

CALIFORNIA STATE UNIVERSITY, FRESNO



2020

ANNUAL SECURITY REPORT

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

Clery Crime Statistics 2017-2019

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California State University, Fresno

ANNUAL SECURITY REPORT

MESSAGE FROM THE PRESIDENT

Dear Campus Community,

California State University, Fresno is committed to ensuring our campus remains a safe and secure place to live, work and learn. As part of that commitment, I am pleased to introduce the 2020 Annual Security Report (ASR). This report was compiled as a collaborative effort between the Fresno State Police Department, Title IX and Clery Compliance, and many campus and community partners, including members of the Clery Compliance Team and local law-enforcement agencies.

The ASR is designed to provide you with important information about safety and security on campus, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

Awareness is an important factor in keeping our campus safe, and I encourage you to review this report. Enclosed, you will find information about institutional policies and procedures, personal safety, crime-prevention programs and resources, how to report suspicious and criminal activity, as well as campus crime statistics for the previous three (3) calendar years.

For additional information about safety and security on campus, please visit the Fresno State Police Department's website at: <http://fresnostate.edu/police>. For additional information about Fresno State's commitment to the Clery Act, please visit fresnostate.edu/clery.

Safety and security are responsibilities that are shared by us all. Each member of our campus community plays a significant role in supporting the efforts of our law-enforcement officers who work diligently to keep our community safe. We greatly appreciate your continued efforts in this endeavor.

Sincerely,

Joseph I. Castro, Ph.D., M.P.P.
President

PREPARING THE ASR

The 2020 Annual Security Report (ASR) is prepared and published by members of the Fresno State Police Department and the Director of Title IX and Clery Compliance and is provided in compliance with the 1998 Jeanne Clery Disclosure Act, and California Education Code section 67380.

Compilation of information for this report, as well as required criminal statistical data, is accomplished through cooperative efforts with multiple departments. The Fresno State Police Department provides criminal statistics for campus property, non-campus properties used by Fresno State and recognized student organizations, and public property around the campus including those requested and obtained from local law-enforcement agencies. The Division of Student Affairs and Enrollment Management provides information about resources both on campus and in the local community. Fresno State Housing provides information about resources, community involvement, and events. The Athletics Department provides information to help identify Clery Geography, and The Division of Administrative Services and Finance compiles all of the information into the report.

Criminal statistics for the Fresno State Visalia campus were requested and obtained from the Visalia Police Department and the College of the Sequoias Police Department. The College of the Sequoias ASR may be accessed at the following website: <https://www.cos.edu/en-us/Police>.

This report includes important information about institutional policies and procedures; personal safety and crime prevention programs; how to report suspicious and criminal activity; and required Clery Act crime statistics for the previous three calendar years. A notice is sent out annually to students and employees advising them that the report can be accessed on the Fresno State website at <http://fresnostate.edu/adminserv/clery>. Prospective employees and students are afforded the same information at the time they obtain an application for employment or admission. Hard copies of the report may be obtained from the Fresno State Police Department or printed from the website via Adobe Acrobat Reader.

CLERY CRIME STATISTICS 2017 – 2019

FRESNO MAIN CAMPUS

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder and Non- Negligent Manslaughter	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Rape	2017	1	1	0	0
	2018	1	1	0	0
	2019	0	0	1	0
Fondling	2017	1	0	0	0
	2018	1	0	0	1
	2019	2	1	0	0
Incest	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2017	0	0	0	0
	2018	2	0	0	0
	2019	0	0	0	0
Robbery	2017	1	0	0	0
	2018	3	0	0	0
	2019	0	0	0	2
Aggravated Assault	2017	4	0	0	0
	2018	2	0	0	0
	2019	1	1	4	2
Burglary	2017	11	0	3	0
	2018	3	1	0	0
	2019	1	0	6	0
Motor Vehicle Theft	2017	6	0	1	2
	2018	6	0	3	0
	2019	13	0	3	0
Arson	2017	1	1	0	0
	2018	0	0	0	0
	2019	0	0	0	0

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

OFFENSE	YEAR	ON-CAMPUS TOTAL	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law Arrests	2017	1	0	0	0
	2018	1	0	1	0
	2019	0	0	0	2
Liquor Law Referrals for Disciplinary Action	2017	21	21	0	0
	2018	2	2	0	0
	2019	0	0	0	0
Drug Law Arrests	2017	19	0	0	5
	2018	9	2	1	4
	2019	17	0	0	3
Drug Law Referrals	2017	2	2	0	0
	2018	3	3	0	0
	2019	9	9	0	0
Weapons Law Arrests	2017	5	0	0	0
	2018	4	0	1	0
	2019	1	0	0	1
Weapons Law Referrals for Disciplinary Action	2017	0	0	0	0
	2018	0	0	0	0
	2019	1	1	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	2

VISALIA CAMPUS

OFFENSE	YEAR	ON-CAMPUS TOTAL	NON-CAMPUS	PUBLIC PROPERTY
Murder and Non- Negligent Manslaughter	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Manslaughter by Negligence	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Robbery	2017	0	0	0
	2018	0	0	0
	2019	0	0	1
Aggravated Assault	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Motor Vehicle Theft	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arson	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

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

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

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2017	0
	2018	0
	2019	0

Please Note: There is no student housing for Fresno State Students at our Visalia Campus. This column has been omitted from the report.

HATE CRIMES

FRESNO MAIN CAMPUS

2017 – There were no reported hate crimes.

2018 – There was one hate crime reported. The crime was Simple Assault on campus and indicated bias based on race.

2019 – There were no reported hate crimes.

VISALIA CAMPUS

2017 – There were no reported hate crimes.

2018 – There were no reported hate crimes.

2019 – There were no reported hate crimes.

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

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

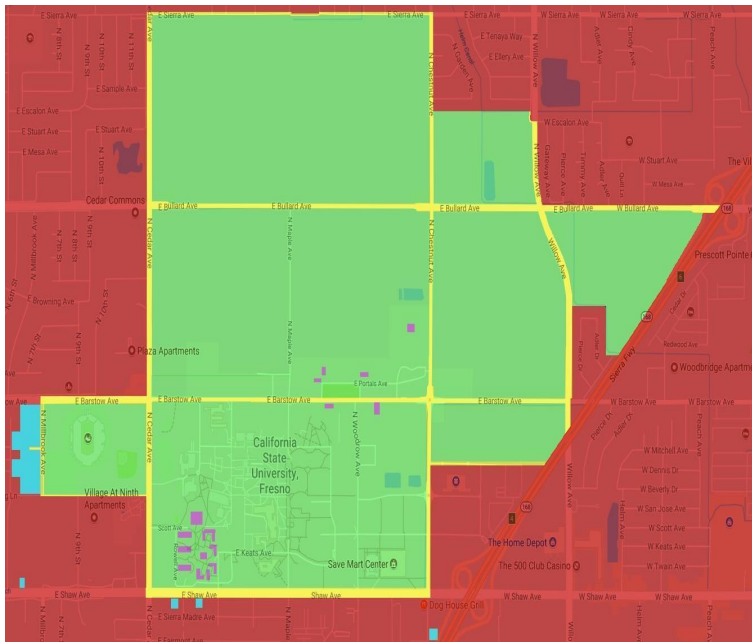
Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

CLERY MAPS

The crime statistic tables reflect the mandatory reporting offenses as specified in the Jeanne Clery Act. The tables display crime data over the past three calendar years and are separated by crimes occurring in four different geographical locations:

1. **On Campus (Green)**– The main core campus footprint.
2. **Residential Student Housing (Purple)** – Inside on campus student housing facilities (crimes occurring at student housing are also included in the On-Campus table.)
3. **Non-Campus (Blue)** - Crimes occurring off of campus property at University recognized organizations (fraternity/sorority), and leased offices, and
4. **Public Property (Yellow)** - Crimes occurring on the borders of the University.

