu/campus-safety/internal/documents/clery/eo-1107.pdf>.

Daily Crime Log

The Sacramento State Police Department maintains a publicly available "Daily Crime Log." The online version is posted each week for the preceding week's activity and reflects the information known at that time. The log is available for viewing at <https://www.csus.edu/campus-safety/police-department/news-alerts/index.html>. Information older than the 60-day log period is not available online for public viewing.

For a fully updated daily version of the crime logs, please visit the Sacramento State Police Department front counter.

Timely Warning Notifications

The primary intent of the Timely Warning policy is to provide members of the community with information to aid in preventing them from becoming a victim of crimes posing a serious or ongoing threat to the campus communities.

The University will issue a Timely Warning Notification (TWN) as soon as pertinent information is available when a Clery reportable crime is reported to the Sacramento State Police Department or a designated campus security authority (CSA), occurred in a Clery defined geographical area, and a case-by-case analysis of pertinent facts known is completed and a determination is made that an on-going or continuing threat to the campus exists.

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

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

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

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

For clarity to the community when a TWN is issued it will titled "Timely Warning Notification" and include the following:

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

The Timely Warning Notification will not include, under any circumstances, the name of the victim, or information so specific that would or likely could identify the victim of the crimes of sexual violence to include rape, dating violence, domestic violence, or stalking. Issuance of TWNs will be delayed only if

the issuance would compromise the apprehension of the suspect or compromise the ability of law enforcement to investigate the crime.

Anonymous, Voluntary, Confidential Reporting

Sacramento State does not currently have a written policy to allow victims or witnesses to report crimes on a voluntary, confidential basis; a policy is in progress. However, absent the written voluntary, confidential reporting policy, victims or witnesses may report crimes on a voluntary, confidential basis to the Sacramento Valley Crime Stoppers through the following options:

1. Call (916) 443-HELP, or Toll Free 800-AA-Help
2. Through the “Sacramento Valley P3 Tips” phone app
3. Website: sacvalleycrimestoppers.com

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

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

While our campus encourages members of the campus community to promptly report all crimes to the Sacramento State Police Department, campuses do not 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.

Security of and Access to Campus Facilities

Statement of Policy for Addressing Facility Access and Security

It is the practice of Sacramento State that all buildings be opened prior to the beginning of the business day and locked nightly after the conclusion of the last scheduled event. Space Management provides a daily schedule to Facilities Management; buildings are locked based on that schedule. Custodial Services and Community Service Specialists are responsible for the unlocking of buildings on a daily basis for scheduled classes and other approved activities. After a building is locked, only employees with offices inside, security personnel, and personnel with maintenance responsibilities have access to the building.

Access to University residential facilities is limited to residents, their guests, and selected staff. The University’s Residence Hall policy requires that exterior doors be locked at all times, including holidays and semester breaks. All residents have been issued a key fob for personal access to exterior doors, interior areas, and restroom facilities. All guests must be accompanied by residents or staff. The residential community is patrolled cooperatively by the Sacramento State Police Department and on-duty Residential Life personnel, which includes Residential Life Advisors and Coordinators.

Security and Maintenance of Campus Facilities

Security considerations are used in the maintenance of campus facilities. The Sacramento State Police Department has personnel on duty 24/7 throughout the year who conduct regular patrols of all campus facilities. The campus employs both video and intrusion alarm systems at crucial areas throughout the campus to strengthen its security capabilities.

Facilities Management maintains the University's buildings and grounds with a concern for security and safety. Campus facilities and grounds are inspected on a regular basis to ensure that repairs (for example, to broken windows and locks) are made in an expeditious manner. The Sacramento State Police Department also receives information from the campus community regarding damaged roadways, overgrowth of shrubbery, and other areas in need of repair. This information is forwarded to Facilities Management in a timely manner.

Lighting surveys are conducted twice annually so that improvements or repairs can be made to various locations on campus. Annually, all emergency "blue-light" telephones are checked by the Sacramento State Police Department and logged. A log is kept reflecting the date the phones were tested and repaired, if applicable.

The campus community is encouraged to report safety concerns, exterior lighting, or emergency telephone malfunctions to Facilities Management at 916-278-6242 or the Sacramento State Police Department at 916-278-6000 so repairs can be made promptly.

Sacramento State's policy and procedures for facility access and security are located on our website at <http://www.csus.edu/umannual/admin/adm-0181.html>.

Law Enforcement Authority

Sacramento State Police Department Role and Authority

The Sacramento State Police Department has the responsibility to provide police services to the Sacramento State campus and all properties owned, leased, or controlled by California State University, Sacramento. Sacramento State Police Officers are sworn State Peace Officers who are vested with full arrest authority in the State of California, pursuant to California Penal Code section 830.2(c) and Education Code section 89560. The Police Officers' arrest authority extends to any place within the State of California, and they maintain primary law enforcement jurisdiction for all crimes occurring on University properties. The primary jurisdiction of Sacramento State Police Officers is defined in California Education Code section 89560 as follows: (a) upon the campuses of the University and an area within one mile of the exterior boundaries of each thereof; (b) in or about other grounds or property owned, operated, controlled, or administered by the University; and (c) as provided in section 830.2(c) of the Penal Code.

