



2022 Annual Security Report

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

Crime Statistics 2019-2021

Prepared by the Clery Compliance and Safety Office
Risk Management and Safety Services
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Sonoma State University Annual Security Report

Message from the Vice President

Dear Sonoma State University Community:

In compliance with the Jeanne Clery Act Disclosure of Campus Security Policy and Crime Statistics Act (Jeanne Clery Act), Sonoma State University (SSU) is pleased to introduce the 2022 Annual Security Report (ASR). Enclosed you will find information about key institutional policies, personal safety and crime prevention information, how to report suspicious and criminal activities, and Clery Act crime statistics for the last three calendar years.

The Seawolf Commitment embraces integrity, respect, excellence and responsibility. As Seawolves, we commit to making Sonoma State University a safe and respectful community in which to live, work, and study. That requires the cooperation and coordination of many departments across campus.

While the COVID-19 pandemic provided multiple mediums of instruction, many in-person experiences occurred on campus while we welcomed students back to primarily in-person activities in the 2021 year. SSU's effective response to the coronavirus is emblematic of our commitment to maintaining a productive environment where everyone can succeed and flourish.

Crime prevention and personal safety take the cooperation and collaboration of the entire community. As we saw with the COVID-19 public health crisis, SSU remains committed to campus safety in all ways.

We appreciate your continued support and efforts on behalf of campus safety.

M. Monir Ahmed
Vice President for Administration and Finance

Preparing the Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC § 1092(f), Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private post-secondary educational institutions participating in federal student aid programs are required to comply. The law, originally enacted by Congress in 1990 as the Campus Security Act, was initiated by Howard and Connie Clery, after their daughter, Jeanne, was killed at Lehigh University in 1986. The Campus Security Act was renamed to memorialize Jeanne Clery.

The Clery Act requires colleges and universities to publish an annual report every year by October 1, that contains policies and procedures that are current as of the publication date, and crime statistics for the previous three calendar years.

The complete text of the Clery Act and the U.S. Department of Education regulations can be found on the Department of Education website at <https://www2.ed.gov/admins/lead/safety/campus.html>. The California State University reporting requirements are outlined in Executive Order 1107 at <https://calstate.policystat.com/policy/12290430/latest/>.

The Annual Security Report is coordinated and compiled by the Clery Compliance Office, which is part of Risk Management and Safety Services. It is a collaborative and comprehensive effort that compiles information gathered from all divisions of the University and from our neighboring law enforcement partners. Each entity is asked to provide crime statistics and/or information on their educational efforts and programs that contribute to the safety of our students, faculty, staff, and guests.

Many of the University staff who are tasked with contributing towards the development of the Annual Security Report serve on the Clery Compliance Team (CCT). The CCT meets at least quarterly and is responsible for identifying Clery geography, programming and training for students and employees, identifying campus security authorities (CSAs), and ensuring Clery crimes are reported to the Clery office and the police department. More information on the CCT, including current membership, can be found on the Clery Compliance Team website at <http://clery.sonoma.edu/clery-compliance-team>.

All students, staff, and faculty receive the annual notice in a University-wide email. The full electronic text of the report can be found at www.clery.sonoma.edu. Paper copies can be obtained by contacting the Clery Compliance Office by phone: (707) 664-3408, or by email: clery@sonoma.edu.

Compiling Crime Statistics

Many crimes are not reported to the police. By collecting reports of crimes from other sources other than the police, the University can obtain a more accurate count of crimes on campus and affiliated locations. A crime is considered “reported” when a witness, a victim, a third party, or the offender, regardless of that person’s

affiliation, brings the crime to law enforcement or a campus security authority. In turn, the University discloses crimes and alleged criminal incidents in the statistical portion of this report regardless of whether the police have investigated the crimes and whether a finding of guilt or responsibility has been assigned.

The Clery Compliance Office coordinates the collection of crime statistics. Crime statistics are compiled from reports submitted by campus security authorities, Sonoma State SSU Police Department (SSUPD), and other local police departments.

Campus security authorities (CSA's) are designated employees who have significant responsibility for students and student activities. CSA's are required to report any Clery-reportable crime that has been reported to them to the Clery Compliance Office. It is not necessary that a reported crime be investigated, or be determined to be true. CSA's must report to the Clery Compliance Office any crime that is reported to them.

Crime statistics are also collected annually from law enforcement agencies surrounding the University and off-site properties or facilities owned or controlled by Sonoma State University. These law enforcement agencies provide information about reported crimes occurring on campus properties or public property immediately adjacent to University properties or facilities.

Through annual CSA training and the CCT, the Clery Compliance Office maintains close relationships with those areas that are most likely to report Clery crimes, including SSU Police Department, Residential Education and Campus Housing (REACH), student conduct, the Office for the Prevention of Harassment and Discrimination (Title IX administration), and athletics.

To support the need for local law enforcement agencies to report crimes involving University property and crimes that occur in the areas adjacent to campus or on University property that is patrolled by another police department, the SSU Police Department engages closely with neighboring police departments by engaging in local police committees, participating in joint training, and frequently engaging with department leadership on opportunities to enhance campus and community safety. Additionally, all police departments identified as responsible for patrolling locations identified as Clery geography receive a formal request from SSU Police Department for information about Clery crimes that were reported to that agency that may be reportable under the Clery Act.

As reports of crimes are submitted to the Clery Compliance Office, employees who have received extensive Clery Act training review the information reported to determine if the crime meets any of the requirements for the various Clery crimes and how many crimes may have occurred in the reported incident. One incident may have multiple crimes or multiple counts of the same crime included in the statistics. Additionally, the location of the crime is evaluated to determine which geography may apply. If there is no crime that meets the Clery Act crime definitions or if the crime did not occur on any of the University's identified geographic areas, the crime is not counted. Additionally, the Clery Compliance Office may contact the CSA or police department that made the report if more information is needed to make a determination about counting the crime.

The statistics in this report provide a summary of crimes at Sonoma State University between January 1, 2019 and December 31, 2021.

Clery Geography

Crime statistics are classified and counted pursuant to the Clery Act statute and applicable guidelines. They fall into four geography classifications:

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

On-Campus Student Housing: On campus geography also includes a subset of on-campus student housing facilities. These housing facilities include all graduate and undergraduate housing and parking facilities that are physically attached to, and accessed directly from, the student housing facilities.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to, and accessible from, the campus. For SSU, this is the perimeter of campus from the sidewalk or boundary closest to campus, the public road for that sidewalk or boundary, and the sidewalk or boundary across the street.

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

On-Campus Geography

At Sonoma State University, on-campus geography applies to the main campus located at 1801 East Cotati Avenue, Rohnert Park, California between Rohnert Park Expressway to the north, Petaluma Hill Road to the east, and East Cotati Avenue to the south. There are no structures or property within the main campus area that are excluded from on-campus geography.

On-Campus Student Housing

All structures that include residential housing units for students are classified as On-Campus Student Housing. Numerous locations in and around the residential communities are excluded from the student housing designation, however, since they are not attached to residential facilities and/or do not exclusively service residential students. These areas include parking lots, meeting rooms, swimming pools, outdoor common areas and fields, administrative offices, and University storage facilities. For a complete list of excluded locations, please contact the Clery Compliance Office by phone: (707) 664-3408, or by email: clery@sonoma.edu

Public Property

Public property is limited to the areas surrounding campus to the south, east, and north. The area to the southwest is separated by a physical barrier. To the south and the north, the sidewalk/street/sidewalk definition will apply where there is a second sidewalk. Where no second sidewalk is otherwise present, only sidewalk/street will be considered.

Non-Campus Geography

When considering the classification of space that the University owns or controls in association with instruction, student travel, or other student activities, SSU includes any locations that meet all three of the following conditions:

- Non-campus geography will include any space for which SSU has a written use agreement for the delivery of instructional or academic activities that is used for more than one occasion in the course of the scheduled instruction (per class).
- Non-campus geography will include any space for which SSU has a written use agreement for administrative or other operational use in support of the University's educational mission where students may frequently visit.
- Non-campus geography will include any space for which SSU has a written use agreement, used in an overnight trip of one or more nights that includes students, when the contracted facility is used more than one time over a two-year period.
- Non-campus geography will include any space for which SSU has a written use agreement, and that is used in an overnight trip of more than one night, which includes students.

University Athletics, Student Affairs, and academic departments sponsoring student travel provide the Clery Compliance Office with information on hotels and other facilities with which they enter into agreements for any use. For more information, please contact the Clery Compliance Office by phone: (707) 664-3408, or by email: clery@sonoma.edu.

For the 2021 crime statistics, the following locations are considered non-campus geography:

- Fairfield Osborn Preserve, Sonoma County, California
- Galbreath Preserve, Mendocino County, California
- Los Guilicos Preserve, Santa Rosa, California
- Ukiah Center (Building 6000), Mendocino College, 1000 Hensley Creek Road, Ukiah, California

All areas designated non-campus geography include any land, property, or structure that must reasonably be used to access the applicable location. This designation could include parking lots, pathways, stairwells, or lobbies of otherwise unrelated facilities. The Clery Compliance Office maintains a list of all facilities that have been evaluated for classification as non-campus geography, including justification for the exclusion.