FRESNO MAIN CAMPUS



VISALIA CAMPUS



REPORTING CRIMINAL ACTIONS & EMERGENCIES

FRESNO STATE MAIN CAMPUS

For all non-emergencies and regular business, please call the Fresno State Police Department at **559.278.8400** and for emergencies, call **911** from any campus phone or push the call button on any of the blue light emergency phones. Accessing a blue emergency phone located throughout campus will directly connect to the Fresno State **911** police dispatcher. The Fresno State Police Department dispatch center is the public safety answering point for **911** emergency calls on University property and all police 911 lines are recorded. **If you are making an emergency call from a cell phone, it is advisable to call 559.278.8400 rather than 911.** Emergency **911** calls from cell phones are answered by the California Highway Patrol. The Highway Patrol dispatcher must be advised that your call is from the University and your specific location must be provided. The Highway Patrol dispatcher should connect the caller to the Fresno State Police Department.

Upon calling for assistance, please provide the following:

1. Location, telephone number, and name.
2. Describe the incident clearly and accurately.
3. Do not hang up! More information may be necessary to ensure an accurate response.

VISALIA CAMPUS

There are no Fresno State police services available at the Visalia Campus. All police services at Visalia campus are provided by College of the Sequoias District Police Department. The College of the Sequoias Police Department may be contacted by dialing 559-730-3999 or dialing 911. The College of the Sequoias Police Department is located at 915 S. Mooney Blvd, Visalia, CA 93277.

ANONYMOUS REPORTING (TipNOW)

The Fresno State Police Department has an anonymous tip line for reporting crime or providing information anonymously.

To leave an anonymous tip and/or report a crime anonymously:

- Please call or text **559.664.3204** and leave a message with as much detail as you are able to provide regarding the incident you are reporting. If you choose to call, you WILL NOT reach a person. You will be instructed to leave a voicemail message.
- Email or picture messages: fresnostate@tipnow.org

Your tip will be forwarded anonymously to the Fresno State Police Department for investigation or other appropriate actions, including determining if the incident requires a Timely Warning to be issued. Clery crimes reported anonymously are included in the statistics charts.

CAMPUS SECURITY AUTHORITIES

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act final rule of November 1, 1999 designates certain members of the university community as Campus Security Authorities.

According to federal law, the Fresno State Police Department is required to report statistics concerning certain criminal offenses reported to the University Police or any Campus Security Authority that occur on campus, in residence facilities, on non-campus property utilized by the University, and on public property adjacent to the campus. The criminal offenses that are required to report are murder; negligent manslaughter; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; dating violence; domestic violence; stalking; liquor law arrests; liquor law referrals; drug law arrests; drug law referrals; weapons law arrests; and weapons law referrals.

The following groups of people are considered Campus Security Authorities and thus have an obligation to report allegations made in good faith to the Fresno State Police Department:

- Law enforcement officers.
- Non-sworn individuals who have responsibility for campus security, such as community service specialists, public safety assistants, and individuals employed by contract security companies for special events.
- Faculty advisors to student organizations and clubs.
- An official of an institution who has significant responsibility for student and campus activities. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
- All athletic coaches (paid and volunteers)
- Resident Housing Advisors

VOLUNTARY CONFIDENTIAL REPORTING

Community members are encouraged to report all crimes to Fresno State Police Department at 559.278.8400. Confidential, exempt sources (as defined in the Clery Act to include Professional and Pastoral Counselors; Fresno State's Survivor Advocate) do not 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.

Pursuant to California Education Code section 67380(a)(6)(A), CSAs who receive reports from employees or students of a Part I violent crime, sexual assault or hate crime that occurred in an on or non-campus location as defined by the Clery Act, may not disclose to UPD or local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after

being informed of their right to have their personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

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

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

TIMELY WARNINGS

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

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

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

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

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

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

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

VISALIA CAMPUS

Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Timely warnings are issued for any Clery crime committed within our Clery geography that is reported to campus security authorities or a local law enforcement agency and is considered by the institution to represent a serious or continuing threat to students and employees.

College of the Sequoias District Police Department will issue a warning as soon as the pertinent information is available. In the event of a situation which, in the judgment of the Chief of Police, constitutes an ongoing or continuing threat of a criminal nature to the campus community, a timely warning will be issued by the District Police Department. Events that qualify for timely warnings include, but are not limited to, the following:

- Burglary
- Homicide
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Manslaughter
- Sex Offenses
- Robbery
- Aggravated Assault
- Any crime considered to represent a threat to the public

The warning will be distributed utilizing one or more of the following systems:

- Campus e-mail (COS E-News)

- Text / telephone message (Regroup System)
- Alertus ENS System (GiantsAlert)
- Police Department website
- Posted flyer

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

FRESNO STATE MAIN CAMPUS

ACCESS TO BUILDINGS/FACILITIES

Access to campus buildings after-hours is limited to authorized faculty and staff with valid Fresno State identification. Students who wish to work in a building after hours must obtain written authorization from the college dean and have valid student identification. The written authorization must be on file with Fresno State Police Department dispatch prior to allowing access. Valid identification must be shown prior to access.

University buildings are generally unlocked on weekdays between 6 a.m. and 10 p.m. and closed on the weekends unless classes or other authorized functions are being held. Keys (metal and electronic) are managed by Key Control located in the Plant Operations Building, 559.278.2172. Metal keys are distributed through the University Student Union, at the Information Center, during normal business hours. Electronic Keys are a part of the Bulldog Card (ID card), which are issued by the Bulldog Card Office, located in the Joyal Building. Persons in unauthorized possession of University keys are in violation of the California Penal Code. (See Policy on Key and Access Issuance; Policy No. D-18)

Student Housing is responsible for the programming and issuance of student housing electronic keys. Electronic keys are programmed so that residents have 24-hour access to exterior entrances to their respective buildings along with their individual assigned rooms. The Atrium is open 24 hours a day during the academic year and has a 24-hour staffed customer service desk. For residents' safety, exterior doors and gates are locked from 5:00pm - 7:00am daily, with a resident's electronic key providing access during those times. Housing Public Safety Assistants patrol the resident halls and surrounding area and report suspicious activity to the Fresno State Police Department.

BUILDING SECURITY CHECKS

Fresno State Police Officers, Community Service Specialists, and Public Safety Assistants conduct building security checks 24 hours a day.

MAINTENANCE OF BUILDINGS/FACILITIES

The campus facilities are maintained by the Plant Operations department and patrolled by the Fresno State Police Department. Plant Operations maintains the campus buildings, grounds and roadways with a concern for safety and security. They inspect campus facilities regularly, respond to reports of potential safety and security hazards, and perform necessary repairs accordingly (See Policy on Key and Access Issuance; Policy No. D-18). Community Service Specialists test the emergency phones on a monthly basis, recommend the trimming of shrubbery for safety reasons, conduct periodic lighting

surveys, and report non-functioning lights or other security hazards to Plant Operations. Call Plant Operations at 559.278.2373 during business hours or the FSPD at 559.278.8400 after hours to report any safety or security hazard in or around campus buildings, grounds, or roadways.

University Housing is maintained by the University Housing staff. Repairs are usually completed within 48 hours of the request being submitted, and maintenance concerns are addressed Mon.-Fri. between 8 a.m. and 4 p.m. (Exception: During the first two weeks of each semester, repairs may require additional processing time due to the typical volume of requests experienced during that time). Emergency repairs approved by the Facility Coordinator are completed after hours or on weekends. Repairs are prioritized based on health and safety concerns, order of receipt and extensiveness of repair. Repairs made as a result of damage caused by the resident are billed to the resident.

VISALIA CAMPUS

During business hours, District facilities are open to the community. During non-business hours, access to facilities throughout the District is restricted to those with issued keys, or to those admitted for unscheduled, and/or scheduled access through the District Police Department. Many of the buildings utilize intrusion alarms and panic buttons to enhance security in these areas.

LAW ENFORCEMENT AUTHORITY

Fresno State Police Department (FSPD) employs sworn peace officers who all meet requirements specified by the California Peace Officer's Standards and Training (P.O.S.T.) Commission, and are vested with full peace officer powers, including arrest authority, in the State of California, pursuant to California Penal Code section 830.2(c) and Education Code section 89560.

FRESNO STATE MAIN CAMPUS

Fresno State Police Department maintains primary law-enforcement jurisdiction on all property owned and operated by the University. Enforcement and prevention efforts are focused in our primary jurisdiction and one mile beyond any university boundary. FSPD shares concurrent law-enforcement jurisdiction on all adjacent public streets, areas, and in communities surrounding the University properties and cooperates fully with all local, state and federal law enforcement agencies.