In addition, the Sacramento State Police Department has non-sworn Community Service Officers (CSO) and Community Service Specialists (CSS) who work special events and are assigned to patrol specific areas to help crime prevention and outreach efforts. They also provide safety escorts, bicycle registration, and administrative support and enhance the safety of the campus by reporting any suspicious activity to police dispatch.

Working Relationship with Local, State, and Federal Law Enforcement Agencies

The Sacramento State Police Department maintains a cooperative relationship with State, local and surrounding law enforcement agencies. The Sacramento State Police Department shares concurrent law enforcement jurisdiction with federal, state, and local law enforcement agencies on all adjacent public streets and areas and in communities surrounding University properties. The Sacramento State

Police Department cooperates fully and regularly communicates with its law enforcement partner agencies.

The Sacramento State Police Department maintains a memorandum of understanding with the City of Sacramento Police Department concerning jurisdiction and operational responsibility, consistent with Kristin Smart Campus Safety Act and Higher Education Opportunity Act requirements. The MOU clarifies that the Sacramento State Police Department is the primary law enforcement agency for all crimes occurring on Sacramento State main campus properties and outlines the Sacramento State Police Department's administrative, geographic, and operational responsibilities.

Policies for Accurate and Prompt Reporting of Crimes

Sacramento State strongly encourages all members of the campus community to promptly and accurately report when they have been the victim of a crime or have witnessed criminal actions. All members of the campus community are encouraged to contact appropriate law police agencies on the victim's behalf when the victim of a crime elects to or is unable to make such a report. Bystander intervention is a powerful concept that is highly valued at Sacramento State.

Security Procedures and Practices

In an effort to promote safety awareness, the Sacramento State Police Department participates in a variety of programs and offers various brochures to educate and inform students, employees, and the community at-large on a variety of security issues, and campus security procedures and practices. A common theme of the University's security awareness programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Various student organizations and campus departments also conduct campus security awareness programs.

Active Shooter Training: There is an active shooter training video to promote awareness on possible actions that individuals can take if confronted with an active shooter scenario. Target Audience: Faculty, Staff, and Students. Offered by: Sacramento State Police Department. Frequency: Upon request and available online.

New Student Orientation Activities: The Police Department provides important information that is utilized in New Student Orientations to both students and parents. Topics include personal safety while on campus, campus security procedures and practices, theft prevention of personal items such as electronics, and alcohol awareness. Students are also encouraged to register their bicycles. Target Audience: Students. Offered by: Sacramento State Police Department. Frequency: At least biannually and upon request.

Student Success Online Tutorial: As part of joining the Sacramento State community, incoming students are required to take safety tutorials to make the campus safer. The online tutorials cover alcohol abuse prevention, sexual assault prevention, and bystander intervention training. Target Audience: New Students. Offered by: Student Health & Counseling Services. Frequency: As needed.

Hornet Safety Escort Services: The Sacramento State Police Department offers a Hornet Safety Escort service in the evenings wherein our Community Service Officers work both on foot and in carts to provide escorts across campus. Target Audience: Faculty, Staff, and Students. Offered by: Sacramento State Police Department. Frequency: Upon request.

Hornet Night Shuttle: The Hornet Night Shuttle provides service to and from all on-campus locations, including Lot 11 at the north end of the campus, Monday through Thursday from dusk to 11:00 p.m. during the fall and spring semesters. Target Audience: Faculty, Staff, and Students. Offered by:

University Transportation and Parking Services. *Frequency:* Upon request.

The Red Folder: An application (desktop and mobile) that contains resources for faculty and staff to help them identify, respond to, and refer students in distress to appropriate campus services. The application provides information regarding campus security procedure and response protocol to determine whom to contact when faced with a distressed or distressing student. *Target Audience:* Faculty and Staff. *Offered by:* Online through the CSU Chancellor's Office. *Frequency:* As needed.

Crime Prevention Programs

Crime prevention programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Sacramento State Police Department personnel facilitate programs for student, parent, faculty, and new employee orientations and student organizations. In addition, they facilitate programs for Residential Life Housing Resident Advisors and residents, providing a variety of educational strategies and tips on how to protect against sexual assault, theft, and other crimes. The University's crime prevention programs include the following:

Bike Compound: The Sacramento State Police Department provides supervised bicycle storage, as well as free bicycle licensing to all students, faculty, and staff during regular business hours. The licensing process includes recording physical descriptors of a bicycle and the unique serial number. *Offered by:* Sacramento State Police Department.

Healthy Relationships Presentation: This presentation to students addresses healthy relationships to prevent, educate on, and promote awareness of dating violence, domestic violence, sexual assault, and stalking. *Offered by:* Student Health & Counseling Services.