Clery Crime Statistics 2019-2021

Murder/NonNegligent Manslaughter

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

Negligent Manslaughter

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

Rape

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	15	16	0	0
2020	2	3	0	0
2021	11	12	0	0

Fondling

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	2	3	0	0
2020	1	1	0	0
2021	2	2	0	0

Incest

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

Statutory Rape

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	1	1	0	0
2020	0	1	0	0
2021	0	0	0	0

Robbery

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

Aggravated Assault

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	2	2	0	0
2020	0	2	0	0
2021	0	0	0	0

Burglary

Year	Campus Residential	Campus Total	Noncampus	Public Property
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2019	27	27	1	0
2020	5	9	0	0
2021	0	0	1	0

Motor Vehicle Theft

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	1	0	0
2021	0	0	0	0

Arson

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0

Domestic Violence

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	2	3	0	0
2020	3	6	0	0
2021	0	0	0	0

Dating Violence

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	11	13	0	0
2020	0	1	0	0

2021	0	0	0	0
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Stalking

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	0	0	0
2020	0	1	0	0
2021	4	5	0	0

Arrests for Weapons Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	1	0	0
2020	0	0	0	0
2021	1	0	0	0

Arrests for Drug Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	1	1	0	0
2020	0	11	0	0
2021	0	3	0	1

Arrests for Liquor Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	0	2	0	0
2020	0	1	0	0
2021	0	0	0	0

Referrals to Disciplinary Action for Weapons Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	2	4	0	0
2020	2	2	0	0
2021	1	1	0	0

Referrals to Disciplinary Action for Drug Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	6	6	0	0
2020	0	0	0	0
2021	0	0	0	0

Referrals to Disciplinary Action for Liquor Law Violations

Year	Campus Residential	Campus Total	Noncampus	Public Property
2019	1	4	0	0
2020	6	7	0	0
2021	0	9	0	0

Unfounded Crimes

Year	Total
2019	1
2020	0
2021	0

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.

In 2019, there was one aggravated assault hate crime motivated by ethnic bias reported in residential geography.

There were no hate crimes reported in 2020.

In 2021, one hate crime was reported for on-campus geography related to intimidation motivated by race.

Procedures for Students and others to Report Criminal Actions or Other Emergencies on Campus

The Sonoma State Police Department (SSPD) strongly encourages immediate reports of crimes, emergencies, and/or suspicious, disturbing, or threatening behaviors to SSPD by calling 9-1-1 or (707) 664-4444. Prompt reporting ensures an appropriate response, the consideration of the issuance of a Timely Warning or an Emergency Notification, and assists in properly gathering statistics. Crimes or incidents occurring outside of SSPD's jurisdiction should be reported immediately to the agency having jurisdiction where the incident occurred.

SSPD has a 9-1-1 dispatch center, operated by the City of Cotati Police Department,, and can receive calls from a cell phone, landline phone, text messaging, blue light phone, emergency call box, elevator phone or TDD machine 24 hours a day, 365 days a year.

For all non-emergencies and regular business, one should call police dispatch at 707-664-4444.

In addition to calling 9-1-1, SSPD has implemented a text to 911 service that enables an individual to text "9-1-1" for emergency services. Text to 9-1-1 is capable of accepting Short Message Service (SMS) messages and Real-Time Text (RTT) messages. This method of contacting 9-1-1 can be critical, and can save lives when a voice call to 9-1-1 is not possible, or may further endanger the caller. Texting to 9-1-1 should only be used when the caller cannot make a voice call to 9-1-1.

How to text 9-1-1 in an emergency:

- Enter the numbers "911" in the "To" field.

- The first text message to 9-1-1 should be brief and contain the location of the emergency and type of help needed.
- Push the “Send” button.
- Be prepared to answer questions and follow instructions from the 9-1-1 call taker.
- Text in simple words — do not use abbreviations.
- Keep text messages brief and concise.

Below are a few tips that are important to know if you need to text 9-1-1:

- Text location information is not equal to current location technology.
- As with all text messages, 9-1-1 messages can take longer to receive, can get out of order or may not be received.
- Text-to-9-1-1 is not available if you are roaming.
- A text or data plan is required to place a text-to-9-1-1.
- If texting to 9-1-1 is not available in your area or is temporarily unavailable, you will receive a message indicating that texting 9-1-1 is not available and to contact 9-1-1 by other means.
- Photos and videos cannot be sent to 9-1-1 at this time.
- Text-to-9-1-1 cannot include more than one person. Do not send your emergency text to anyone other than 9-1-1.
- Do not text and drive.

If a police report is necessary, a SSU Police officer will take a statement from those involved regarding the incident. The officer will ask questions to ascertain the facts to determine if a crime occurred, the nature of an incident, the identity of witnesses, suspects, evidence that needs to be gathered, if any weapons were used and any other relevant information needed. Be advised that questioning can be difficult, and depending on the crime a victim may have a support person of their choice present during the interview. If the crime did not occur within the jurisdiction of the University, SSPD may notify the appropriate authorities having jurisdiction on the victim’s behalf or the victim may contact the proper law enforcement agency directly.

Under the circumstances prescribed in Government Code §6254(f), information from police reports may be released. However, for certain crimes, a victim may desire to remain confidential pursuant to Penal Code §293, and as such, the SSPD will withhold information that may identify the victim(s).

Voluntary and Confidential Reporting

In addition to reporting a crime to a CSA or SSU Police Department, any person may report certain incidents or crimes using online forms. Reporting using these tools is voluntary and confidential, and the report can be made anonymously. While these tools provide for anonymity and confidentiality, crimes reported using these tools are reported to the Clery Office.

- Bias Incident: Any person who was the subject or witness to a bias incident, criminal or noncriminal, may report that incident by using the Office for Prevention of Harassment and Discrimination Bias Incident

Reporting Form online at ophd@sonoma.edu or contacting OPHD at 707 - 664-4140 or ophd@sonoma.edu.

- Sexual Misconduct/Discrimination: Any person who has been the subject of, or witness to, sexual misconduct or discrimination by any SSU-affiliated person, may report that incident using the OPHD Sexual Misconduct/Discrimination Reporting Form online at ophd@sonoma.edu or contacting OPHD at 707 - 664-4140 or ophd@sonoma.edu.

Reports of crimes made to professional or pastoral counselors and the University confidential advocate are confidential and not reported to the Clery Office. However, the University encourages such counselors and advocates to notify any person reporting crimes to them of all reporting options available, including the confidential options above.

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

The institution will disclose, upon written request, 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.

Crime of Violence Disclosures

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

California Education Code section 67380(a)(6)(A)

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

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

Timely Warning Policy

This policy describes the procedures that will be used to provide members of the community with information to aid in preventing them from becoming victims of crimes posing a serious or ongoing threat to the Campus communities. It is intended to provide faculty, staff, and students with timely information about Clery reportable crimes occurring within the defined Clery Geography of their Campuses, and to comply with the Timely Warning requirements of the Jeanne Clery Act.

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

- Upon receipt of a Campus Security Authority (CSA) report of a Clery crime on Clery Geography, a Timely Warning analysis shall be completed and documented by the Clery Director. The Clery Director shall have authority to delegate this responsibility as appropriate. It is not necessary to complete and document a Timely Warning analysis for referrals to disciplinary action.
- If it is determined that the report includes a Clery crime on Clery Geography, the Clery Director and Chief of Police (or management designee) will confer to analyze the known pertinent facts to determine whether they constitute a serious or ongoing threat to the Campus community. The unavailability of the Clery Director shall not unduly delay the issuance of a Timely Warning.
- If a CSA report includes 1) a Clery crime 2) on Clery Geography and 3) a discernible serious or ongoing threat, a timely warning as described below shall be issued expeditiously.
- In the absence of any of these three elements, no timely warning will be issued.
- The Chief of Police (or the management designee) shall have ultimate authority and responsibility for determining whether to issue a Timely Warning.

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

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

- The timing of the report: shortly after the occurrence of the crime vs. days or weeks after the occurrence of the crime, i.e., a "cold report"
- Physical injury to the victim
- Use of weapons
- Forced entry used and/or tools used in commission of the crime
- A suspect arrested or incapacitated by injury

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

Additional Considerations

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

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

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

Contents of a Timely Warning

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

- A statement that reads, "This Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the Campus community to aid members from becoming the victim of a similar crime."
- Identify the Clery reportable crime that occurred (i.e., rape, burglary, motor vehicle theft, arson, etc.)
- The date, time, and location the crime occurred
- The date the Timely Warning Bulletin is issued
- Description of the suspect when deemed appropriate, and if there is sufficient detail. Only include a description of the suspect when the descriptors provided by the reporting party could reasonably lead to conclusive identification of the perpetrator(s)
- At least three preventative tips or points of information specifically related to the circumstances of the crime which occurred that could help others from becoming the victim of a similar crime
- The phone number of UPD and a statement encouraging community members to report all information about crimes to UPD

- If appropriate, the phone number of support services

The Timely Warning shall not include, under any circumstances, the name of the victim, or information so specific (i.e., specific address or dorm room number or floor) that would or likely could identify the victim of the crimes of Sexual Violence, Rape, Dating Violence, Domestic Violence, or Stalking. Timely Warning Bulletins should use gender-inclusive and culturally appropriate language and avoid victim blaming and bias language.

Methods of Distribution

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

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

Testing and Evacuation System

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

In addition to the distribution methods listed above, Sonoma State University also uses the Guardian safety mobile application to distribute timely warnings. All members of the campus community are encouraged to download the application.

Security of and Access to Campus Facilities, and Security Considerations for the Maintenance of Campus Facilities

Academic and Administrative Buildings

Sonoma State University is a public institution and, as such, academic and administrative buildings are open to the public during normal business hours. Most buildings have individual hours, which are based on the operational and academic schedules of each building. Building business hours may vary at different times of the year (e.g., weekends, holidays, non-academic periods).

Access to buildings is controlled by key, card access, or automated building systems, and all buildings have varied levels of access control. Employees or students who are issued building or room keys agree to terms restricting the use of that key to business purposes and agree not to provide the key to any other person.

Although buildings may be open to the public, access within the building may be restricted to members of the general public, based on the use of the space. Access to classrooms, administrative and academic offices, laboratories, event spaces, and other indoor spaces is restricted to persons with a valid academic or business purpose.

SSPD police officers patrol the academic and administrative buildings on a regular basis. Access control for a specific building is managed by a designated building manager, a department head, or other designee based on a specific University need.

On-Campus Student Housing Facilities

Access to University housing buildings is limited to residents, their guests, and appropriate staff. Residents are issued card keys and pass codes to access their assigned housing units. The University does not have housing facilities that allow for students and visitors to check in at a central location. Residents are responsible for ensuring they only allow access to their apartment to roommates or authorized guests. Residents should report concerns about unknown persons in their village or immediate area of their apartment to REACH personnel or to police if the individual is exhibiting suspicious or dangerous behavior.