In compliance with California Education Code § 67381 (the Kristin Smart Campus Safety Act of 1998), Fresno State Police Department maintains a Memorandum of Understanding for mutual assistance with the Fresno Police Department.

VISALIA CAMPUS

The Visalia campus is within the jurisdiction of the College of the Sequoias District Police Department. The District Police Department at Sequoias Community College District is empowered pursuant to section 830.32 (a) of the California Penal Code and Section 72330 of the California Education Code which fully subscribes to the standards of the California Commission on Peace Officer Standards and Training (POST).

The University encourages the accurate and prompt reporting of all campus criminal activity occurring on or immediately adjacent to the campus directly to the University Police Department. For crimes

occurring at off-campus locations, including the University's non-campus property, the law-enforcement agency with jurisdiction in that area should be contacted. Police services for non-campus properties are the responsibility of the local law enforcement agency in that area.

SECURITY PROCEDURES AND PRACTICES

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

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

INFORMATIONAL PRESENTATIONS AND PUBLICATIONS

Fresno State Police personnel are pleased to present information on crime prevention and safety and participate in several campus events including new student and employee orientation programs. Fresno State Police Department personnel interact with the campus community by answering questions at informational tables and providing crime prevention and safety brochures. Brochure topics include, but not are not limited to, campus safety, self-defense, sexual harassment on campus, personal safety, campus theft, and emergency preparedness. All brochures are available from the Police Department at no cost.

Fresno State police personnel are also active within the local community providing Community Oriented Police/Problem Solving techniques and participating in events such as National Night Out.

The following presentations are regularly available and scheduled upon request:

- **Seconds 2 Survive** - A two-hour training designed to prepare students, faculty and staff for an incident involving an active shooter.
- **Dog Days** - New or transfer student orientation covers campus safety, campus maps, the Annual Security Report, parking information, bystander intervention, and other services offered by Fresno State Police Department. Dog Days presentations are presented during the summer and winter for incoming freshmen and transfer students.
- **Alcohol Awareness** - Provides information regarding alcohol absorption, costs of a DUI, and includes the use of Fatal Vision Goggles to simulate being under the influence of alcohol.
- **Housing** - Safety presentation covers campus maps, safety escorts, e-phones, crime prevention tips, Rape Aggression Defense (RAD) class information, bystander intervention, crime statistics, cameras, public-safety assistants in student housing, and reporting crimes.
- **Greeks** - The Greek Liaison Officer covers campus maps, safety escorts, e-phones, crime prevention tips, Rape Aggression Defense (RAD) class information, crime statistics, alcohol awareness, and reporting crimes.
- **Athletics** - Safety presentation covers campus maps, safety escorts, e-phones, crime-prevention tips, Rape Aggression Defense (RAD) class information, crime statistics, and reporting crimes. Also discussed is how to represent Fresno State, the Zero Tolerance Policy, and the common calls for service involving student-athletes.

RAD/PERSONAL SAFETY/SELF DEFENSE CLASSES

The Fresno State Police Department is staffed with certified instructors in self-defense and Rape Aggression Defense (RAD). RAD is a Basic Physical Defense class for women from the ages of 12 and up. RAD focuses on reducing the probability of women becoming victims by teaching practical and efficient skills necessary to become confident and active participants in their own personal safety. Educational topics include local and national statistics, sexual assault definitions, the meaning of consent, date rape, dating violence, the continuum of survival, bystander intervention, and the risks of personal safety (risk awareness, risk reduction, risk recognition, and risk avoidance). In addition to the educational component, the students practice effective hands-on physical defense techniques and may participate in physical-simulation exercises. The RAD class is open to all female students, faculty, staff, and the general public. The RAD Class is offered two to three times per semester.

The Fresno State Police Department also has certified instructors for RAD for Men classes which are available upon request. Participants will have the opportunity to: raise their awareness of aggressive behavior, recognize how aggressive behavior impacts their lives, learn steps to avoid aggressive

behavior, consider how they can be part of reducing aggression and violence, and practice hands-on self-defense skills to resist and escape aggressive behavior directed toward them. This program is designed to empower participants to make safer choices when confronted with aggressive behavior.

For information about the RAD class or RAD for Men class, please contact the Fresno State Police Department at **559.278.8400**, or email rad@csufresno.edu.

CRIME PREVENTION PROGRAMS

STUDENT SUCCESS “NOT ANYMORE” ONLINE TRAINING

Fresno State understands the necessity to educate the University community regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking. In 2019, the campus utilized the Student Success: Not Anymore online student training as the primary ongoing prevention and awareness program for all new and returning students at Fresno State. Not Anymore is an online platform that addresses the critical issues of sexual assault, relationship violence, and stalking. This training focuses on identifying behaviors and recognizing situations that could potentially result in sexual violence; bystander intervention; building healthy relationships; defining “affirmative consent”, and helping students understand and overcome the cultural contributors to sexual assault. The training includes a statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking and references the California State University’s relevant Executive Orders that define these terms. All new and returning students are required to complete training within the first few weeks of the semester.

Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act), requires all colleges and universities that participate in federal financial aid programs to train their faculty and staff on how to recognize sexual misconduct, report incidents to campus authorities, and prevent sexual misconduct from occurring.

CSU LEARN

To comply with these federal laws, all Fresno State employees are required to annually complete the “CSU’s Sexual Misconduct Prevention Program” course through the CSU Learn training portal. This course provides practical training for identifying, reporting, and preventing campus sexual violence (which includes a statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking), as well as educating employees on the resources available for victims. Interactive case studies and videos provide engaging educational content that explain how to respond to known incidents of sexual assault, dating violence, domestic violence, and stalking. Many interactions are based on real cases that teach important concepts to help provide a safe campus community and create a culture that does not tolerate sexual violence. State-specific legal definitions of sexual violence are included along with descriptions of victim protections, bystander intervention strategies, and school disciplinary proceedings.

CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

Fresno State Police Department does not formally monitor or record criminal activity at off-campus student organizations that are recognized by the institution. Fresno State Police may respond to crimes in progress at these and other non-campus locations, depending upon the nature of the crime and the proximity to campus, or when Fresno Police Department requests our assistance.

Criminal activity at recognized fraternity and sorority residences or other buildings owned or controlled by Greek or other student organizations is monitored and recorded by the Fresno Police Department's Northeast Policing District. In compliance with the Kristin Smart Campus Safety Act and Higher Education Opportunity Act, Fresno State Police Department maintains a Memorandum of Understanding for mutual assistance with the Fresno Police Department. Fresno PD and Clovis PD are surveyed annually for Clery-reportable crimes that occur at these and other non-campus locations to be included in the Non-Campus Property column of the Crime Statistics table. Additional information can be found in the Policy on Preparing the Annual Disclosure of Crime Statistics Policy No. G-70.

ALCOHOL AND DRUGS

Fresno State is committed to creating a safe and healthy learning environment for all members of the campus community. The University disapproves of alcohol abuse, intoxication, and any resulting unacceptable conduct. All students, faculty, staff, administrators, guests and visitors are welcome members of this community and are expected to respect, promote and sustain its values.

All students, faculty, staff, and visitors are subject to Fresno State policy, as well as local, state, and federal laws regarding the unlawful possession, manufacturing, distribution, dispensation, sale, or use of alcohol and illegal drugs. Consumption or possession of alcohol by any persons under the age of 21 in California is illegal. The unlawful manufacturing, distribution, dispensation, possession, or use of controlled substances while attending an official University function (on or off campus) is absolutely prohibited and subject to arrest and/or disciplinary action. Alcohol and drug law violations on campus are strictly enforced by the Fresno State Police Department and may also be referred to Student Conduct or Human Resources for administrative discipline. Relevant policies are described below:

- Campus Use of Alcoholic Beverages <http://fresnostate.edu/mapp/iii/g/g-04.pdf>. This policy applies to all members of the campus community and governs all activities involving the sale and service of alcoholic beverages on CSU/University property and at University-sponsored events. The sale and service of alcoholic beverages must be conducted in accordance with all federal, state and local laws and regulations; including the California Alcoholic Beverage Control Act and any regulations under the auspices of the California Department of Alcoholic Beverage Control (ABC); as well as California State University (CSU) and University policies and procedures.
- Policy on a Drug Free Workplace <http://www.fresnostate.edu/academics/facultyaffairs/documents/apm/391.pdf>
This policy provides notification to employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in our workplace. Violation of this policy may result in disciplinary action, including but not limited to suspension and/or

termination or a requirement to participate in an approved drug abuse assistance or rehabilitation program.