Alcohol, Tobacco, and Other Drugs (ATOD) Education Program: Peer Health Educator (PHE) student interns are the core of the Alcohol, Tobacco, and Other Drugs (ATOD) Education Program and its greatest resource. PHEs receive academic units for their participation in the internship, with the number of participating students ranging from ten to twenty each academic year. The interns provide education about alcohol, tobacco, drugs, sexual violence, and other college health issues through outreach activities, educational presentations, and prevention media. *Offered by:* Student Health & Counseling Services.

Bystander Intervention Training: This training addresses bystander interventions, safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene where there is a risk of dating violence, domestic violence, sexual assault, or stalking. The training program includes recognizing situations of potential harm, overcoming barriers to intervention, identifying safe and effective intervention options, and taking action to intervene. *Offered by:* Student Org & Leadership, Housing & Residential Life, Student Health & Counseling Services, Women's Resource Center.

Sexual Misconduct Prevention Training: This mandatory online course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of sexual assault. 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 violence. The course teaches employees valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence. *Offered by:* Online through the CSU Chancellor's Office.

Monitoring and Reporting of Criminal Activity at Non-campus Locations of Student Organizations

Sacramento State Police Department does not formally record and monitor through local law enforcement agencies, all criminal activity by students at non-campus locations of student organizations officially recognized by the campus, including student organizations with non-campus housing facilities (e.g., fraternity and sorority houses); therefore, no policy exists.

The Sacramento State Police Department requests crime reports and statistics about crimes occurring at the non-campus location of student organizations from the local police department. The Sacramento State Police Department may also respond to crimes in progress at non-campus locations of student organizations, depending upon the nature of the crime and the proximity to the campus. Crime reports and statistics for these locations are maintained by the local police department; however, they are included in the Annual Security Report. When a local law enforcement agency notifies the Sacramento State Police Department of criminal conduct by a campus-affiliated group recognized by Sacramento State, University officers may gather information and refer the incident to Student Affairs for further investigation.

Alcohol and Drugs Policy

Policy Statement Governing Alcohol and Drugs

At California State University, Sacramento (hereafter referred to as Sacramento State), we recognize that the misuse and abuse of alcohol and other drugs is a threat to the mission of the University, and negatively impacts the health, safety, and welfare of our campus community. We believe that students, faculty, staff, and the larger community have a shared responsibility in educating one another about the potential negative health outcomes and legal consequences associated with alcohol and other drug use, allowing them to make thoughtful and informed choices regarding their use. Except as expressly permitted by law or University regulations, the use, possession, manufacturing, and/or distribution of alcoholic beverages is prohibited while on campus or at a Sacramento State sponsored activity (including off-campus activities). The use, possession, manufacturing, and/or distribution of illicit drugs and drug-related paraphernalia, and/or the misuse of legal pharmaceutical drugs, is prohibited. In compliance with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act, marijuana is considered an illicit drug. Public intoxication while on campus or at a University-related activity is prohibited. Public intoxication, also known legally as “drunk and disorderly,” occurs when a person is visibly drunk or under the influence of drugs in public. The [Alcohol Beverage and Drug Policy](#) applies to all students, staff, faculty, and visitors of the University. All applicable laws and University regulations will be enforced by the Sacramento State Police Department. In addition to criminal prosecution, Sacramento State may impose sanctions on students, faculty, and staff found in violation of this policy. Students may receive educational and/or remedial sanctions, be placed on probation, suspended, or expelled from Sacramento State as a result of their actions. Additionally, students living in the residence halls may be removed from campus housing. Faculty and staff may be counseled, issued a letter of reprimand, referred to and required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program, suspended without pay, or terminated (UMD 03350).

University policy is consistent with all applicable California state laws and county and city ordinances regarding alcohol and other drugs. In addition, the following are Sacramento State regulations regarding alcoholic beverage consumption and sale: The consumption of alcoholic beverages by individuals 21 years of age and older is permitted on University premises, subject to the limitations contained in this policy and within enforcement provisions provided by state law, rules, and regulations; Alcoholic beverages may not be sold or consumed in generally accessible open areas.

Additionally, alcoholic beverages will not be sold or consumed at events which do not permit complete control in accordance with University policy, the Department of Alcoholic Beverage Control rules, and state laws; Alcohol may be sold and consumed in permanently licensed campus facilities and only as a part of University Enterprises, Inc. operations. University Enterprises, Inc. is responsible for establishing and administering procedures that comply with campus policy and rules set forth by the Department of Alcoholic Beverage Control; and other campus facilities may be licensed on a temporary basis for the sale and/or consumption of alcoholic beverages. University Enterprises, Inc. shall provide service for such events in a manner consistent with University policy and Department of Alcoholic Beverage Control regulations. All sales of alcoholic beverages sold in conjunction with any athletic events are governed by the [Sale of Alcohol at Intercollegiate Athletic Events](#) policy.