SSPD and on-duty Residential Education and Campus Housing (REACH) personnel, to include Residential Advisors (RAs) and Residential Area Coordinators (ACs), patrol the Residential Community cooperatively and regularly. RAs and ACs enforce housing facility rules and the student code of conduct to ensure a safe and respectful housing community. Students who violate the terms of their housing contract or the student code of conduct are subject to cancellation of their housing contract or other student conduct sanctions.

Maintenance of Campus Facilities

SSU Facilities Services maintain University facilities and grounds. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Additionally, Facilities Management and police personnel regularly patrol campus to identify and report malfunctioning lights, security deficiencies, and other unsafe physical conditions to Facilities Management for correction.

A multidisciplinary work group, which includes students and employees, conducts annual lighting surveys and makes additional recommendations to enhance the safety of campus facilities. SSPD also conduct crime prevention surveys and analysis when a crime trend occurs or when requested by an administrator. Many offices, labs, computer rooms and areas of campus have intrusion alarms that report a signal to an off-campus alarm monitoring company, which, in turn, notifies SSPD of any activation.

All students and employees are encouraged to take an active role in facility safety by reporting any hazards or unsafe conditions to Facilities Management, Risk Management, or Sonoma State Police Department. Non-urgent maintenance concerns can be reported by filing a work order. Urgent safety issues should be reported to Facilities Management by calling (707) 664-2317 or reported to SSPD at (707) 664-4444.

Systemwide Law Enforcement Policy, Law Enforcement Authority

Persons employed and compensated as members of a California State University police department, when so appointed and duly sworn, are peace officers. However, such peace officers shall not exercise their powers or authority except (a) at the headquarters or upon any campus of the California State University and in an area within one mile of the exterior boundaries of each campus or the headquarters, and in or about other grounds or properties owned, operated, controlled, or administered by the California State University, or by trustees or the state on behalf of the California State University, and (b) as provided in Section 830.2 of the Penal Code.

The arrest authority outside the jurisdiction of the CSU Police Department includes (Penal Code § 830.2(c); Penal Code § 836):

- A. When the officer has probable cause to believe the person committed a felony.
- B. When the officer has probable cause to believe the person has committed a misdemeanor in the presence of the officer and the officer reasonably believes there is immediate danger to person or property or of escape.
- C. When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized even if not committed in the presence of the officer such as certain domestic violence offenses and there is immediate danger to person or property or of escape or the arrest is mandated by statute.
- D. When authorized by a cross jurisdictional agreement with the jurisdiction in which the arrest is made.

E. In compliance with an arrest warrant.

On duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed within the State, or while assisting another agency.

On duty officers who discover criminal activity outside the jurisdiction of the State should when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

California State University encourages accurate and prompt reporting of crime. All members of the Campus community are encouraged to promptly contact the UPD and/or other appropriate police agencies when they have been the victim of, or have witnessed criminal actions, including when the victim of crime elects to or is unable to make such a report.

Law Enforcement Authority

The SSU Police Department has statewide law enforcement authority to enforce federal and state laws under Penal Code § 830.2, and primary concurrent jurisdiction within a mile of campus under the California Education code § 89560. The officers are armed and have the same authority to arrest under the law as municipal police officers. Officers patrol the University campus 24 hours a day, 365 days a year. They enforce applicable local, state, and federal laws and provide a full range of police-related services, including immediate response to medical and fire emergencies.

The Sonoma State Police department has written agreements with surrounding law enforcement agencies to share information and resources, monitor and record criminal activity by students at non-campus locations, and works closely with these agencies to respond to crime. When necessary, the department collaborates with state and federal agencies.

Additionally, the University maintains operational agreements/memorandums of understanding that comply with the Kristin Smart Campus Safety Act clarifying that SSU Police Department is the primary law enforcement agency for all crimes occurring on the SSU main campus and the Fairfield Osborn Preserve. Other University properties, including the Los Guilicos Preserve in Santa Rosa, the Galbreath Preserve in Mendocino County, the Marina Crossing apartment building, and the land parcels at 5573 Petaluma Hill Road, are under the primary law enforcement jurisdiction of the local law enforcement agency. The department maintains a service for investigative services with the Sonoma County Sheriff's Department and may seek such service agreements from other local law enforcement agencies as needed.

SSUPD encourages accurate and prompt reporting of all crimes to SSUPD or, if the crime occurred in a different jurisdiction, to the appropriate law enforcement agency, including when a victim is unable to make a report.

Security Procedures and Practices

A safe and secure environment is essential to carrying out the mission of the University. Preventing harm depends on community members identifying and communicating hazardous conditions and behaviors of concern. Early identification allows for effective planning, mitigation, response and recovery from any situation.

The University has a multi-pronged safety awareness campaign based on the national See Something, Say Something, Do Something effort to promote campus safety for students, academic and staff personnel. SSPD provides security procedures and practices training to all staff upon hire and to student groups upon request.

SSU Police Department, Risk Management & Safety Services, Facilities Management, Associated Students, and other departments participate in an annual nighttime safety walk of the campus to identify potential hazards, including overgrown foliage, lighting deficiencies, and other hazards.

Members of the University community must assume responsibility for their own safety and the security of their personal property. The following precautions provide guidance:

- Report all crimes and suspicious activities to SSPD immediately.
- If you see or smell any evidence of fire, smoke, gas or other hazardous conditions call 911 immediately. Even fires that have been extinguished should be reported.
- Be aware of your surroundings. If possible, don't walk alone during late-night hours. Walk in groups whenever you can — there is always safety in numbers. Stay in well-lit areas as much as possible.
- Never take personal safety for granted. Trust your instincts. If something or someone makes you uneasy, avoid the person or leave.
- Let a family member or friend know your destination and your estimated time of arrival or return. That way, the police can be notified as quickly as possible if there is a problem.
- Carry only small amounts of cash. Never leave valuables (wallets, purses, books, phones, etc.) unattended or in plain sight.
- Carry your keys at all times and do not lend them to anyone.
- Always lock the door to your residence hall room, whether or not you are there. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home.
- Don't let people into residence halls or other protected locations, unless you know them, are your guest or are authorized to enter.
- Inventory your personal property and insure it appropriately with personal insurance coverage. Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- In the event of a fire alarm sounding, follow all building evacuation procedures.
- Save any evidence. Do not remove any evidence until officers are able to respond and investigate.

Building Safety Marshals

Individual employees are designated in all campus buildings as Safety Marshals. Safety Marshals are responsible for supporting Risk Management and Emergency Services in ensuring that buildings are maintained and operated in a manner that allows for the safe and orderly evacuation of buildings in the event of an emergency, and to identify potential hazards so they may be mitigated or removed. Marshals receive annual training on the program, emergency response, crime prevention, and evacuation procedures.

Security Awareness and Crime Prevention Programs

Crime prevention is the anticipation, recognition, and the appraisal of a crime risk and the initiation of action to remove or reduce it. SSPD provides support and services to campus community members to make Sonoma State a safer place to work, learn, and live.

Members of the police department conduct crime prevention presentations when requested by various community groups, including students and employees of the University. During these presentations, the following information is typically provided: crime prevention tips; statistics on crime at SSU; emergency notification and timely warning policies and procedures; and information regarding campus security procedures and practices, including encouraging participants to be responsible for their own security and for the security for others on campus.

SSPD, Risk Management, Emergency Services, Environmental Health & Safety partner to provide safety and crime prevention assessments. These assessments provide University departments with information about how to respond to emergencies in their workplace (including earthquake, fire, or active shooter), how to protect personal and University property, and identify hazards in the workplace. Additionally, these departments are available to make crime-prevention and physical security systems recommendations for the planning process of new buildings and landscaping design.

University departments will often partner to host events such as “Coffee with the Chief,” Public Safety Fairs, and town hall style meetings to address community concerns or provide information about an incident or condition of concern on campus. While many of these activities have been suspended or delivered virtually due to the COVID-19 pandemic, they are expected to resume for academic year 2021-2022.

In addition to the police department, staff from REACH, Title IX, and Student Affairs conduct programs regarding alcohol education, personal safety and crime prevention for the campus community. These programs include general crime prevention forums, programs and discussions about topics such as alcohol abuse, domestic violence, fire safety, sexual assault prevention and theft prevention.

New employees attend an orientation, which includes information about campus safety, crime prevention, emergency response, emergency notification, and other safety topics.

Monitoring and Recording Crime Activity at Noncampus Locations of Student Organizations

Sonoma State University does not have any officially recognized student organizations that have facilities, including housing, off-campus, therefore, the campus has no policy directing the monitoring or reporting of criminal activities at such locations.

Possession, Use, Sale and Enforcement of Federal and State Alcohol and Drug laws

SSU complies with the Drug Free Workplace Act of 1990 and the Higher Education Act, Section 120(a) addressing drug and alcohol abuse prevention. The University recognizes that drug and alcohol abuse on campus is not conducive to SSU's mission, and is actively committed to substance abuse education and prevention for both students and employees.

All University students, faculty members, and staff are subject to University policy and local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol and illegal drugs. Violators are subject to University discipline, criminal prosecution, and/or removal from University housing. The unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs on the University campus, or at any University-sponsored event off-campus is also prohibited.

Consumption of alcoholic beverages shall occur only in the public areas approved for alcohol sales by the University or at University-sponsored functions or events. University Culinary Services employees are trained in responsible alcoholic beverage service and in the recognition of valid identification cards. It is unlawful to sell, furnish or give away alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. SSPD will enforce California underage drinking laws.

A complete description of the University policy outlining alcohol use on campus can be found at <http://www.sonoma.edu/policies/alcoholic-beverages>. Alcohol use for students living in the residential community is governed by the "Campus Housing Regulations & Guidelines," and varies based upon the age of the student and the terms of the community where alcohol may be consumed. The full text of these regulations can be found at <http://web.sonoma.edu/housing/docs/publications/policies2018.pdf>.

The CSU Student Conduct Code stipulates that students found in violation of the Alcohol Policy 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 on the Judicial Affairs website at <http://web.sonoma.edu/studentaffairs/judicial.html>.