Employees must be aware that as a condition of employment they will abide by the terms of this policy and will notify the University of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. The university must notify the federal agency involved of the conviction within 10 days of receiving such a notice. Within 30 days, the university will initiate the appropriate personnel action or require satisfactory participation in an approved drug abuse assistance or rehabilitation program.

- Title 5. Education, Division 5. Board of Trustees of the California State Universities, Chapter 1. California State University, Subchapter 4. Student Affairs and Enrollment Management, Article 2. Student Conduct, [§ 41301](#).
<https://fresnostate.edu/studentaffairs/studentconduct/policies/index.html> [Standards for Student Conduct](#) This policy prohibits students from the use, possession, manufacture, or distribution of illegal drugs or alcohol or public intoxication while on campus or at a University event.

The University recognizes drug/alcohol/chemical dependency as an illness and a major health problem. Students needing help in dealing with such problems are encouraged to utilize the counseling services offered at the Student Health and Counseling Center, 559.278.2734. Staff there are specially trained to assist students in dealing with chemical dependency. The University Student Conduct Code stipulates that students found in possession of dangerous drugs, restricted drugs, or narcotics, either for unprescribed use or for sale, are subject to expulsion, suspension, probation or a lesser sanction as determined by the disciplinary-hearing process. The code governing student conduct may be found in the schedule of courses, the general catalog, and by contacting the Division of Student Affairs and Enrollment Management.

In compliance with the Drug-Free Schools and Communities Act (DFSCA), and under the direction of the Vice President for Student Affairs and Enrollment Management, Fresno State continues its efforts to implement the CSU Alcohol policy through its Alcohol Tobacco and Other Drugs Safety Council (ATODSC). The ATOD Safety Council is comprised of campus and community representatives who provide leadership to all phases of the campus Alcohol Tobacco and Other Drugs Safety Council program. Fresno State's Drug Abuse and Alcohol Prevention Program (DAAPP) can be found at: <http://fresnostate.edu/studentaffairs/alcohol/>

Fresno State's Biennial Alcohol Policy Report can be found at:

https://fresnostate.edu/studentaffairs/alcohol/documents/Drug_and_Alcohol_Abuse_Prevention_Program.pdf. This report includes distributed materials for educational programs and campaigns designed to bring awareness and prevention of alcohol and drug abuse. It also includes survey information used to evaluate program effectiveness.

The University provides a variety of services to prevent and address alcohol problems. Educational programs and activities include residence hall education programs, participation in National Collegiate Alcohol Awareness Week, staff and faculty education, and incorporation of alcohol education into the curriculum. Educational resources are available to all members of the campus community through Wellness Services located in the Student Health and Counseling Center. Fresno State supports a variety of campus organizations and activities that promote alcohol-free experiences. All members of the University community are encouraged to participate in relevant alcohol education and awareness activities.

The following programs and activities were provided in 2019:

WATCHDOG SAFETY SUMMIT

Watchdog is a safety education program that trains students to respond effectively in emergency situations and acquaints them with campus safety resources. Topics include bystander intervention, alcohol and prescription drug overdose, campus safety and CPR.

IT MATTERS

It Matters is a web-based intervention aimed at reducing sexually transmitted infections among college students by targeting the important intersection between alcohol use and sexual behaviors. This program was first launched in September 2016 and has continued on an annual basis. It is offered to all incoming freshmen and transfer students.

SAFE CELEBRATING ACTIVITIES

Safe celebrating tips around alcohol consumption were provided to each graduating student during Grad Fest, an event where students are picking up their graduation boxes. Students have an opportunity to sign a pledge to celebrate safely, to help other students learn about safe celebrating and to intervene when they see a person in need because of alcohol or drug consumption. There were other events planned, such as cap decorating and free bowling in the evenings leading up to graduation to provide students a place to celebrate safely.

NATIONAL COLLEGIATE ALCOHOL AWARENESS WEEK (OCTOBER 2019)

A tabling event was hosted on campus to educate students on alcohol and drug information.

PRESCRIPTION DRUG ABUSE

A town hall discussion was held related to the prevention of prescription drug abuse, the seriousness of locking up medications and proper ways to dispose of them.

CLASSROOM PRESENTATIONS

Throughout the year the Peer Ambassadors of Wellness (PAWs) and Wellness Services staff provide various classroom presentations on topics of alcohol and drug prevention and safety (Protect your Dogs) and bystander intervention (Step up).

Name of Event/Activity	ATOD Area	Date of Event	Number of Attendees	Event/Activity Partners
Fresno State Community Service and Opportunities Fair	Prescription Drug Abuse	1/23/19	50	Lock it Up!
Watchdog Safety Summit (4 hour)	ATOD	3/2/19	58	SHCC, Campus Police Department, California Health Collaborative's PATH and Lock it Up
Grad Fest: Distribution of Grad Box Safe Celebrating Tips Handbills	Alcohol	3/12/19 – 3/13/19	2,800	SHCC, Student Involvement, Alumni Association

Step Up Bystander Intervention Tabling	ATOD +	4/2/19	26	SHCC
Step Up Bystander Intervention Presentation	ATOD +	4/8/19	1	SHCC
Step Up Bystander Intervention Presentation	ATOD +	4/9/19	2	SHCC
Classroom Presentation	Prescription Drug Abuse	4/23/19	36	Lock it Up!
Protect Your Dogs Presentation	ATOD	4/24/19	5	SHCC
Hop & Stop Event	Prescription Drug Abuse	4/24/19	200	Lock It Up, SHCC
Vintage Days: Graduation Cap Decorating	ATOD	4/26/19	25	SHCC, Student Involvement
Level Up Social Media Campaign at Vintage Days	Marijuana	4/26/19	350	PATH
Level Up Social Media Campaign at Vintage Days	Marijuana	4/27/19	500	PATH
Protect Your Dogs Presentation	ATOD	4/30/19	80	SHCC
Adderall Table Tent Distribution	Adderall (Prescription Drug Abuse)	4/30/19 – 5/17/19	250	SHCC, ATODSC, PAW
Fresno State Town Hall Meeting	Prescription Drug Abuse	5/2/19	69	PATH
Night of Bowling, Billiards, Music and Graduation Cap Decorating (Safe Celebrating Event)	ATOD	5/16/19	125	SHCC, Student Involvement, ASI
Fresno State Community Service and Opportunities Fair	Prescription Drug Abuse	9/4/19	100	Lock it Up!
Step Up Bystander Intervention Presentations (4 classes)	ATOD +	10/21/19	160	SHCC
Step Up Bystander Intervention Presentation	ATOD +	10/23/19	2	SHCC
Win with Wellness Tabling	Alcohol	10/29/19	28	SHCC, Athletics
Horror Land – Tabling Event	Alcohol	10/30/19	130	SHCC, Student Involvement
Watchdog Safety Summit (4 hour)	ATOD	11/2/19	40	SHCC, Campus Police Department, California Health Collaborative's PATH and Lock it Up
Step Up Bystander Intervention Presentation	ATOD +	11/13/19	22	SHCC
Substance Use Trends Among Youth Presentation	Marijuana	12/10/19	90	PATH

The Student Health and Counseling Center provides counseling and referrals for students with alcohol-related concerns. The cost of any off-campus service is the responsibility of the student. In addition, consultation is provided to faculty, staff, or students concerned about a student's well-being. However,

medical or counseling information regarding a specific student cannot be divulged. These services are provided at no charge. The Employee Assistance and Development Program provides counseling and referral for faculty, staff and administrators regarding substance-use concerns. There is no charge for these services. Employees should consult their health care benefit plan to determine coverage for off-campus services.

The Student Health and Counseling Center website can be viewed at <http://www.fresnostate.edu/health>.

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

Fresno State understands the necessity to educate the University community regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking. In order to comply with federal regulations of Title IX, Fresno State has implemented the following mandatory training for both students and employees regarding sexual violence issues.