Some campus departments have additional alcohol and/or drug policies that are tailored to their specialized needs (i.e. Athletics, Housing), which are listed in the [Drug-Free Schools and Communities Act \(DFSCA\) Biennial Review](#). Sacramento State's protocol is to distribute information related to alcohol and drug abuse to students, faculty, and staff on an annual basis. This information is disseminated via the "Message to Sac State," a document that covers the health effects of alcohol and other drugs, as well as University, state, and federal policies. The "Message to Sac State" is distributed by mail, email, and/or included during orientation for all students, faculty, and staff, as required by the DFSCA.

For the most current University alcohol beverage and drug policy, please visit: <http://www.csus.edu/umannual/student/stu-0103.html>. The policy includes a full description of University, state, and federal alcohol and drug policies (and related sanctions); facts about the risks and health impacts of alcohol/drug abuse; University and community resources; and other applicable University policies.

For insight into how Sacramento State is adhering to the DFSCA, please review the "September 2016 – August 2018 Biennial Review" at: <https://www.csus.edu/student-life/health-counseling/wellness-education/internal/documents/drug-free-schools-campus-regulations.pdf>.

Drug and Alcohol Abuse Education Programs

Sacramento State provides informative and engaging education programs throughout the year in an effort to prevent drug and alcohol abuse and misuse; examples of programming are listed below. Alternative Evening Programming: Sacramento State has a long history of offering alcohol and drug-free alternative programming for the campus community. "Hornet Nights" events are scheduled in the evenings, when alcohol and drug abuse and misuse are most likely to take place. Event examples include Crayon Therapy, movie screenings, and A.I.R. (All In Recreation) games and activities.

SHCS Workshops: Educational workshops are available for request through Student Health and Counseling Services (SHCS), Health and Wellness Promotion Department. Any faculty, staff, or student club or organization representative may request these workshops for their students, faculty, and/or staff. A current list of alcohol, tobacco, and other drug-related workshops is available at <https://www.csus.edu/student-life/health-counseling/wellness-education/presentations.html>.

Community Outreach Events: Outreach events occur across campus throughout the academic year, and are available to students, faculty, staff, and/or the larger community. Some examples of alcohol, tobacco, and/or drug-related events hosted by SHCS include: Great American Smoke/Vape-Out; Spring Break Fest; and Earth Day. Additionally, SHCS may be present at partner events (ie – Queer Prom) to provide education, resources, and/or serve "mocktails" (non-alcoholic cocktails).

Greek New Member Education: New Greek Life members are required to participate in an

educational program addressing alcohol issues, including alcohol poisoning, driving under the influence, and sexual assault. This program also includes information regarding prescription drug abuse and identification.

New Athlete Life Skills Orientation: At the start of each fall semester, intercollegiate athletics organizes three Life Skills Orientation sessions for all new athletes. Programming includes how alcohol affects athletic performance, risks associated with alcohol consumption, how to help a friend or teammate with an alcohol or drug problem, how to access campus resources, and sexual assault prevention education.

In addition to the programming listed above, a variety of other University departments and entities sponsor workshops and events related to alcohol and drug abuse and misuse prevention. These include:

- Sacramento State Police Department: 916-278-6000
- Associated Students, Incorporated: 916-278-6784
- Division of Student Affairs: 916-278-6060
- Office of Housing and Residential Life: 916-278-6655
- The WELL (Campus Recreation): 916-278-9355
- Student Health and Counseling Services: 916-278-6461

Sexual Violence

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

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

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

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

Prevention, Education, and Awareness

The University promotes a safe living, learning, and working environment through a variety of educational programs offered to students, faculty, and staff. Sacramento State prohibits sexual assault, dating violence, domestic violence and stalking, and offers programs to prevent, educate, and promote awareness of these topics, in accordance with Executive Order 1095.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Sexual Misconduct, Dating or Domestic Violence, or Stalking. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening and identifying safe and effective intervention options, and taking action to intervene.

Awareness programs include community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Examples of these education, training and awareness programs include but not limited to what constitutes sex discrimination, sexual harassment, sexual misconduct, dating and domestic violence, and stalking, the definition of affirmative consent, safety and positive options for bystander intervention that may be taken by an individual to prevent or intervene in risky situations involving these offenses, methods of encouraging peer support for victims, and information on risk reduction, including 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.

In addition to the Sexual Violence courses listed in the Crime Prevention Programs section (Healthy Relationships, Bystander Intervention, and Sexual Misconduct Prevention), here are some additional prevention, education, and awareness programs offered by Sacramento State:

Attachment B of EO 1095: Myths and Facts about Sexual Misconduct Publication: Publication provided to campus community with various information such as myths and facts about sexual misconduct, what individual(s) can do to help stop sexual misconduct, what individual(s) can do to help minimize their risk of becoming a victim, what do you if they are a victim, sexual misconduct risk reduction tips, how to help themselves and how they can help someone else as bystanders.

CSU: Preventing Discrimination and Harassment for Non-Supervisors: This online course is designed to raise awareness about workplace harassment and discrimination and to reduce or prevent incidents of misconduct. Using engaging exercises and real-world examples, the course fosters a clear understanding of anti-discrimination laws. It trains employees on inappropriate conduct so that they can apply what they learn to everyday situations.