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

In accordance with the Drug-Free Schools and Communities Act (DFSC Act), programs such as "National Collegiate Alcohol Awareness Week", "Aware Awake Alive," and "Red Flags," which are focused on campus-wide Alcohol Awareness efforts, are offered. Other drug and alcohol prevention presentations and information are provided throughout the year at all orientations, various University 102 classes, weekly/monthly residential educational programming, upon request for departments and student areas, and in conjunction with sponsored campus activities. Our Greek communities play a role in helping to reduce alcohol-related incidents by hosting programs aimed at preventing alcohol poisoning.

Additional information regarding Drug-Free Schools and Communities Act compliance can be found in the Drug and Alcohol Abuse Prevention Program and the Biennial Review.

Sexual Violence Prevention

The California State University (CSU) promotes a safe living, learning, and working environment through systemwide policies and through a variety of campus educational programs provided to students, faculty, and staff. The CSU prohibits dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking, and provides programs to prevent, educate, and promote awareness of these topics, in accordance with the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation ("Nondiscrimination Policy"). These prohibited behaviors are also crimes as defined by 34 C.F.R. §668.46, and California criminal definitions.

The CSU provides comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to stop dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking before they occur through the promotion of behaviors that foster healthy relationships, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

The CSU's prevention programs and initiatives are sustained over time and focus on increasing awareness and understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking, using a range of strategies with audiences throughout the CSU community. This includes both community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, reduce perpetration, promote safety and a culture of respect.

Campus programs must include primary prevention and awareness training: (1) for all new Students; and new Employees; (2) refresher programs at least annually for all Students; (3) twice a year for all Students who serve as advisors in residence halls; (4) annually for all Student members of fraternities and sororities; (5) annually for all Student athletes and coaches; and (6) annually for all Employees consistent with their role in responding to and reporting incidents. Ongoing prevention and awareness campaigns for all Students and Employees will also be conducted. The CSU system will provide online training for all Employees and each campus will provide online training for all Students. All training must be consistent with the applicable CSU policy and state and federal regulations.

Each campus must assess which student organizations participate in activities that may place Students at risk and ensure that they receive annual supplemental training focused on situations the group's members may encounter.

To ensure that all Students receive the necessary information and training enumerated above on dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking, campuses should impose consequences such as registration holds on those Students who do not participate in and complete such mandatory training.

Training for Employees

Training will be mandatory for all employees within six months of their initial hiring, and on an annual basis thereafter. Such training will include, but not be limited to: what constitutes discrimination, harassment, retaliation, sexual misconduct/sexual assault, dating and domestic violence, sexual exploitation and stalking under applicable law; the rights and responsibilities of each Employee relating to discrimination, harassment, retaliation, sexual misconduct/sexual assault, dating and domestic violence, sexual exploitation and stalking including the duty to report and exceptions; the protection against retaliation for Employees who report discrimination, harassment, retaliation, sexual misconduct, dating and domestic violence, sexual exploitation and stalking; the procedures provided under the CSU Nondiscrimination Policy for filing, investigating and resolving a complaint; and the option and method for filing complaints with external government agencies such as the Department of Fair Employment and Housing (DFEH) and the Equal Employment Opportunity Commission (EEOC).

Under Cal. Govt. Code § 12950.1, each campus shall provide supervisory Employees at least two hours of interactive sexual harassment training within six months of the Employee's assignment to a supervisory position and every two years thereafter. Each campus shall maintain documentation of the delivery and completion of these trainings. For detailed guidance regarding the definition of "supervisor" and the implementation of this training, campuses shall consult Coded Memoranda HR 2005-35 and other applicable policies.

Prevention and Awareness

California State University campuses provide primary prevention programs to all incoming students and new employees. California State University campuses provide ongoing prevention programs to all students and

employees during their time at the institution. To comply with CSU Policy and 34 C.F.R. §668.46., campus-specific programs to prevent dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking will include:

1. A statement that the CSU prohibits dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking as defined under CSU policy and 34 C.F.R. §668.46.
2. The definitions of “dating violence,” “domestic violence,” “sexual assault,” and “stalking” in the applicable jurisdiction, California (California Penal Code) and the definitions under CSU policy (to also include the CSU policy definition of “sexual exploitation”).
3. The definition of “consent,” in reference to sexual activity, in the applicable jurisdiction, California (California Penal Code), and the definition of “affirmative consent” under CSU policy.
4. Common facts and myths about the causes of sexual misconduct/sexual assault.
5. A description of safe and positive options for bystander intervention, as exemplified below.
6. Information on risk reduction, exemplified below.
7. Information regarding campus, criminal, and civil consequences of engaging in acts of sexual misconduct/sexual assault, sexual exploitation, dating and domestic violence, and stalking.

Information about reporting, adjudication, and disciplinary procedures as required by 34 C.F.R. §668.46 and as described in the procedures under the CSU Nondiscrimination Policy.

Information about Campus Reporting, Adjudication, and Discipline Procedures

Campus training programs will reference the procedures outlined in the CSU Nondiscrimination Policy that victims/survivors may follow if an incident of dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, or stalking has occurred. Training programs will also reference information about preserving evidence, reporting to the appropriate authorities, confidentiality options, available protective and supportive measures.

Campuses apply the relevant CSU policy and procedures when responding to all reports of dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, or stalking. Campuses shall establish processes to provide a print and/or digital copy of the "Rights and Options for Victims" as outlined in the CSU Nondiscrimination Policy to any community member who reports experiencing such harm, regardless of whether the incident occurred on or off campus.

Campus training programs regarding the procedures for reporting and addressing reports of dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking will include the following:

- A statement explaining that the campus' primary concern is the safety of members of the campus community; that the use of alcohol or drugs never makes the victim/survivor at fault for sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking; that Students who experience or witness sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking should not be deterred from reporting incidents out of a concern that they might be disciplined for related violations of drug, alcohol, or other CSU policies; and that Students who

experience or witness sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking shall not be subject to discipline for related violations of conduct policies at or near the time of the misconduct unless the violation is egregious (including actions that place the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.)

- A statement that "CSU policy prohibits retaliation against a person who: reports sex discrimination, sexual harassment, sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking; assists someone with a report of such conduct; or participates in any manner in a related investigation or resolution.
 - Retaliation means that a substantial motivating reason for an Adverse Action taken against a person was because the person has or is believed to have:
 - Exercised their rights under this policy,
 - Reported or opposed conduct which was reasonably and in good faith believed to be in violation of this policy,
 - Assisted or participated in an investigation/proceeding under this policy, regardless of whether the Complaint was substantiated,
 - Assisted someone in reporting or opposing a violation of this policy or assisted someone in reporting or opposing Retaliation under this policy.
 - Adverse Action means an action engaged in by the Respondent that has a substantial and material adverse effect on the Complainant's ability to participate in a University program, activity, or employment. Minor or trivial actions or conduct not reasonably likely to do more than anger or upset a Complainant does not constitute an Adverse Action.
 - Retaliation may occur whether or not there is a power or authority differential between the individuals involved.
- What someone should do if they have experienced or witnessed sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking.
- Individuals to whom incidents may be reported along with information regarding what degree of confidentiality may be maintained by those individuals.
- The availability of, and contact information for, campus and community resources for victims/survivors of sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking.
- A description of campus and systemwide policies and disciplinary procedures available for addressing alleged violations and the consequences of violating these policies, including the fact that such proceedings shall:
 - Provide a prompt, fair, and impartial investigation and resolution; and,
 - Be conducted by officials who receive annual training on issues related to sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking and how to conduct an investigation and hearing process that protects the safety of victims/survivors and promotes accountability.
- The fact that the Complainant and the Respondent will be afforded the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice.
- The fact that both the Complainant and the Respondent shall be simultaneously informed in writing of:

- The outcome of any disciplinary proceedings that arises from an allegation of a sex discrimination, sexual harassment, sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking.
- The CSU's procedures for the Complainant or Respondent to appeal the results of the disciplinary proceeding.
- Any change to the disciplinary results that occurs prior to the time such results become final.
- When disciplinary results become final.
- Possible sanctions or remedies the campus may impose following the final determination of a campus disciplinary procedure regarding sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking.
- How the campus will protect the confidentiality of Complainants, including how publicly available recordkeeping (e.g., campus Clery reports) will be accomplished without the inclusion of identifying information about the Complainant to the extent permissible by law.
- That all students and employees must receive written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims/survivors, both on campus and in the community.
- That all students and employees who report being a victim/survivor of sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking must receive written notification of available assistance in, and how to request changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim/survivor chooses to report the incident to campus police or local law enforcement.
- Procedures victims/survivors are recommended to follow if sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking has occurred, as well as the fact that the following written information must be provided to victims:
 - The importance of preserving evidence following an incident of sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking, which may also be used to obtain a temporary restraining or other protective order.
 - The name and contact information of the campus Employee(s) to whom the alleged incident should be reported.
 - Reporting to law enforcement and campus authorities, including the option to: (a) notify law enforcement authorities, including on-campus and local police; (b) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and, (c) decline to notify such authorities.
 - Where applicable, the rights of victims/survivors and the campus' responsibilities regarding orders of protection, no contact directives, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Risk Reduction

The CSU provides community members with information and strategies for risk reduction designed to decrease perpetration, promote bystander intervention and healthy relationships, empower marginalized voices, and

support victims/survivors. Information and strategies for risk reduction help promote safety and help individuals and communities address conditions that facilitate violence.

Sexual Misconduct/Sexual Assault

The CSU is committed to maintaining a safe campus for all members of the CSU community. Risk reduction strategies are focused on creating a culture of respect, reducing the risk for perpetration and for victimization. It is important to emphasize that only those who engage in sexual misconduct/sexual assault, dating violence, domestic violence, sexual exploitation, and stalking are responsible for those actions. With this in mind, the following tips provide some possible strategies to help promote a caring community and mitigate personal risk.