STUDENTS

In 2019, the University utilized *Student Success: Not Anymore* online student training as the primary ongoing prevention and awareness program for all new and returning students at Fresno State. *Not Anymore* is an online platform that addresses the critical issues of sexual assault, relationship violence, and stalking. This training focuses on identifying behaviors and recognizing situations that could potentially result in sexual violence, bystander intervention, building healthy relationships, defining “consent,” and helping students understand and overcome the cultural contributors to sexual assault. The training includes information on risk reduction strategies, the procedures the institution follows when a crime is reported, and rights within disciplinary proceedings. All new and returning students are required to complete this training within the first few weeks of the semester.

EMPLOYEES

All employees are required to annually complete the “CSU’s Sexual Misconduct Prevention Program” course through the CSU Learn training portal. This 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. The course content also helps postsecondary institutions comply with the employee-training requirements of Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act), including information on procedures the institution follows when one of these crimes is reported and rights within disciplinary proceedings.

Sexual assault is an epidemic affecting college students. Federal law requires all colleges and universities that participate in federal financial aid programs to train their faculty and staff on how to recognize sexual misconduct, report incidents to campus authorities, and prevent sexual misconduct from occurring. This course also provides state-specific legal definitions of sexual violence, and describes victim protections, risk reduction strategies, bystander intervention strategies, and school disciplinary proceedings.

BYSTANDER INTERVENTION

Bystander Intervention has become a national campaign to change social and cultural norms regarding sexual assault. Simply put, Bystander Intervention is taking action to distract or disrupt those involved in a potentially dangerous situation. Knowing how to intervene in a way that fits the situation and our individual comfort levels can give us the confidence to step up. Stepping up can make all the difference, but it should never put your own safety at risk. Here are some safe intervention strategies:

1. **Create a Distraction**
 - a. Interrupt the conversation and change the subject to something else
 - b. Start up a game involving everyone, including the person at risk
 - c. Offer to get some food or drinks and ask the person at risk to help
2. **Ask Directly**
 - a. Talk to the person at risk and ask if they came with anyone
 - b. Ask the person at risk if they need a ride home
3. **Refer to an Authority**
 - a. Talk to a Resident Advisor, bartender, or other person of authority to get their assistance
 - b. Don't hesitate to call the police or 9-1-1 if you are concerned for someone's safety
4. **Enlist Others**
 - a. Ask someone else to go with you to talk to the person at risk. Often there is power in numbers!
 - b. Ask someone to intervene for you. For example, ask someone that knows the person at risk to meet you in the restroom.
 - c. Enlist a friend of the person you are concerned about. For example, "Can you check on your friend over there, she looks like she might have had too much to drink."

OPTIONS TO PROMOTE SAFETY

We can all take steps to increase safety on college campuses. As bystanders, students can learn ways of stepping up to prevent crimes like sexual assault from occurring. When it comes to personal safety, there are steps you can take as well, and some of those tips have been outlined below. No tips can absolutely guarantee safety—sexual violence can happen to anyone, and it's not the only crime that can occur on a college campus.

INCREASING ON-CAMPUS SAFETY

The following tips may reduce your risk for many different types of crimes, including sexual violence:

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the confidential victim advocate at the Student Health and Counseling Center, Fresno State Police Department, and a local sexual-assault service provider. Notice where emergency phones are located on campus, and program the Fresno State Police Department number (559.278.8400) into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or requesting a safety escort from the Fresno State Police Department when on campus. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust.** A college environment can foster a false sense of security, give people time to earn your trust before relying on them.
- **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized?

- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people regularly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

SAFETY IN SOCIAL SETTINGS

It's possible to relax and have a good time while still making safety a priority. Consider these tips for staying safe and looking out for your friends in social settings:

- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Protect your drink.** Don't leave your drink unattended and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. Often date-rape drugs are colorless, odorless, and tasteless, and are therefore undetectable.
- **Know your limits.** Keep track of how many drinks you've had and be aware of your friends' behavior. If one of you feels extremely tired or more intoxicated than you should, you may have been drugged. Leave the party or situation and find help immediately.
- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.
- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't.

RAD SELF-DEFENSE CLASS

The Fresno State Police Department is staffed with certified instructors in self-defense and Rape Aggression Defense (RAD). RAD is a Basic Physical Defense class for women from the ages of 12 and up. RAD focuses on reducing the probability of women becoming victims by teaching practical and efficient skills necessary to become confident and active participants in their own personal safety. Educational topics include local and national statistics, sexual assault definitions, the meaning of consent, date rape, dating violence, the continuum of survival, bystander intervention, and the risks of personal safety (risk awareness, risk reduction, risk recognition, and risk avoidance). Along with the educational component, the students practice effective hands-on physical defense techniques and may participate in physical simulation exercises. The RAD class is open to all female students, faculty, staff, and the general public.

The Fresno State Police Department also has certified instructors for RAD for Men classes, which is available upon request. Participants will have the opportunity to: raise their awareness of aggressive behavior, recognize how aggressive behavior impacts their lives, learn steps to avoid aggressive behavior, consider how they can be part of reducing aggression and violence, and practice hands-on self-defense skills to resist and escape aggressive behavior directed toward them. This program is designed to empower participants to make safer choices when confronted with aggressive behavior. For information about the RAD class or RAD for Men class, please contact the Fresno State Police Department at 559.278.8400, or email rad@csufresno.edu.

UNIVERSITY HOUSING

University Housing provides various bulletin board poster campaigns and passive programming along with active educational programming for residents and residential staff regarding dating violence, stalking, sexual assault and domestic violence.

Residential Life Staff Training:

Spring 2019 Semester:

- January 2019: Title IX Training – Refresh – 1hour (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
 - Training for Residential Life Staff on Title IX requirements

Fall 2019 Semester:

- July 2019: Training for the Resident Directors regarding dating violence, stalking, sexual assault and domestic violence.
- August 2019: Title IX Training – 2 hours (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
 - Training for Residential Life Staff on Title IX requirements and their responsibilities regarding sexual assault, sexual harassment, etc.
- August 2019: Crisis Counseling – Sexual Assault – 1 hour (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
- August 2019: Behind Closed Doors –Scenario training (ARDs, RAs, PSSC, PSAs) – 32 in attendance
 - During this “simulation activity” one station includes a student who has been sexually assaulted and one station includes a domestic dispute.
- August 2019: Additional Title IX training for the entire Student Housing Staff – 45 minutes - 75 student housing staff in attendance
- August 2019: Resident Advisors (RAs) discussing these issues in the first hall/floor meeting with their residents.

Active Programs/Events:

- February 5, 2019: Self Love Valentines, 23 in attendance
- February 6, 2019: Take-to Me Too Movement presentation, 2 in attendance
- February 6, 2019: Anti-Valentine Day, 14 in attendance
- February 11, 2019: BYOB: Be Your Own Bae, 11 in attendance
- February 11, 2019: Express Your Love, 35 in attendance
- February 12, 2019: Let’s Play a Love Game, 15 in attendance
- February 13, 2019: Why Have a Date When You Have Friends, 24 in attendance
- February 19, 2019: Sex Talks and Blow Pops, 5 in attendance
- February 21, 2019: Don’t Get It Twisted, 11 in attendance
- March 15, 2019: Feelin’ Lucky, 20 in attendance
- October 18, 2019: Milk and Cookies, 100 in attendance
- November 6, 2019: HIV Awareness Hour, 17 in attendance
- November 7, 2019: Check Your Genitals, 8 in attendance

Passive Programs:

- August 2019: Multiple boards for opening on various Title IX topics

DEFINITIONS PER EXECUTIVE ORDERS 1095-1097

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

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

SEX DISCRIMINATION

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

ADDENDUM B: SEXUAL HARASSMENT

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

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

EXECUTIVE ORDER: SEXUAL HARASSMENT

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

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

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

EXECUTIVE ORDER: SEXUAL MISCONDUCT

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

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as

unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. When based on gender, Domestic Violence or Stalking also constitute Sexual Misconduct. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity. Persons of all genders can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

ADDENDUM B: SEXUAL ASSAULT:

- a. Rape is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.
- b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.
- c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. Statutory Rape is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

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

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

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing

throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions,
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.
- A person with a medical or mental disability may also lack the capacity to give consent.
- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.
- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
 - 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.