Student Success Online Tutorial: As part of joining the Sacramento State community, incoming students are required to take safety tutorials to make the campus safer. The online tutorials cover alcohol abuse prevention and sexual assault prevention.

Other Outreach Events: Special events are conducted throughout campus at different times of the academic year to educate students on health and safety strategies and resources. Specific events include the Vagina Monologues, Wellness Fair, Dating Bootcamp, and Sexual Assault Presentation.

For additional information about campus educational programs concerning domestic violence, dating violence, sexual assault, and stalking, community members can contact the Title IX Coordinator, Residential Life and Housing, and Student Health and Counseling Services.

For information on Title IX and Sacramento State's efforts regarding campus sexual violence prevention, please visit the WE CARE, WE WILL HELP webpage at <https://www.csus.edu/title-ix/>.

Definitions per Executive Orders 1095-1097

The definitions of various forms of Sexual Violence per Executive Orders 1092 to 1097 are provided below.¹

¹ As mandated by the Clery Act's Violence Against Women Act (VAWA)/Campus Save Act, these policy definitions are derived from the local jurisdiction and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth in the next section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate use of the definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Handbook.

Sex Discrimination

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

Sexual Harassment

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

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

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment. Sexual Harassment also includes acts of verbal, non-verbal, or physical aggression, intimidation, or hostility based on gender or

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

Sexual Misconduct

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

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

Sexual Assault

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

Sexual Battery

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

Rape

A form of Sexual Misconduct, non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute Rape. Sexual acts including intercourse are considered non-consensual when a person is incapable of giving consent because they are incapacitated from alcohol and/or drugs, are under 18 years old, or if a mental disorder or developmental or physical disability renders a person incapable of giving consent. The respondent's relationship to the person (such as family member, spouse, friend, acquaintance, or stranger) is irrelevant. (See complete definition of Affirmative Consent below.)

Acquaintance Rape

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

Affirmative Consent

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

Domestic Violence

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

causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to themselves or others. Abuse does not include non-physical, emotional distress or injury.

Dating Violence

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

Stalking

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

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

Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct

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

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

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

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

Certain University employees (listed below under Privileged and Confidential Reports) 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. 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.

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

Privileged and Confidential Reports

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

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

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

reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

Exceptions to Confidentiality

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

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

Reporting Options

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

Criminal

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

Reporting to Police

As soon after the incident as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking may be reported to the Sacramento State Police Department by dialing 911 from any campus phone or by dialing (916) 278-6000 from any other phone. The Sacramento State Police Department will support all victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim. The Sacramento State Police Department will protect the confidentiality of the victim to the extent permitted by applicable California law.

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

In cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the preservation of physical evidence is important to facilitate the identification and successful prosecution of the offender. The victim should not change clothes, bathe, douche, or shower following the attack. Sexual Assault Response Team (S.A.R.T.) medical personnel are trained to collect, process, and preserve physical evidence of Sexual Misconduct and are committed in their assistance to the victim. Victims may request a S.A.R.T. exam to preserve forensic evidence without completing a police report. This evidence may be used in the case where 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 an 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 the Sacramento State Police Department or other law enforcement to preserve evidence in the event that they change their mind and wishes to report the assault at a later date.

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

Reporting to CSA

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

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

Administrative

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

Reporting to Title IX Coordinator or Responsible Employee

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

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

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

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

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential

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

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

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

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

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

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

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

Title IX Key Contacts and Responsible Employees

Sacramento State Title IX Coordinator:

William D. Bishop

Director for Equal Opportunity

Del Norte Hall, Suite 3002E

william.bishop@csus.edu

916-278-5770

Deputy Title IX Coordinators:

Alison Nygard

Equal Opportunity Investigator

Del Norte Hall, Suite 3002F

alison.morgan@csus.edu

916-278-2843

Stephanie Cruz

Equal Opportunity Investigator

Del Norte Hall, Suite 3002G

stephanie.cruz@csus.edu

916-278-6648

Tom Carroll

Director, Student Conduct

Student Affairs

Lassen Hall 3008

tcarroll@csus.edu

916-278-6595

Lois Mattice

Associate Athletics Director

Deputy Title IX Coordinator (Athletics)

Athletic Center 2140

lmattice@csus.edu

916-278-7548

Aja Holmes

Senior Associate Director

Deputy Title IX Coordinator (Housing)

Riverview Hall

aja.holmes@csus.edu

916-278-6655

Support Resources List

The following is a list of some of the law enforcement agencies, Sacramento State departments, and off-campus support services that provide a variety of support options and resources for survivors of sexual assault.