- Communication is key to healthy relationships and healthy sexual interactions. Obtain Affirmative Consent from your partner for all sexual activity.
 - Affirmative Consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity.
 - 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.
 - Affirmative Consent can be withdrawn or revoked at any time.
 - Affirmative Consent to sexual activity in the past does not mean consent in future – there must be voluntary consent for all sexual activity.
 - Lack of protest, resistance, or mere silence does not equal Affirmative Consent.
 - Sexual activity between a minor (a person younger than 18 years old) and a person who is at least 18 and two years older than the minor always constitutes Sexual Misconduct, even if there is Affirmative Consent to all sexual activity.
- Do not engage in sexual activity with someone who is incapacitated.
 - A person who is incapacitated by alcohol or drugs cannot give Affirmative Consent.
 - A person who is unconscious or asleep cannot give Affirmative Consent.
 - A person's own intoxication or incapacitation does not diminish their responsibility to obtain Affirmative Consent from any person with whom they engage in sexual activity.
- Signs that someone does not respect the importance of consent:
 - They pressure or guilt you into doing things you may not want to do.
 - They suggest you "owe" them something (including sexual acts) because you're dating or because they have done or claim to have done something for you.
 - They react negatively with sadness, anger, or resentment if you don't consent to something or don't do so immediately

[Source: [Love Is Respect](#)]

Dating/Domestic Violence

Common signs of abusive behavior in a relationship

According to the National Domestic Violence Hotline, one feature shared by most abusive relationships is that an abusive partner tries to establish or gain power and control through many different methods, at different moments. Even one or two of the following behaviors is a red flag that a partner may be abusive.

- Showing extreme jealousy of friends or time spent away from a partner.
- Preventing or discouraging one's partner from spending time with friends, family members, or peers.
- Insulting, demeaning, or shaming a partner, especially in front of other people.
- Preventing one's partner from making their own decisions about working or attending school.
- Controlling finances in the household without discussion, including taking a partner's money or refusing to provide money for necessary expenses.
- Pressuring one's partner to have sex or perform sexual acts they are not comfortable with.
- Pressuring a partner to use drugs or alcohol.
- Threatening to harm or take away a partner's children or pets.
- Intimidating one's partner with weapons.
- Destroying a partner's belongings or home.

If you notice warning signs in your relationship or that of someone you care about, remember there are support resources available on your campus, including individuals with whom you can speak confidentially and who can assist you with making a safety plan. A good starting place for a list of resources is your campus Title IX webpage. You can also contact the National Domestic Violence Hotline at 1.800.799.SAFE (7233), which is free and confidential.

[Source: National Domestic Violence Hotline]

- Abusive behaviors can be difficult to recognize in a relationship, even if you are the one engaging in them. In addition to some of the common signs of abusive behavior outlined above, ask yourself if your partner:
 - Seems nervous around you,
 - Seems afraid of you,
 - Flinches, cringes, or retreats when you are emotional,
 - Seems scared, or unable to contradict you or speak up around you, and/or
 - Restricts their own interactions with friends, family, coworkers, or others in order to avoid upsetting you.

If you recognize the behaviors above in yourself, or in how your partner reacts, these could be signs that you are hurting them. This can be a difficult realization to come to but it's vital that you do so if you want to change and stop harming your partner. By acknowledging that your actions are harmful and taking responsibility for them, you can continue to progress on the path toward correcting them.

You could consider contacting the psychological counseling center on your campus to speak with a counselor confidentially, or you could contact the National Domestic Violence Hotline at 1.800.799.SAFE (7233), which is free and confidential.

[Source: [National Domestic Violence Hotline](#)]

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- Seems afraid of you,
- Flinches, cringes, or retreats when you are emotional,
- Seems scared, or unable to contradict you or speak up around you, and/or
- Restricts their own interactions with friends, family, coworkers, or others in order to avoid upsetting you.

If you recognize the behaviors above in yourself, or in how your partner reacts, these could be signs that you are hurting them. This can be a difficult realization to come to but it's vital that you do so if you want to change and stop harming your partner. By acknowledging that your actions are harmful and taking responsibility for them, you can continue to progress on the path toward correcting them.

You could consider contacting the psychological counseling center on your campus to speak with a counselor confidentially, or you could contact the National Domestic Violence Hotline at 1.800.799.SAFE (7233), which is free and confidential.

[Source: National Domestic Violence Hotline]

Stalking

Respecting boundaries

If someone tells you that they do not want you to contact them or do something like visit their home or send them gifts, or if they have stopped interacting with you, respect their choice. Everyone has the right to set boundaries.

Recognizing stalking behaviors

A person who engages in stalking may:

- Repeatedly call or send other unwanted communication such as text messages, emails, social media messages, letters, etc.
- Follow the person and seem to “show up” wherever they are.
- Send unwanted gifts.
- Damage home, car, or other property.
- Monitor phone calls or computer use.
- Drive or linger near the home, school, or work of the person they are stalking.
- Use other people to try and communicate with the person they are stalking, like children, family, or friends.

[Source: [Victim Connect Resource Center](#)]

Below are some tips from the Stalking Prevention Awareness and Resource Center (SPARC) regarding steps one can take if they are experiencing stalking

- Trust your instincts – if you/someone feels they are in immediate danger or fear a threat of harm, call 911
- Keep a record or log of each contact with the stalker
- Save evidence when possible, such as emails, text messages, postings on social media, etc.

Know that there are support resources available on each CSU campus, including individuals with whom individuals can speak confidentially and who can assist in making a safety plan and/or seeking a protective order. A good starting place for a list of resources is your campus Title IX webpage.

Bystander Intervention

The California State University and the campuses provide training on safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Information about bystander intervention is included in a variety of prevention, outreach, and awareness programs across the CSU.

This training encourages employees and students to:

- Notice the Event
- Interpret the Event as a Problem
- Assume Personal Responsibility
- Learn How to Help
- And Step Up by utilizing the “4 Ds” – Direct, Distract, Delegate, and Delay
 - Direct – Directly addressing the situation.
 - Distract – Making a simple (or elaborate) distraction to diffuse the situation.
 - Delegate – Finding someone else to address the concern.
 - Delay – Checking in with the person after to see if you can do anything to support them.

CSU Policy Definitions

Definitions of conduct that is prohibited under CSU policy are found in Article VII of the CSU Nondiscrimination Policy. These definitions are applicable in relation to the University’s administrative processes and may differ from the criminal law definitions (California) found in Appendix A.

Preservation of Evidence in cases of Sexual Misconduct/Sexual Assault, Dating Violence, or Stalking

It is important that you take steps to preserve and collect evidence; doing so preserves the full range of options available to you, be it through the University's administrative complaint procedures or criminal prosecution. To preserve evidence: (1) do not wash your face or hands; (2) do not shower or bathe; (3) do not brush your teeth; (4) do not change clothes or straighten up the area where the assault took place; (5) do not dispose of clothes or other items that were present during the assault, or use the restroom; and, (6) seek a medical exam immediately. If you already cleaned up from the assault, you can still report the crime, as well as seek medical or counseling treatment. You should preserve text messages, social media postings, or notes that demonstrate the course of conduct. Contemporaneous photos of bruises or other injuries are helpful. You may consult with the campus Title IX Coordinator or Sexual Assault Victim's Advocate for assistance as well.

Reporting Options

The University's primary concern is your safety and the safety of the campus community. The use of alcohol or drugs never makes the victim at fault for sexual misconduct/sexual assault. If you have experienced sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking you should not be deterred from reporting the incident out of a concern that you 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 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. You have several reporting options, and you may pursue one or more of these options at any time. It is your right to have a friend, family member, Sexual Assault Victim's Advocate, or other representative present with you while reporting the incident. You also have the right to have a sexual assault counselor, Sexual Assault Victim's Advocate and/or support person of your choice present with you during a rape examination. You are strongly encouraged to report any incidents to the police and/or campus Title IX Coordinator so that steps may be taken to protect you and the rest of the campus community. However, non-reporting is also an option.

Reporting to University police and/or local police is an option at any time. If you choose not to report to the police immediately following an incident, you can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on your behalf. The campus Title IX Coordinator or Sexual Assault Victim's Advocate can assist you in notifying the police if you choose.

The campus is required by law to disclose reports of some crimes (including dating violence, domestic violence, sexual assault/sexual misconduct and stalking) including through the daily crime log, the Annual Security Report, and Timely Warning Notices as explained in greater detail below. However, while the University will include reportable incidents in these disclosures, the victim's name/identity will not be included in publicly-available records or reports.

Protective Orders

You 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, sexual exploitation, dating or domestic violence, or stalking. University police and your campus Title IX Coordinator can offer assistance with obtaining a protective or restraining order.

Supportive Measures

Supportive Measures are individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent regardless of whether a Formal Complaint is filed. Supportive Measures are designed to restore or preserve equal access to CSU education programs or activities, or the workplace without unreasonably burdening the other Party, including to protect the safety of all Parties or the educational or work environment. Supportive Measures may include counseling, extensions of deadlines or other course or work-related adjustments, modifications of work or class schedules, campus escorts, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator/DHR 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.

Written Notification

Along with the information provided in the outreach communication, the Title IX Coordinator will provide Complainants alleging Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence or Stalking, with the information in Attachment D to the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation - Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating And Domestic Violence, And Stalking.

This written notifications states that the Campus and Title IX Coordinator will provide supportive measures, if they are reasonably available, regardless of whether [the victim] chooses to report sexual misconduct/sexual assault, sexual exploitation, dating or domestic violence, or stalking to Campus or local police; and also that they will:

- Assist [the victim] in accessing other available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Make connections to individuals on campus who can provide support and solutions with respect to a variety of logistics, including transportation assistance, visa/immigration assistance, and financial aid assistance;

- Provide other 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 you of your right to report a crime to University or local police – and provide you with assistance if you wish to make such a report.

Insert contact information for the Title IX Coordinator and indicate that a person should contact the campus Title IX Coordinator if the wish to request an accommodation.

Attachment D also informs victims that disciplinary procedures for sexual misconduct/sexual assault, sexual exploitation, dating and domestic violence, and stalking will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on sexual misconduct/sexual assault, sexual exploitation, dating and domestic violence, and stalking, including how to conduct a process that protects the safety of members of the campus community and promotes accountability;
- Provide the Complainant and the Respondent the same opportunity to be accompanied to any related meeting or proceeding by an Advisor of their choice;
- Simultaneously inform the Complainant and the Respondent in writing of:
 - The disciplinary outcome;
 - The procedures available to appeal the results of the disciplinary outcome;
 - Any change to the disciplinary results that occurs prior to the time such results become final; and
 - When disciplinary results become final.