ADDENDUM B: DOMESTIC VIOLENCE

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

EXECUTIVE ORDER: DOMESTIC VIOLENCE

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

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

ADDENDUM B: DATING VIOLENCE

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

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

EXECUTIVE ORDER: DATING VIOLENCE

Abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim.¹¹ This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self or another. Abuse does not include non-physical, emotional distress or injury.

ADDENDUM B: STALKING

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

EXECUTIVE ORDER: STALKING

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

- Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;

- Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the complainant;
- Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Protected Status includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT

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

Persons who have experienced Sexual Misconduct/Sexual Assault, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a Sexual Assault Victim Advocate. Regardless of whether an individual chooses to notify the police, they are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or counselor who can provide information on options, rights and remedies.

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

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

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

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

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

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

PRIVILEGED AND CONFIDENTIAL REPORTS

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

University investigation that could reveal the victim's identity or the fact of the victim's disclosure. However, see limited exceptions below regarding when these professionals must report to local law enforcement agencies. These confidential professionals should explain these limited exceptions to victims, if applicable.

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

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

EXCEPTIONS TO CONFIDENTIALITY

Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct/Sexual Assault, Domestic Violence, and Dating Violence).

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

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

PRESERVATION OF EVIDENCE

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

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

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

REPORTING OPTIONS

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

REPORTING TO THE POLICE

Reporting to University Police and/or local police is an option at any time. Victims who choose not to report to the police immediately following a Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking incident, can still make the report at a later time. However, with the passage of

time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim's behalf.

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

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

REPORTING TO A CSA

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

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

ADMINISTRATIVE

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

information regarding their rights and options. Contact information for the Title IX Coordinator is listed above.

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

REPORTING TO A TITLE IX COORDINATOR OR RESPONSIBLE EMPLOYEE

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

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

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

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University's response to the incident. Any Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The University will protect the privacy of individuals involved in a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual

Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

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

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

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

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

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

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

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

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

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

NON-REPORTING

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

CIVIL LAWSUIT

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

RESTRAINING ORDERS

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

For assistance in obtaining protective orders in Fresno County, please see the off-campus contact resources on page 56 of this report.

DISCIPLINARY PROCEDURES

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

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

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

COMPLAINT PROCEDURES

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

Community members are encouraged to report all crimes to Fresno State Police Department at 559.278.8400. Confidential, exempt sources (as defined in the Clery Act to include Professional and Pastoral Counselors; Fresno State's Survivor Advocate) do not 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.

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

COMPLAINTS MADE BY STUDENTS

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

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

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

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

COMPLAINTS MADE BY STUDENT-EMPLOYEES

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

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

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

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

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

Systemwide Title IX Unit

Systemwide Human Resources

Office of the Chancellor

TIX-Dismissal-Appeals@calstate.edu

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

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given 5 Working Days from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within 10

Working Days of the CO's receipt of the appeal, the Parties will Simultaneously receive (via email) a written decision with explanation.

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

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

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

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

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

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

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

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

INFORMAL RESOLUTION

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

- informal Resolution under Addendum B may only be offered where a Formal Complaint has been filed;
- the University cannot offer or facilitate Informal Resolution under Addendum B to resolve allegations that an Employee sexually harassed a Student; and
- the University must obtain the Parties' voluntary, written consent before starting the Informal Resolution process.
- Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should Simultaneously be provided written notice regarding Informal Resolution that includes the following:
 - the allegations of Sexual Harassment, as defined by Addendum B;
 - the requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations;
 - an explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process;
 - an explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared; and
 - the Parties' right to consult with a Support Advisor, if any.

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

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

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

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

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

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

INVESTIGATIVE PROCEDURES

The Title IX Coordinator will either promptly investigate the Formal Complaint or assign this task to another Investigator. If assigned to another Investigator, the Title IX Coordinator will monitor, supervise, and oversee all such delegated tasks, including reviewing all investigation draft reports before they are final to ensure that the investigation is sufficient, appropriate, impartial, and in compliance with the relevant Executive Order, including Addendum B.

GATHERING OF EVIDENCE

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

ADVISORS

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

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

The Title IX Coordinator or Investigator will explain to the Complainant and Respondent that they may request that their Support Advisor, if any, be copied on communications during the Formal Complaint process. Any such request will be in writing to the Title IX Coordinator or Investigator and should include the Support Advisor's name and contact information. The Title IX Coordinator or Investigator will also explain that Support Advisors will receive a copy of the evidence and Final Investigation Report, unless the Party specifically directs in writing that this information should not be sent to their Support Advisor. Although reasonable efforts will be made to accommodate Hearing Advisors and Support Advisors, undue delays affecting the complaint resolution timeline will not be permitted. Disruptive, abusive, or disrespectful behavior also will not be tolerated. At the discretion of the Investigator or Title IX Coordinator during meetings or interviews and of the Hearing Officer during hearings, a Hearing Advisor or Support Advisor who engages in disruptive, abusive or disrespectful behavior will not be permitted to participate. If a Hearing Advisor is excused during a hearing, the University will either provide a Party with another Hearing Advisor or allow the Party to obtain another Hearing Advisor. It is within the Hearing Officer's discretion to proceed with or postpone the hearing in order to address the situation.

NOTICE OF MEETINGS, INTERVIEWS AND HEARINGS

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

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

REVIEW OF EVIDENCE

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

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

- meet again with the Investigator to further discuss the allegations;
- identify additional disputed facts;

- respond to the evidence in writing;
- request that the Investigator ask additional specific questions to the other Party and other witnesses;
- identify additional relevant witnesses; or
- request that the Investigator gather additional evidence.

FINAL INVESTIGATION REPORT

After the Review of Evidence phase is concluded, the Parties will receive a Final Investigation Report that will summarize all Relevant evidence (inculpatory and exculpatory), including additional Relevant evidence received during the Review of Evidence. Any Relevant documentary or other tangible evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator will be attached to the Final Investigation Report as exhibits. As part of an Informal Resolution, at the request of both Parties, Campuses will provide a written preliminary assessment of the evidence by the Title IX Coordinator. Neither the fact nor the substance of the assessment will be shared with the Hearing Officer or considered Relevant at the Hearing. The Final Investigation Report shall be sent to the Parties and their respective Support Advisors, if any, in electronic format (which may include use of a file sharing platform that restricts the Parties and any Support Advisors from downloading or copying the evidence) or hard copy. The Parties and their Support Advisors will be provided 10 Working Days to review and provide a written response to the Final Investigation Report. Campuses will inform Parties not to include any reference to the preliminary assessment and that any such references will be redacted. The written response will be attached to the Final Investigation Report and provided to the Hearing Officer, if appropriate, and the Parties. Any references to a preliminary assessment, assuming one was requested, will be redacted from this written response. No documentation should be provided to the Hearing Officer if an Informal Resolution is reached.

TIMEFRAME FOR COMPLETION OF INVESTIGATION

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

HEARING PROCEDURES

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

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

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

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

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

DETERMINATION REGARDING RESPONSIBILITY

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

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

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

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

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

Within 5 Working Days after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer's Report to the president (or designee). The Hearing Officer's Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer's Report"). The Final Hearing Officer's Report will attach the Final Investigation Report.

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

PRESIDENT'S SANCTION DECISION/NOTIFICATION

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

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

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

EMPLOYEE SANCTIONS

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

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

STUDENT SANCTIONS

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

1. LOSS OF FINANCIAL AID

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

2. EDUCATIONAL AND REMEDIAL SANCTIONS

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

3. DENIAL OF ACCESS TO CAMPUS OR PERSONS

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

4. DISCIPLINARY PROBATION

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

5. SUSPENSION

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

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

b. A student who is suspended for one academic year or more shall be separated from student status but remains eligible to reapply to the University (subject to individual campus application policies) once the suspension has been served. Conditions for readmission may be specified.

c. Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be

entered on the student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

6. EXPULSION

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

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

OTHER CONSIDERATIONS RELATED TO SANCTIONS:

1. ADMINISTRATIVE HOLD AND WITHOLDING A DEGREE

The University may place an administrative hold on registration transactions and release of records and transcripts of a student who has been sent written notice of a pending investigation or disciplinary case concerning that student, and may withhold awarding a degree otherwise earned until the completion of the process, including the completion of all sanctions imposed¹.