Sacramento State Victim Advocate

Student Health & Counseling Services

916-278-6461

Sacramento County Law Enforcement Agencies

- [Sacramento State Police Department](#) (916-278-6000)
- [City of Sacramento Police Department](#) (916-264-5471)
- [Sacramento County Sheriff](#) (916-874-5115)
- [California Highway Patrol \(CHP\) Sacramento Office](#) (916-861-1300)
- [Citrus Heights Police Department](#) (916-727-5500)
- [Elk Grove Police Department](#) (916-714-5115)
- [Rocklin Police Department](#) (916-625-5400)
- [Roseville Police Department](#) (916-372-3375)

On-Campus Support Resources

- [Sacramento State Police Department](#) (916-278-6000)
- Sacramento State Violence and Sexual Assault Support Services at The WELL (916-278-6461)

- [Women’s Resource Center](#) (916-278-7388)
- [Student Health & Counseling Services](#) (916 278-6461)
- [Housing & Residential Life](#) (916-278-6655)
- [Office for Equal Opportunity](#) (916-278-5770)
- [Division of Student Affairs](#) (916-278-6060)
- [Multi-Cultural Center](#) (916-278-6101)
- [PRIDE Center](#) (916-278-3940)
- [Services to Students with Disabilities](#) (916-278-6955)
- [Veterans Success Center](#) (916-278-6733)
- [Parents & Families Program](#) (916-278-4353)

Community Resources

- Sacramento County Domestic Violence Hotline (916-920-2952)
- National Dating Abuse Helpline (1-866-331-9474)
- National Sexual Assault Hotline (1-800-656-4673)
- WEAVE (Women Escaping a Violent Environment) (916-920-2952)
- My Sister’s House (916-428-3271)
- Sacramento County Mental Health Crisis Intervention (24/7) (1-888-881-4881)
- National Suicide Prevention Helpline (1-800-273-8255; 1-800-799-4889 (TTY))
- California Department of Veterans Affairs (1-800-952-5626; 1-800-324-5966 (TTY))
- California Department of Rehabilitation (916-324-1313; 916-558-5807 (TTY))
- Sacramento Regional Human Rights/Fair Housing Commission (916-444-6903)
- California Department of Fair Employment and Housing (1-800-884-1684)
- Legal Services of Northern California Legal Aid Office (916-551-2150)

Non-Reporting

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

Civil Lawsuit

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

Restraining Orders

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

Disciplinary Procedures

The University has procedures that provide for an administrative investigation of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking and written findings based on the preponderance of the evidence standard. In cases of Sexual Misconduct when: (1) the respondent is a student; (2) the credibility of a witness is an issue; and (3) there is the potential for the imposition of a severe sanction, the procedures provide for a hearing after an investigation. After the investigation (or hearing, if

applicable), written findings based on the preponderance of the evidence standard will be provided to the complainant and respondent. Both the complainant and respondent may appeal written findings from the final investigation report or the hearing. All appeals are submitted to the CSU Chancellor's Office. The procedure for complainants filed by and against CSU employees and third parties is separate from, but similar to, the procedure for CSU students.

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

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

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

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

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

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

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

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on Sexual Misconduct, Dating Violence,

Domestic Violence, and Stalking and how to conduct a hearing process that protects the of victims and promotes accountability;

- Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Simultaneously inform the complainant and respondent in writing of:
 - The outcome of the disciplinary proceeding;
 - The University's procedures to appeal the results of the disciplinary proceeding;
 - Any change to the disciplinary results that occurs prior to the time such results become final; and
 - When disciplinary results become final.

Complaint Procedures

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

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

Complaints Made By Students

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students," is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be viewed at <http://www.calstate.edu/eo/EO-1097-rev-3-29-19.pdf>.

Complaints Made by Employees, Former Employees, Third Parties, and Applicants for Employment

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

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

Complaints Made by Student Employees

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

Disciplinary Procedure

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

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

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

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

Where a complaint is made against a student and the applicable Executive Order is found to have been violated, the Title IX Coordinator shall also notify the Student Conduct Administrator of the investigation outcome and provide a copy of the investigation report.

Where a complaint is made against an employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation reports. Sanctions are imposed in accordance with current collective bargaining agreement, when applicable, and may include:

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

- restrictions to scope of work
- dismissal

Sacramento State will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of Title 18 of the United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Sacramento State against an employee/student who is the alleged perpetrator of such crime or offense.

Unless the Chancellor's Office notifies the campus that an appeal has been filed, investigative findings pursuant to Executive Orders 1096 or 1097 become final 11 working days after the date of the Notice of Investigation Outcome issued pursuant to those Executive Orders. If an appeal is filed, the investigative findings do not become final until the appeal has been exhausted.

Appeal of Finding in Investigation Outcome

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

Student Conduct Proceedings

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

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

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

The Hearing Officer controls the hearing. The Student Conduct Administrator and the student charged each put on the evidence in their case and may each ask questions of the witnesses in whatever

manner the Hearing Officer deems appropriate. The Hearing Officer may ask questions of any witness, the student charged, the complainant, Student Conduct Administrator, or the Title IX Coordinator.