This same information is provided in writing to all students and employees within the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation, and as part of annually assigned training.

Disciplinary Procedures

The following statements are excerpts from the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (“the Policy”). As required by law, the excerpts in this Annual Security Report capture the steps, decisionmakers, and anticipated timelines for both formal and informal resolution processes, as applicable. For details beyond the steps, decisionmakers, and anticipated timelines, please see the policy.

The campus Title IX Coordinator is the designated administrator to receive reports of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and associated Retaliation.

The Title IX Coordinator can be reached at:

Julie Vivas
Sr. Director and Title IX Officer
2nd Floor, International Hall

ophd@sonoma.edu

Reports can be filed on the OPHD website or via this link:

https://cm.maxient.com/reportingform.php?SonomaStateUniv&layout_id=1

Complaints against a Chancellor's Office employee, or a campus Title IX Coordinator/ Discrimination, Harassment, and Retaliation Administrator ("DHR Administrator") will be made to the Chancellor's Office at eo-wbappeals@calstate.edu¹.

The campus will respond in a timely and appropriate manner to all Complaints and will take appropriate action to prevent continuation of and correct Policy violations.

After receiving a report, the Title IX Coordinator will assess the report and provide outreach to the possible Complainant named in the report. This outreach will include information regarding potential Supportive Measures, where applicable. The Title IX Coordinator will describe and offer Supportive Measures to Complainants during the initial assessment (even if the Complaint is ultimately not investigated). Supportive Measures may include counseling, extensions of deadlines or other course or work-related adjustments, modifications of work or class schedules, campus escorts, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator will make reasonable efforts to ensure that anyone involved in conducting investigations, finding facts, and making disciplinary decisions in a matter will be impartial, neutral, and free from actual Conflicts of Interest.

All persons involved in implementing these procedures (e.g., the campus Title IX Coordinator and any Deputy Title IX Coordinator(s), Investigators, Human Resource Directors and Hearing Officers presiding over hearings) shall have relevant annual training on issues related to Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking. Such annual training shall include the CSU complaint processes, as well as the handling, investigation, and analysis of complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking. The annual training shall also address applicable confidentiality issues, especially with respect to the Title IX Coordinator's duty to weigh any victim's request for confidentiality against the duty to provide a safe and nondiscriminatory environment for all members of the campus community. For matters involving Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, the training shall also include how to conduct an investigation and hearing process that protects the safety of the person(s) involved and promotes accountability.

The Complainant and Respondent may choose to be accompanied by an Advisor of their choice during meetings or any stage of the Complaint process. The Parties also have the right to consult with an attorney, at

¹ Complaints against a President should be made to the Chancellor's Office, but only if it is alleged that the president directly engaged in conduct that violates the Policy. Any other Complaints against a president (for example, that the president had no substantial involvement other than to rely on or approve a recommendation made by another administrator) will be made to and addressed by the campus.

their own expense, or a union representative at any stage of the process if they wish to do so. An attorney or union representative may serve as a Party's chosen Advisor. The unavailability of a specific Advisor will not unduly interfere with prompt scheduling.

Applicable Procedures

The campus will investigate or otherwise respond to reports of alleged misconduct committed by a student in accordance with the Interim Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against a Student ("Student Respondent Procedures") if the alleged misconduct violates the Policy and:

- occurred on campus; or
- involved or impacted a campus program or activity (including campus employment); or
- affected a student's or Employee's ability to participate in a program, activity, or employment; AND
- The alleged misconduct was committed by a person who at the time of the alleged misconduct was a student.

The campus will investigate or otherwise respond to reports of alleged misconduct committed by an Employee or Third-Party in accordance with the Interim Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against an Employee or Third-Party ("Employee or Third-Party Respondent Procedures") if the alleged misconduct violates the Policy and:

- occurred on campus; or
- involved or impacted a campus program or activity (including campus employment); or
- affected a student's or Employee's ability to participate in a program, activity, or employment; AND
- The alleged misconduct was committed against a person who at the time of the alleged misconduct was a student, or the alleged misconduct was committed by or against an Employee.

Depending on the circumstances, the campus response may or may not include a formal investigation. When a Complainant requests that no investigation occur, the Title IX Coordinator will balance the request against the campus' duty to provide a safe and nondiscriminatory environment for all members of the campus community.

The Track System

There are three possible sets of procedures ("tracks") for formal resolution of Complaints against a Student² (Track 1, Track 2, Track 3) as required by federal and state law. There are two sets of procedures ("Tracks") for formal resolution of Complaints against an Employee or a Third-Party (Track 1 or Track 3) as required by federal and state law. The remaining track, track 2: State Mandated Hearing Process, is not applicable to Complaints against Employees or Third-Parties, as it applies only to certain Complaints against Students. Which procedure

² A Complaint against a Student-Employee where the alleged conduct arose out of the Respondent's status as an Employee and not their status as a student, should be made using the Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against an Employee or Third-Party.

applies to any given Complaint will depend on a variety of factors described below. Questions about which procedures apply to any specific case should be directed to the campus Title IX Coordinator/ Discrimination, Harassment, and Retaliation Administrator ("DHR Administrator").

Prior to a Notice of Investigation being sent to the Complainant and the Respondent, the Title IX Coordinator/DHR Administrator will determine which Track applies.

- Track 1 applies when the alleged conduct:
 - Meets the definition of Sexual Harassment as defined in Article VII.C of the Policy; and
 - Occurred in the United States; and
 - Occurred in an education program or activity at the University, as defined in Track 1
- Track 2 applies when:
 - The Complaint is against a student; and
 - The Complaint is one of Sexual Misconduct, Dating Violence, or Domestic Violence; and
 - The credibility of one (or both) of the Complainant and the Respondent ("the Parties"), or any witness is central to the determination as to whether the student violated the policy; and
 - The student is facing a severe disciplinary sanction (expulsion or suspension) if found to be in violation of University Policy.
- Track 3 applies to all other Complaints under these procedures that allege a Policy violation.

Under Track 1 or 2, the campus will conduct an investigation, and the Complaint will proceed to a hearing unless otherwise resolved. An Investigator will first interview the Complainant, the Respondent, and any witnesses, and gather any documentary evidence. The hearing will occur once an investigation has finished. During the hearing, a hearing officer listens to the witnesses, including the Complainant and the Respondent, and analyzes the evidence, before deciding whether or not the Respondent violated the Policy.

Under Track 3, an Investigator interviews the Complainant, the Respondent, and any witnesses, gathers any documentary evidence, analyzes the evidence, and decides whether or not the Respondent violated the Policy. There is no hearing in Track 3 cases.

Standard of Evidence

The Preponderance of the Evidence based on the facts available at the time of the decision is the standard for demonstrating facts and reaching conclusions in an investigation and hearing that uses the Procedures. Preponderance of the Evidence means the greater weight of the evidence; i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side.

Dismissal/Referral

When the Title IX Coordinator receives a Formal Complaint under Track 1, or where new information or events arise under this Track, the Title IX Coordinator will assess whether the Formal Complaint meets the requirements of the Federal Regulations to move forward under the process under Track 1. A determination that allegations in a Formal Complaint do not meet the requirements of the Federal Regulations will result in a mandatory 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 campus may have an obligation to address the matter under other laws and policies. The Title IX Coordinator will determine whether allegations in a Formal Complaint must be dismissed for purposes of the Federal Regulations. If a Formal Complaint is dismissed it may still be referred, if appropriate, to be addressed under the processes in Track 2 or Track 3, CSU Executive Order 1098, or other applicable policies.

At any time after a Complaint has been accepted for investigation, it is within the discretion of the Title IX Coordinator/DHR Administrator to dismiss a Complaint, or any part of a Complaint, if the Complainant notifies the Title IX Coordinator/DHR Administrator in writing that they would like to withdraw the Complaint or any part of it, or if the specific circumstances prevent the campus from gathering evidence necessary to reach a determination as to the Complaint or part of the Complaint.³

Written notice of dismissal (mandatory or discretionary) and reason(s) for the dismissal will be sent simultaneously to the Parties when a Title IX Coordinator dismisses any 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.

Either Party may appeal from a dismissal of a Complaint or any part of the Complaint. The appeal must be filed within 10 Working Days from the date of the notice of dismissal.

Appeals against a dismissal under Track 1 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

Appeals against a dismissal under Track 2 or Track 3 will be submitted to the Chancellor's Office and will be addressed to:

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

If a Party is unable to file an appeal or a response to an appeal electronically, they should 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.

³ Formal complaints under track 1 may be discretionarily dismissed for the additional reason that the Respondent is no longer a student or Employee

Within 10 Working Days of the CO's receipt of the appeal, the Parties will simultaneously receive (via email) a written decision with explanation.

Informal Resolution

The CSU recognizes some Parties may desire resolution of their matter through an Informal Resolution process ("Informal Resolution"), instead of through the formal resolution process (described below). Accordingly, Parties may mutually agree, with the agreement of the Title IX Coordinator, to resolve a Complaint through an Informal Resolution process, instead of undergoing the formal resolution process. The Informal Resolution process is entirely voluntary and will not occur unless both Parties agree in writing to participate in an Informal Resolution process.

The Title IX Coordinator/DHR Administrator will oversee the Informal Resolution process, conduct an initial and on-going assessment as to whether the Informal Resolution process should continue, 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 Complaint. In some circumstances, depending on the nature and/or severity of the allegations, an Informal Resolution may not be appropriate, and the Title IX Coordinator/DHR Administrator will not approve an Informal Resolution. Prior to approving an Informal Resolution, the Title IX Coordinator/DHR Administrator will consult with the appropriate administrator in human resources or faculty affairs.

Prior to engaging in an informal resolution process, the campus will obtain the Parties' voluntary, written consent. Parties who choose to participate in the voluntary Informal Resolution process will be sent a notice of agreement to engage in Informal Resolution.

The Informal Resolution process may take place at any time before a determination of responsibility is made, but no later than 60 Working Days after both Parties provide voluntary, written consent to participate in the Informal Resolution process.