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 exception². These requirements shall not be waived in connection with any resolution agreement.

3. INTERIM SUSPENSION

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

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

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

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

4. DENIAL OF PRESENCE ON CAMPUS DURING INTERIM SUSPENSION

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

5. ADMISSION OR READMISSION

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

APPEAL OF PRESIDENT'S SANCTION

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

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

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

party, the responding party, and/or the Campus to clarify the written appeal. Appeals will be addressed to:

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

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

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

ON-CAMPUS CONTACT RESOURCES

On Campus Agency	Address	Phone #
<p>Fresno State Police Department Operational 24 hours a day. Assist in contacting support services for victims of sexual assault. Confidentiality, medical attention, and physical protection. Provide self-defense classes, safety escorts.</p>	<p>2311 E. Barstow Ave Fresno, CA 93740 M/S PO 14</p>	<p>559.278.8400</p>
<p>Employee Assistance Program Short-term individual counseling, mediation and conflict resolution services, supervisory consultation and training, development and coordination of on-campus professional development and wellness programs.</p>	<p><u>On Campus</u> Lab School 185, M/S LS86 Fresno, CA 93740</p> <p><u>Empathia</u> 24/7 www.mylifematters.com</p>	<p>559.278.1655</p> <p>800.367.7474</p>
<p>Student Health & Counseling Center Open Monday-Friday, 8am-5pm when campus is open. Walk-ins and appointments available. Counselors available on the spot without an appointment. Individual and group psychotherapy, diagnostic assessments and referral, HIV testing, crisis intervention, couples and family therapy.</p>	<p>5044 N. Barton Ave M/S HC81 Fresno, CA 93740</p>	<p>559.278.2734</p>
<p>Human Resources Assists with reporting sexual assault, domestic violence, dating violence, stalking, and sexual harassment issues.</p>	<p>Joyal Administration 211, M/S JA41 5150 N Maple Avenue Fresno, CA 93740</p>	<p>559.278.2032</p>

Student Conduct Assists students in becoming or continuing to be good citizens on campus, become aware of their rights as students under campus policies, and learn how to protect their rights to privacy regarding their educational records.	Joyal Administration 274, M/S JA67 5150 N Maple Avenue Fresno, CA 93740	559.278.8740
Services for Students with Disabilities Coordinates academic support services for students with disabilities. Provides counseling, registration assistance, blue curb parking, orientation, and advocates with off-campus agencies.	Henry Madden Library 5200 N Barton Ave #1202 M/S ML 125 Fresno, CA 93740	559.278.2811
Fresno State Housing On-campus living and residence hall assistance. Provides a safe and secure environment. Public Safety Assistants have direct contact with the Fresno State Police Department.	5152 N Barton Ave M/S RH 82 Fresno, CA 93740	559.278.2345
Confidential Survivor Advocate Provides confidential support services to individuals impacted by sexual assault, relationship violence and/or stalking. Provides on and off campus referrals and resources, facilitates academic and housing accommodations, and provides a safe space to discuss options and resources that will best support that individual.	Student Health and Counseling Center 5044 N Barton Ave Fresno, CA 93740	559.278.6796

OFF-CAMPUS CONTACT RESOURCES

Off Campus Agency	Address	Phone #
Rape Counseling Services (RCS) Provides 24-hr crisis hotline, counseling, confidential advocacy, information and referrals	259 N. Blackstone Ave. Fresno, CA. 93701	Office: 559.497.2900 24-hr. Hotline: 559.222.7273
Crime Victim Assistance Center Provides court advocacy, counseling referrals, emergency aid, and applications for Victims of Crime Compensation funds.	2233 Kern St. Fresno, Ca. 93721	559.600.2822
Central California Legal Services Free legal assistance to low income families in California's Central Valley. Outreach and education to the community. Restraining orders.	2115 Kern St Suite 200 Fresno, CA 93721	Toll Free: 800.675.8001
Centro La Familia Direct advocacy and intervention services to low-income residents. Education, training, and social services. Assistance with U-Visa/T-Visa applications and restraining orders. (Available in English, Spanish, Lao, Hmong)	302 Fresno St Suite #102 Fresno, CA 93706	Office: 559.237.2961 Toll Free: 1.877.294.3772
Clovis Police Department	1233 5th St Clovis, CA 93612	559.324.2800
Fresno Police Department	2323 Mariposa St Fresno, CA 93721	559.621.7000
Fresno County Sheriff's Office	2200 Fresno St. Fresno, CA 93721	559.600.3111

Fresno County District Attorney	2220 Tulare St #1000, Fresno, CA 93721	559.600.3141
Fresno County Superior Court Self-Help Center (Centro de Recursos Legales) Self-help education and information center. Assists in finding and filling out legal forms. Available to Spanish speakers who require an interpreter.	1130 'O' Street Fresno, CA 93721	559.457.2100
Marjaree Mason Center Provides confidential shelter for women and children survivors of family violence, 24 hr. crisis line, court advocacy, counseling, restraining orders, and support groups.	1600 'M' Street Fresno, CA 93721	24-Hour Line: 559.233.4357 Office: 559.237.4706

REGISTERED SEX OFFENDERS

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

EMERGENCY NOTIFICATION

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

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

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

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

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

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

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

Students and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit <https://www.fresnostate.edu/adminserv/emergency/notification/methods/> or call the Fresno State Police Department at 559.278.8400 for assistance.

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

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

TESTING THE EMERGENCY NOTIFICATION SYSTEM

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

RESOURCES AND RESPONSIBILITIES

Type of Notification	Responsibility	Purpose
Bulldog Alert (text and/or email)	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Fresno State O.N.E. (Outdoor Notification in an Emergency)	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Campus Web Notification	Campus Police Chief or designee University Communications	Campus Updates Local Area Updates
Campus Community Email	Campus Police Chief or designee	Campus Directives
Emergency Hotline 559.278.4000	University Communications	Campus Updates Local Area Updates Local Area Directives
Social Media	University Communications	Campus Updates
Portable Signboards	Traffic Operations	Campus Directives
Building Safety Coordinators	Environmental Health and Safety	Building Directives

VISALIA CAMPUS

Emergency notification is triggered by an event that is currently occurring on or imminently threatening the District facilities. Initiate emergency notification procedures for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

Upon confirmation of a serious or emergency situation that poses an immediate threat to the health or safety of the campus community, a campus-wide notice will be disseminated, unless issuing a notification will, in the judgment of the responding authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency events that qualify for emergency notifications include, but are not limited to:

- Outbreak of serious illness, such as Meningitis or Norovirus
- Extreme weather conditions
- Earthquake
- Gas leak
- Terrorist incident

- Active Shooter / Armed Intruder
- Bomb Threat
- Civil Unrest
- Explosion
- Nearby chemical or hazardous waste spill
- Aircraft crash
- Fire

The notification will be distributed as soon as possible under the following guidelines:

Authority to activate a public notification will rest with the College President, Vice President, or Chief of Police who may designate agents with the authority to activate a notification.

In situations when there is not time for consultation, a Police Officer from the District Police Department may initiate a notification. In matters of a criminal nature, the District Police Department will determine whether notifications are appropriate and necessary. The Chief of Police or designee will determine an incident's extent and scope and whether it meets the criteria for an emergency notification. In matters not of a criminal nature, the campus department or District function that has jurisdiction will determine whether notifications are appropriate and necessary. When a campus department that has jurisdiction over an incident is not available to make a determination about notifications, the Chief of Police or designee may determine an incident's extent and scope and whether it meets the criteria for an emergency notification.

Once requested by a designated authority, notifications will be made as soon as practicable. Notifications will generally be made by a police officer, or designee who has been trained and is authorized to send notifications. All messages should include the type of situation, the location of the situation, the time and date, instructions for the recipient and an additional method for the public to obtain information. One or more of the following systems will be used for sending emergency notifications:

- Campus e-mail (COSeNews)
- Police Department website
- AlertUs ENS System
- Regroup System
- Posted Flyers

EMERGENCY RESPONSE AND TESTING

The University complies with the National Incident Management System (NIMS) and the California Standardized Emergency Management System (SEMS) and annual review and training of said plans, as required by CSU Executive Order 1056. The University Emergency Operations Plan outlines the University response to a variety of specific emergencies and outlines the incident management structure that will be utilized during an emergency response.