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

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

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

Discipline Proceedings for Student Misconduct Cases

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

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

- a) the factual allegations and alleged policy violations;
- b) the Preponderance of the Evidence standard;
- c) the evidence considered including an analysis of the credibility of the Parties and witnesses, when credibility assessments are required to resolve factual disputes;
- d) any material evidence identified by the Parties or witnesses that the Hearing Officer determined was not relevant (or duplicative) and the reason why the evidence was not considered to be relevant;
- e) a list of all questions proposed by the Parties at the hearing, and if any questions were not asked, why;
- f) a summary of the procedural issues raised by the Parties before or during the hearing;
- g) the factual findings and the evidence on which the factual findings are based;
- h) to the extent that the factual findings required a determination concerning of the relative credibility or lack of credibility of the Parties or witnesses, an explanation as to how that determination was reached; and
- i) a determination of whether the Executive Order was violated and an analysis of the basis for that determination.

President's Sanction Decision/Notification

The president (or designee) shall review the investigative report and the Hearing Officer's report and

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

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

The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant at the University-assigned or other primary e-mail address linked to their University accounts. The decision will also be sent to the Student Conduct Administrator and the Hearing Officer. Unless the Chancellor's Office notifies the campus that an appeal has been filed, the President's sanction decision becomes final 11 working days after the date of the decision letter.

Student Sanctions

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

1. RESTITUTION
Compensation for loss, damages, or injury. This may include appropriate service and/or monetary material replacement.
2. LOSS OF FINANCIAL AID
Scholarships, loans, grants, fellowships, and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled, or denied.
3. EDUCATIONAL AND REMEDIAL SANCTIONS
Assignments (such as work, research, essays, service to the University or the community, training, and/or counseling) or removal from participation in recognized student clubs and organizations (e.g., fraternities) due to misconduct or as deemed appropriate based upon the nature of the violation.
4. DENIAL OF ACCESS TO CAMPUS OR PERSONS
A designated period of time during which the student is not permitted (i) on University property or specified areas of campus or (ii) to have contact (physical or otherwise) with the complainant, witnesses, or other specified persons.
5. DISCIPLINARY PROBATION
A designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to have violated the Student Conduct Code or any University policy during the probationary period.
6. SUSPENSION
Temporary separation of the student from active student status or inactive student status.²
 - a) A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to campus policies) and remains eligible to re-enroll at the University (subject to campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.

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

7. EXPULSION

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

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

Sacramento State will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of Title 18 of the United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense.

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

Other Considerations Related to Sanctions

1. ADMINISTRATIVE HOLD AND WITHOLDING OF DEGREE

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

2. RECORD OF DISCIPLINE

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

3. INTERIM SUSPENSION

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

An investigative finding of a violation of Executive Order 1096 or 1097 standing alone may be sufficient to constitute reasonable cause to believe that an interim suspension is necessary to

protect the personal safety of persons within the University community or University property, and to ensure the maintenance of order.

4. DENIAL OF PRESENCE ON CAMPUS DURING INTERIM SUSPENSION

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

5. ADMISSION OR RE-ADMISSION

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

Appeal of President's Sanction

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

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

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

Registered Sex Offenders

California's sex offender registration laws require convicted sex offenders to register their status with the Sacramento State 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. The Sacramento State Police Department does not maintain a public database of registrants at Sacramento State.

All Public information available in California about registered sex offenders, to include the ability to look-up offenders by name, residence address, and zip code, is on the California Department of Justice Megan's law web site at <http://www.meganslaw.ca.gov>.

Emergency Notification, Response, & Evacuation Procedures

The Sacramento State Police Department is responsible for ensuring that the campus community is prepared to respond appropriately in the event of an emergency of any nature. The campus Emergency Response System is comprised of three major components:

1. The Emergency Notification System (ENS), including Timely Warnings and Emergency Notifications

2. The Emergency Operations Center (EOC)
3. Emergency Preparedness Training and Emergency Response Exercises

Emergency Notification System

Sacramento State has an integrated Emergency Notification System (ENS), which is utilized to distribute emergency messages during major crucial incidents that occur on campus. Sacramento State students are automatically signed up for the Emergency Notification System (ENS). Faculty and Staff can “Opt-In” to receive emergency notifications by registering for the ENS alerts at www.csus.edu/ens using their SaLink ID and password. Since the focus is presently on those who would be immediately affected by an emergency, only current students, faculty, and staff may participate in the ENS. However, notification of third parties, such as parents and spouses, can be obtained by signing up for the Sacramento State Police Department’s Facebook and/or Twitter feed.

Sacramento State’s Emergency Notification policy is governed by Executive Order 1107, which 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 or employees occurring on the campus.

Any member of the campus community with information believed to be a significant emergency or a dangerous situation that poses an imminent or immediate threat shall report the information to the Sacramento State Police Department and/or shall call 911. Examples include, but are not limited to, the following types of incidents:

- Severe weather warning (e.g., flash flooding, tsunami, hurricane);
- 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);
- Health pandemic (e.g., measles outbreak, swine flu outbreak).