Any agreed-upon Remedies and disciplinary sanctions agreed to in an Informal Resolution have the same effect as Remedies given and sanctions imposed following an investigation (and/or hearing), consistent with an applicable collective bargaining agreement.

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. The resolution will be final and not appealable by either Party.

Investigation and Hearing for Track 1

Supportive Measures

After receiving a report of Sexual Harassment, the Title IX Coordinator will contact the Complainant promptly to discuss the availability of Supportive Measures. The Title IX Coordinator will conduct an intake meeting with any

Complainant who responds to outreach communication, or otherwise makes a report of a potential Policy violation to discuss the Complainant's options, explain the process, and provide information about Supportive Measures. During the discussion, the Title IX Coordinator will consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint,⁴ and explain the process for filing a Formal Complaint.

Notice of Allegations

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

Investigation of a Formal Complaint

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 Track 1.

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.

The Complainant and the Respondent may each elect to be accompanied by an Advisor to any meeting, interview, or proceeding regarding the allegations that are the subject of a Formal Complaint. The 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.

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 Track 1.

⁴ Formal Complaint means a document or electronic submission filed by a Complainant that contains the Complainant's physical or digital signature¹⁵ or a document signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting an investigation of the allegation of Sexual Harassment. At the time that the Formal Complaint is filed, a Complainant must be participating in or attempting to participate in an Education Program or Activity of the CSU.

If a Party requests to meet with the Title IX Coordinator 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, the investigator will send to the Complainant and Respondent, and their respective advisors, if any, all evidence (including evidence upon which the campus 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).

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.
- Request that the investigator gather additional evidence.

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

Final Investigation Report

After the review of evidence phase is concluded, the Parties will receive a final investigation report that will summarize all Relevant evidence (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. The final investigation report shall be sent to the Parties and their respective advisors, if any, in electronic format (which may include use of a file sharing platform that restricts the Parties and any Advisors from downloading or copying the evidence) or hard copy. The Parties and their advisors will be provided 10 Working Days to review and provide a written response to the final investigation report.

Timeframe

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 for good cause as determined by the Title IX Coordinator. The Parties will receive written notice from the Title IX Coordinator or designee if an extension is necessary and why. The notice will indicate if the extension alters the timeframes for the major stages of the Formal Complaint process.

Within 10 Working Days after the Parties have been provided the final investigation report, the Parties will be informed of the timelines that will apply to the pre-hearing and hearing processes described below. 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.

Track 1 Hearing

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 email address, unless the recipient has specifically requested in writing to the hearing coordinator that notice be given to a different email 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.

No later than 15 Working Days before the hearing, each Party may 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. The hearing officer may also identify witnesses from the final investigation report.

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.

The hearing will begin with an overview of the hearing process given by the hearing officer, after which the Parties will be given an opportunity to ask questions about the hearing process. Each Party will be given an opportunity to make an opening statement that may not last longer than 10 minutes. Only the Parties themselves

will be permitted to make opening statements. The hearing advisor and any advisor are not permitted to make the opening statement. The advisor may not speak during the hearing. Closing arguments will not be made.

Generally, the hearing officer will start the questioning of witnesses and Parties. The Investigator or the Title IX Coordinator (if not the Investigator) will be the first witness and will describe the Formal Complaint, investigation process, and summarize the evidence. Hearing advisors will be permitted to ask Relevant questions once the hearing officer has concluded their questioning of the other Party and each witness. The hearing officer may ask questions of any Party or witness who participates in the hearing.

Determination Regarding Responsibility Under Track 1

After the hearing, the hearing officer will make written findings of fact and conclusions about whether the Respondent violated the Policy with respect to the definition of Sexual Harassment.⁵ The hearing coordinator will Simultaneously send the hearing officer's report promptly to the Parties, the Title IX Coordinator, and the appropriate campus administrator, usually within 15 Working Days of the close of the hearing.

If no violation of the Policy 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 Policy 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 campus 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 the 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.

⁵ See definition of Sexual Harassment in the Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation

The president (or designee) will simultaneously send the decision letter electronically to the Respondent and Complainant at the campus-assigned or other primary email address linked to their campus accounts.⁶ The decision letter will include:

- The outcome of the hearing, including any sanction imposed, and the name of the Respondent(s).
- Information regarding the procedures and permissible bases for the Complainant and Respondent to appeal to the Chancellor's Office.
- If a finding of responsibility is made against the Respondent, a statement as to whether Remedies will be provided to the Complainant that are designed to restore or preserve equal access to the campus's education program or activity. The specifics of any such Remedies may be discussed separately between the Complainant and the Title IX Coordinator and need not be included in the decision letter.
- A copy of the final hearing officer's report will be attached to the decision letter, redacted as appropriate or as otherwise required by law.

Investigation and Hearing (if applicable) for Tracks 2 and 3

At the onset of the investigation, the Title IX Coordinator/DHR Administrator will simultaneously provide both Parties a notice of investigation.

In the notice of investigation, the Title IX Coordinator/DHR Administrator will schedule an initial meeting with the Respondent. At this meeting, the Title IX Coordinator/DHR Administrator will explain the allegations against the Respondent, as well as the investigation process, and the Respondent's rights during the process. The Title IX Coordinator/DHR Administrator will also explain that during the investigation, the Respondent and the Complainant will have the opportunity to present evidence, identify witnesses, and review evidence. During the investigation, the Investigator will take reasonable steps to gather all relevant evidence from the Parties, other witnesses, or other sources. The Investigator will document the steps taken to gather evidence, even when those efforts are not successful. Before finalizing the investigation, the Investigator will share with the Complainant and Respondent a preliminary investigation report, along with all relevant evidence gathered. Each Party will be given a reasonable opportunity to respond to the preliminary investigation report and any attached evidence and ask questions.

In matters where a hearing is not required (Track 3 cases),⁷ a final investigation report will be provided to the Parties along with a notice of investigation outcome. The final investigation report will include a summary of the allegations, the investigation process, the Preponderance of the Evidence standard, a detailed description of the evidence considered, analysis of the evidence including relevant credibility evaluations, and appropriate findings. Relevant exhibits and documents will be attached to the written report. The final investigation report

⁶ Communication with Parties who are neither Students nor Employees will be sent to an email address that they designate.

⁷ Under Track 2, the process will proceed to a hearing, as outlined below, and the final investigation report will include all of the information included in the preliminary investigation report as well as additional relevant evidence received during the review of evidence. Any relevant evidence provided by the Parties or witnesses, or otherwise gathered by the Investigator, will be attached to the final investigation report, or made available for review by the Parties. Evidence offered by the Parties or any other witnesses that the Investigator concluded is not relevant will be noted but not included in the final investigation report and should be available at the time of the hearing such that it can be provided to the hearing officer if requested.

will be attached to a notice of investigation outcome. The notice may be delivered to the Parties electronically. If the notice includes a determination that the Policy was violated, the Title IX Coordinator/DHR Administrator will notify the campus student conduct administrator (where the Respondent is a student)/appropriate campus administrator (where the Respondent is an employee) of the investigation outcome and provide a copy of the final investigation report.

The Title IX Coordinator/DHR Administrator or designee will send the Final Investigation Report to the Parties within 100 Working Days from the date that the Notice of Investigation is provided to the Parties. Extensions may be granted for good cause as determined by the Title IX Coordinator/DHR Administrator. The Parties will receive written notice from the Title IX Coordinator/DHR Administrator or designee if an extension is necessary and why. The notice will indicate if the extension alters the timeframes for the major stages of the Complaint process.

Any communications relating to the outcome of an investigation or hearing, including any changes to the outcome or when the outcome becomes final, will be provided in writing simultaneously to the Complainant and the Respondent.

Track 2 Hearing Process

As stated above in the explanation of Track 2, a hearing will be required (unless the case is resolved by way of Informal Resolution). Below are the steps, decision-makers, and anticipated timelines for a Track 2 hearing process that commences after the issuance of the final Investigative report.

Prior to a hearing:

Parties will be given written notice of the date, time, location, and purpose of the hearing as well as the identity of the hearing officer. The Parties will be sent a notice of the hearing at least 20 Working Days before the hearing. Objections to an appointed hearing officer will be made in writing to the hearing coordinator no later than 5 Working Days after notice of hearing has been sent to the Parties.

No later than 15 Working Days before the hearing, each Party will 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' testimony. The hearing officer may also identify witnesses from the Final Investigation Report.

Where there is more than one Respondent or Complainant in connection with a single occurrence or related multiple occurrences, the hearing officer and the Parties may agree to a single hearing. A Party may request consolidation with other cases, or the Title IX Coordinator, may initiate the consolidation (subject to FERPA and other applicable privacy laws). Request for consolidation will be made no later than 15 Working Days before the hearing. The hearing officer makes consolidation decisions.

Parties must provide the name of, and contact information for, the Party's Advisor and Support Person (if any) to the hearing coordinator 15 Working Days before the hearing.

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 instructed 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 before the hearing, the Parties will submit to the hearing coordinator any objections to, or questions about, the witness list.

At the hearing:

Each Party will be given an opportunity to make an opening statement that will last no longer than 10 minutes. The Parties will not make closing statements. An opening statement is intended to give the Parties the opportunity to share their perspective regarding the facts and discuss the core disputes in the investigation. It should focus on the facts of the matter and not be argumentative.

Parties will have the opportunity to submit written questions to the hearing officer in advance of the hearing.

The Parties may also submit written follow-up questions to the hearing officer during the hearing, at appropriate times designated by the hearing officer. The hearing officer will ask the questions proposed by the Parties except for questions that:

1. Seek information about the Complainant's sexual history with anyone other than the Respondent (unless such evidence about the Complainant's sexual behavior is offered to prove that someone other than the Respondent committed the alleged misconduct).
2. Seek information about the Respondent's sexual history with anyone other than the Complainant, unless such information is used to prove motive or pattern of conduct.
3. Seek information that is unreasonably duplicative of evidence in the hearing officer's possession.
4. The hearing officer determines are not relevant to material disputed issues, are argumentative or harassing or unduly intrude on a witness' privacy.