During a significant emergency, the protection and preservation of life is the number one priority for our emergency responders. When a report of a significant emergency or dangerous incident is reported to Fresno State Police, an initial response to the location will be done by police personnel. Once on scene, Fresno State Police will take actions pursuant to their training to protect life and property.

The Fresno State Police Department, in conjunction with Environmental Health & Safety/Risk Management and Sustainability (EHS/RMS), provides information and training on procedures and practices to assist the

campus community in preparing for and responding during an emergency. All members of the Fresno State community are encouraged to review the valuable information on the University's Emergency Procedures & Preparation web site at <http://www.fresnostate.edu/adminserv/emergency>.

Fresno State Police Department's Emergency Manager has provided many emergency preparedness trainings to the university community and local community. The trainings are instructional and include information on building and campus evacuations, how and when to shelter in place, and how to protect themselves utilizing the items in their workspace or place of instruction. Trainings are regularly held and made available for departments across campus. These trainings include information regarding available exits out of the building, assembly points for a building evacuation and assembly points for a campus wide evacuation.

Department Safety Coordinators are given information regarding evacuation for each department; it is their responsibility to disseminate the information throughout their department.

Emergency procedures are evaluated and validated through regular testing and drills, as required by the Clery Act and Executive Order 1056. Drills may be announced or unannounced. When drills are scheduled, an email notification is sent out regarding the date and approximate time of the drill. After the drill is complete, the Emergency Manager will debrief with the department to evaluate effectiveness and offer suggestions for improvement. A follow up communication is sent to the department manager summarizing the drill.

Trainings are regularly held and made available for departments across campus. These trainings include information regarding available exits out of the building, assembly points for a building evacuation and assembly points for a campus wide evacuation. Designated Department Safety Coordinators are given information regarding evacuations for each department and are responsible for disseminating that information to employees. If you have questions or would like to schedule a presentation, contact Amy Luna, Manager of Emergency Operations & Business Continuity at 559.278.6875 or amyluna@csufresno.edu. The following trainings were conducted in 2019:

Date	Presentation	Department	# Attendees
1/22/2019	S2S	St. Johns	100
1/25/2019	Campus Safety	AEI	15
2/6/2019	S2S	Department of Communications	38
2/6/2019	Campus Safety	SJVC	13
2/12/2019	S2S	Campus Wide	4
3/2/2019	Campus Safety	Watch Dog	40
3/18/2019	S2S	Campus Wide	1
3/21/2019	Campus Safety	Financial Aid	23
3/21/2019	S2S	Montessori School	15
3/27/2019	S2S	St. Newman Center	34
4/3/2019	S2S	Health Center	28
4/5/2019	S2S	Admissions & Recruitment	30
4/8/2019	S2S	Admissions & Recruitment	30
4/11/2019	Diffusing Conflict	College of Agriculture	12

4/24/2019	S2S	Valley Crescent School	40
4/25/2019	S2S	Campus Wide	1
5/3/2019	Campus Safety	Dog Days	30
5/30/2019	S2S	Cal-SOAP	18
6/10/2019	Campus Safety	MISL	54
6/11/2019	Campus Safety	Dog Days	700
6/11/2019	Campus Safety	Dog Days (Spanish)	20
6/13/2019	Campus Safety	Dog Days	700
6/13/2019	Campus Safety	Dog Days (Spanish)	20
6/14/2019	S2S	Dog Days	100
6/18/2019	Campus Safety	Dog Days	700
6/18/2019	Campus Safety	Dog Days (Spanish)	20
6/19/2019	S2S	CSM	18
6/20/2019	Campus Safety	Dog Days	700
6/20/2019	Campus Safety	Dog Days (Spanish)	20
6/21/2019	S2S	Dog Days	100
6/25/2019	Campus Safety	Dog Days	700
6/25/2019	Campus Safety	Dog Days (Spanish)	20
7/2/2019	Campus Safety	Dog Days	700
7/2/2019	Campus Safety	Dog Days (Spanish)	20
7/2/2019	Campus Safety	Summer Bridge	50
7/3/2019	S2S	Dog Days	100
7/9/2019	Campus Safety	Dog Days	700
7/9/2019	Campus Safety	Dog Days (Spanish)	20
7/11/2019	Campus Safety	Dog Days	700
7/11/2019	Campus Safety	Dog Days (Spanish)	20
7/12/2019	S2S	Dog Days	100
7/16/2019	Campus Safety	Dog Days	700
7/16/2019	Campus Safety	Dog Days (Spanish)	20
7/18/2019	Campus Safety	Dog Days	700
7/18/2019	Campus Safety	Dog Days (Spanish)	20
7/22/2019	Campus Safety	Dog Days	700
7/22/2019	Campus Safety	Dog Days (Spanish)	20
7/24/2019	Campus Safety	Dog Days	700
7/24/2019	Campus Safety	Dog Days (Spanish)	20
8/2/2019	Diffusing Conflict	Kremen Department	41
8/8/2019	S2S	Cal-SOAP	15
8/9/2019	S2S	Learning Center	7
8/14/2019	S2S	USU Employees	30
8/15/2019	Campus Safety	SRC Employees	25
8/15/2019	S2S	CASS	8
8/15/2019	S2S	Admissions & Recruitment	30

9/3/2019	S2S	Wayfinders	10
9/4/2019	S2S	Wayfinders	15
9/10/2019	Emergency Comm.	AALT	20
9/12/2019	S2S	Campus Wide	14
9/13/2019	S2S	Outreach	23
9/24/2019	Diffusing Conflict	Kremen Department	35
10/2/2019	Police Dept. Tour	Campus Wide	4
10/7/2019	S2S	Library Staff	6
10/9/2019	Campus Safety	New Employee Orientation	50
10/15/2019	Emergency Comm.	VPSA	10
10/16/2019	S2S	Campus Wide	6
10/23/2019	Campus Safety	UCP	15
10/29/2019	S2S	Kremen Department	29
10/30/2019	S2S	TRiO	11
11/2/2019	Campus Safety	Watch Dog	40
11/5/2019	S2S	Campus Wide	5
11/7/2019	S2S	Off-Campus Student Life	29
11/15/2019	S2S	Upward Bound Programs	10
11/20/2019	Earthquake Prep	CCC HH&S	15
12/4/2019	S2S	Campus Wide	2

MISSING STUDENT NOTIFICATION

To report a missing student (on-campus resident), contact Fresno State Police Department at 559.278.8400 or 911 (from any campus phone) as soon as you suspect they may be missing.

In the event of a missing resident, contact the University Housing at 559.278.2677, as soon as you suspect a student is missing. University Housing staff are available 24-hours a day. They will conduct a health and safety check of the resident's room, attempt to contact the student via cell phone, email or other means, and identify other students who may be aware of the missing person's whereabouts (i.e. roommate, friends, classmates, other residents, etc.). If University Housing is unable to make contact with the missing student, they will immediately refer to Fresno State Police Department at 559.278.8400, and the Dean of Students. University Housing officials will assist FSPD and the University in the investigation of any missing student.

If a student has been determined to have been missing for 24 hours, then the University will initiate the specifically designated notification procedure described in the Policy on Reporting Missing Student ([Policy No. g-71](#)) within 24 hours after receiving the report. Nearby law enforcement agencies will also be notified within 24 hours of the official determination that the student is missing.

A student living in resident housing may be considered a "missing person" if the resident is overdue in reaching home, campus, or other specific destination for 24 hours past his/her expected time of arrival.

Campus residents are notified of the missing student notification procedures when providing emergency contact information and are given the opportunity to provide an additional confidential contact person (different than emergency contact). This information is maintained by University Housing and is treated as strictly confidential. This information is only disclosed to law enforcement officials during a missing person investigation. If the missing student is under the age of 18 and not emancipated, the parents and contact person will be notified within 24 hours of being determined missing.

FIRE SAFETY ACT

The 2019 Fire Safety Report is available at the following link: <https://fresnostatehousing.org/wp-content/uploads/2020/06/FIRE-SAFETY-IN-STUDENT-HOUSING-Clery-2019.pdf>