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

Once the Sacramento State Police Department has received the report, the Chief of Police (or management designee in the absence of the Chief) will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, to confirm **both**:

1. An emergency or dangerous situation in fact exists in on-campus geography; **and**
2. The emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community.

If both of the above factors are not met, no Emergency Notification will be issued.

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

and need to evacuate, or a chemical spill in a lab where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.

The following personnel or their designees have the authority to activate the Emergency Notification System (ENS) in the event of an emergency/hazardous condition, natural disaster, or other critical incident:

- President or designee
- Vice President of Business Administration/Chief Financial Officer or designee
- Chief of Police or designee

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

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

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

The emergency notification shall be entitled “Emergency Notification” and 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 take to ensure their own safety
- A statement as to where or when additional information may be obtained

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

If an Emergency Notification is issued, a Timely Warning Notification will not be issued to the campus community for the same incident.

In the event of an emergency that could have large scale implications, the campus has the ability to provide notification to local law enforcement agencies for further dissemination of information. Additionally, the campus has the option of pushing emergency information to residents of Sacramento County through the Sacramento County Office of Emergency Services.

An Emergency Notification System committee meets periodically to discuss current system capabilities, schedule testing, and propose additional improvements. The Emergency Notification System is tested by the Sacramento State Police Department internally with a selected group on a bi-weekly basis (unannounced) and through one announced campus-wide test during the academic year.

Tests are logged by date and time. The University updates the student, faculty, and staff list each semester for ENS notifications.

Emergency Operations Center

The campus operates an Emergency Operations Center (EOC) on an as-needed basis. The EOC is primarily designated to operate out of Folsom Hall, which is located outside of the main campus. The campus also has the ability to operate an EOC from within the Sacramento State Police Department Headquarters.

The EOC is staffed utilizing the NIMS/SEMS incident command standard, in compliance with EO 1056.

Emergency Preparedness Training and Emergency Responses Exercises

The Sacramento State Police Department provides Emergency Response training courses throughout each academic year, including Building Team Emergency Preparedness, Campus Emergency Disaster Preparedness and Active Shooter training.

Current information on campus incidents, emergency protocols, statistics, and training opportunities are available on the Sacramento State Police Department's website at www.csus.edu/police. The Police Department hosts a regional table-top exercise each year to test the response of campus departments and allied agencies on a variety of scenarios, including a Hazardous Materials Spill, Flood, Active Shooter, and Pandemic. Furthermore, Building Evacuation Drills are required annually and are scheduled through the Building Coordinator, College Dean, or personnel responsible for each campus building. The Emergency Coordinator or designee is responsible for assessing the evacuation process and reviewing After-Action Reports.

An After-Action Report or an Incident Action Plan (IAP) is written and documented after each emergency response, evacuation drill, and testing. Table top exercises, large scale exercises, testing notifications and annual updates to the Emergency Operations Plan (EOP) are announced to the campus community utilizing the weekly campus news and information briefing. Descriptions and time tables for large-scale campus emergency exercises are also provided through the campus-wide email messaging system (EMMA). Building evacuation/fire drills are not normally announced, but emergency responders, police dispatch, building emergency teams, facilities management, and other departments are made aware of the exercise dates and times through coordinated messaging.

Missing Student Notification

Federal law requires that the University report both to local law enforcement and, if applicable, to the student's designated confidential contact person when a campus resident is determined to be missing for 24 hours (i.e., no one can identify where they are). Campus residents are notified of the missing student notification procedures when providing emergency contact information and are given the opportunity to provide a confidential contact person during initial building meetings with the Residential Life staff during move-in week. This information is maintained by the Office of Housing and Residential Life and is treated as strictly confidential and only utilized by law enforcement and University officials in the event an investigation determines the resident is missing. If the missing student is less than 18 years of age and not emancipated, the University is required to notify their parent or guardian in addition to the designated confidential contact. Typically, such notification is done within 24 hours of receiving the report. Law enforcement will always be notified if a student has been determined to be missing for over 24 hours, regardless of whether the student has provided a confidential contact.

When a campus resident is believed missing, the situation must be reported immediately to any

member of the Residential Life or Housing Services staff, who then must report it to the Sacramento State Police Department. In addition, any member of the campus community who receives an initial report of a missing person should report the information directly to the Sacramento State Police Department. After investigation of the missing person report, and if the person is determined to be missing for 24 hours, the Office of Housing and Residential Life and/or the Vice President of Student Affairs will notify the student's confidential contact person, if one was provided. The Sacramento State Police Department will notify Sacramento City and County law enforcement agencies via the California Law Enforcement Telecommunications System (CLETS) and make an entry into the Missing and Unidentified Persons System (MUPS) no later than 24 hours after the student is determined to be missing.

Sacramento State's Missing Residential Student Notification Policy is located at <http://www.csus.edu/umannual/admin/adm-0180.html>.

Fire Safety Act Report

The 2019 Fire Safety Act Report is available at the following link:

<https://www.csus.edu/campus-safety/internal/documents/2019-fire-safety-report.pdf>