At the hearing, each Party will have an opportunity to ask questions, submit concerns, or note an objection to questions posed. All such questions, concerns, or objections will be submitted in writing to the hearing officer. The hearing officer is not required to respond to an objection, other than to include it in the record.

The hearing officer has the authority and duty to decline or rephrase any question that the hearing officer deems to be repetitive, irrelevant, or harassing. Formal rules of evidence applied in courtroom proceedings (e.g., California Evidence Code) do not apply in the hearing. However, the hearing officer may take guidance from the formal rules of evidence.

After the hearing:

After the hearing, the hearing officer will make written findings of facts and conclusions about whether the Respondent violated the Policy. The Title IX Coordinator will review the hearing officer's report to ensure compliance with the Policy. The hearing coordinator will forward the hearing officer's report promptly to the Parties, the Title IX Coordinator, and the student conduct administrator, usually within 15 Working Days of the close of the hearing.

If no violation is found, the hearing coordinator will notify the Parties of their appeal rights. The campus president (or designee) will also be notified.

If a violation is found, the Parties may submit to the hearing coordinator an impact statement or other statement regarding discipline. The statement may not be more than 2000 words in length and will be submitted no later than 5 Working Days after the hearing officer's report is sent to the Parties. The statement 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 the Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors no later than 5 Working Days after the hearing officer's report is sent to the Parties.

Within 5 Working Days after receiving and considering the statements described above, the hearing officer will submit the hearing officer's report to the president (or designee), including recommended sanctions (as defined in Executive Order 1098 Student Conduct Procedures) if a Respondent has been determined to have violated University Policy.

Within 10 Working Days of receipt of the hearing officer's report, the president (or designee) will review the Investigation Report and the hearing officer's report and issue a decision concerning the appropriate sanction. The president may impose the recommended sanctions, adopt a different sanction or sanctions, or reject sanctions altogether. If the president adopts a sanction other than what is recommended by the hearing officer, the president must set forth the reasons in the Decision Letter. The president will simultaneously send the decision letter electronically to the Respondent and Complainant. The decision will also be sent to the student conduct administrator and the hearing officer. Unless the campus and Parties are notified that an appeal has been filed, the president's (or designee's) sanction decision becomes final 11 Working Days after the date of the decision letter.

Sanctions

Discipline for Employees includes, but is not limited to, suspension, demotion, and termination of employment. Employees disciplined by the University may be entitled to additional processes as required by law and/or collective bargaining agreements, including in some cases the right to a hearing before an independent arbitrator or a state agency where the employee may contest the discipline.

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

- **Restitution.** Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
- **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, canceled or denied.
- **Educational and Remedial Sanctions.** Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities and sororities), and/or University events, or other remedies intended to discourage similar misconduct or as deemed appropriate based upon the nature of the violation.

- **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.
- **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.
- **Suspension.** Temporary separation of the student from active Student status or Student status.
 - A Student who is suspended for less than one academic year shall be placed on inactive Student (or equivalent) status (subject to individual Campus policies) and remains eligible to re-enroll at the University (subject to individual Campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.
 - A Student who is suspended for one academic year or more shall be separated from Student status but remains eligible to reapply to the University (subject to individual Campus application policies) once the suspension has been served. Conditions for readmission may be specified.
 - Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.
- **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.

Appeals

A written appeal may be submitted to the Chancellor's Office no later than 10 Working Days after the date of the decision letter (Track 2) or notice of investigation outcome (Track 3). 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 Chancellor's Office. A written appeal may not exceed 3,500 words, excluding exhibits. Appeals will be submitted to:

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

The Chancellor's Office will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the campus Title IX Coordinator/DHR Administrator. 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 response will be limited to 3,500 words, excluding exhibits. Any response to the appeal received by the Chancellor's Office will be provided to the appealing Party for informational purposes only.

The Chancellor's Office will not conduct a new investigation; however, the Chancellor's Office may make reasonable inquiries to determine if the new evidence could have affected the investigation or hearing determination. On appeal, the Chancellor's Office does not reweigh the evidence, re-decide conflicts in the evidence, or revisit determinations made by the Investigator or hearing officer about the credibility or reliability of witnesses and the Parties. The Chancellor's Office appeal response will include a summary of the issues raised on appeal, a summary of the evidence considered, the Preponderance of the Evidence standard, and the determination(s) reached regarding the issue(s) identified within the written appeal. A copy of the final Chancellor's Office appeal response will be forwarded to the Complainant, the Respondent, and the Title IX Coordinator/DHR Administrator.

If the Chancellor's Office review determines that an issue raised on appeal would have affected the investigation outcome or hearing outcome, the investigation or hearing will be remanded back to the campus and the investigation or hearing reopened at the campus level. The Chancellor's Office will return the matter to the campus and will specify in writing the timeline by which a reopened investigation or hearing must be completed. The Chancellor's Office will notify the Parties of the reopening of the investigation or hearing and the timeline for completion of the reopened investigation or hearing. The campus will complete the reopened investigation or hearing and provide the Chancellor's Office with an amended final investigation report/final decision. The campus will also provide the Parties with amended notices of investigation outcome/final decision, and such notices will provide the non-prevailing Party the opportunity to appeal. Upon receipt of the amended final investigation report/final decision, if the outcome remains unchanged, the Chancellor's Office will contact the original appealing Party to determine whether that Party wishes to continue with the appeal. If the outcome is reversed by the campus, the non-prevailing Party will be given an opportunity to appeal.

If the Chancellor's Office determines that no reasonable fact finder (Investigator or hearing officer) could have made the findings as determined by the Investigator or hearing officer, the Chancellor's Office may vacate and reverse the investigation or hearing outcome, but only with respect to whether the Policy was violated (and not with respect to factual findings). If the Chancellor's Office vacates and reverses the investigation or hearing outcome, it will notify the Parties simultaneously in writing, as well as the Title IX Coordinator/DHR Administrator. Following a reversal of an investigation or hearing outcome by the Chancellor's Office, the Chancellor's Office decision is final and is not subject to further appeal. In the event that the final outcome has been reversed by the Chancellor's Office and a sanction will be imposed by the campus, both Parties have a right to appeal the sanction only. If a sanction is found to be objectively unreasonable, or arbitrary based on substantiated conduct, the matter will be sent back to the campus for reconsideration of the sanction.

The Chancellor's Office will respond to the appealing Party no later than 30 Working Days after receipt of the written appeal unless the timeline has been extended.⁸

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/>

Missing Student Notification Procedures for On-campus Student Housing Facilities

SSU will provide every student living in campus housing the opportunity and means to identify an individual, through the current housing management software, to be contacted in the event they are missing. This contact is confidential and strictly used for missing person purposes only, and is a separate contact from their emergency contact, but may be the same person. This information is directly entered by each student and is accessible by Residential Education and Campus Housing (REACH) staff. Every resident is notified of the missing student notification procedure as part of their housing confirmation and contract process.

If a member of the SSU community has reason to believe a student who resides in on-campus housing is missing, they should report the missing student immediately to Sonoma State Police by calling (707) 664-4444 or 911 if the person is in immediate danger. SSPD will receive the report and give priority to its handling pursuant to California Penal Code section 14211(a).

A member of the University community may also make the report to REACH professional staff, housing Area Coordinators, Resident Assistants, student health staff, Athletics coaches, trainers and staff members, Office of Student Affairs staff, faculty club and organization advisors, or the Dean of Students. Any University employee receiving report of a missing student should notify SSPD as soon as possible.

No waiting period exists before an officer or the specified individuals will take a missing person report. A student is considered missing when his or her whereabouts are unknown and knowledgeable persons regard the disappearance as unusual or uncharacteristic. All reports of missing students should be made without delay. Missing persons reports should be forwarded to SSPD as soon as possible but shall be reported to law

⁸ The Chancellor's Office has discretion to extend the timelines for the appeal process for good cause or for any reasons deemed to be legitimate by the Chancellor's Office. This includes the time for filing an appeal, the time for a reopened investigation or hearing to be completed, and the time for the Chancellor's Office to respond to the appeal. The Chancellor's Office will notify the Parties and the Title IX Coordinator of any extensions of time granted pertaining to any portion of the appeal process.

enforcement within 24 hours of when the student's whereabouts were unknown, unless it was law enforcement who made the determination that the student was missing.

SSPD, in accordance with all applicable Federal and State laws, shall investigate all reports of missing students in accordance with department policy and state law. If, upon being reported to SSPD, the student is not located during the initial investigation, or if extenuating circumstances exist (e.g., the student is missing for a full 24 hours), the Dean of Students, or their designee, will contact the student's designated missing person contact(s). If the student is under 18 years of age and not emancipated, the Dean of Students, or their designee, will notify the custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student. In all missing student situations, local and other relevant law enforcement agencies, as determined by SSPD, will be notified by SSPD of its determination that the student is missing within 24 hours.

Fire Safety Report

The 2021 Fire Safety Report is available at the following link: <https://housing.sonoma.edu/resources/fire-safety>.

Appendix A: Jurisdictional Definitions

- [Rape \(CA Penal Code Chapter 1 Section 261\)](#)
- [Sodomy \(CA Penal Code Chapter 1 Section 286\)](#)
- [Oral Copulation \(CA Penal Code Chapter 1 Section 287\)](#)
- [Bigamy, Incest, and the Crime against Nature \(CA Penal Code Chapter 1 Section 289\)](#)
- [Fondling \(CA Penal Code Chapter 9. Section 243.4, Assault and Battery\)](#)
- [Statutory Rape \(CA Penal Code, Chapter 1, Section 261.5\)](#)
- [Incest \(CA Penal Code, Chapter 1, Section 285\)](#)
- Abuse: (CA Family Code, [6203 \(definitions\)](#) and [6211](#))
- Domestic Violence/Dating Violence (CA Penal Code, [Chapter 2, Section 273.5](#) and [Section 243](#))
- [Stalking \(CA Penal Code, Chapter 2, Section 646.9\).](#)
- [CA Penal Code, Chapter 2, Section 653m](#)
- [Consent to Sexual Activity \(CA Penal Code, Chapter 1, section 261.6\)](#)