



**Jeanne Clery Act**  
**2016 ANNUAL SECURITY REPORT (ASR)**

Campus Security and Crime Statistics  
For 2013-2015

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California State University - East Bay

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## 1. Jeanne Clery Act – Annual Security Report (ASR)

California State University, East Bay endeavors to provide a safe, secure and orderly campus environment conducive to the successful pursuit of educational opportunities and accomplishments. In accordance with this goal, the campus-wide ASR team, which includes staff from Student Conduct, Residential Life, Title IX, Athletics, Confidential Advocate, Compliance and Internal Control and the University Police Department, prepares the ASR to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (the Clery Act).

As required by the Clery Act, the campus-wide ASR team collects and analyzes Clery crime statistics from their respective areas, as well as Campus Security Authorities (CSAs) and UPD's daily crime log. CSUEB's Clery "geography" includes campus locations, including on-campus student housing, off-campus property either owned or controlled by the University, and public property immediately adjacent to the campus. Responsibility for preparing, compiling and submitting the Annual Security Report is the responsibility of the University Police Department Administrative Manager. All local police agencies, where CSUEB property is located or nearby, provide statistics for the property and a radius around the property, as requested by the UPD Chief of Police.

Information about the Clery Act may be obtained by accessing the website for The Clery Center for Security on Campus at <http://www.clerycenter.org>. CSUEB is a collaborative member of the Clery Center for Security on Campus.

### 1.1 Obtaining the Annual Security Report (ASR)

Currently enrolled students are sent an e-mail by the University Registrar annually in late September which contains a link to the ASR webpage. The ASR contains University crime statistics and other relevant safety/security information.

The Annual Security Report is a link located on the UPD's website at:

<http://www.csueastbay.edu/af/departments/upd/files/pdf/2016-Annual-Security-Report.pdf>.

Students, Faculty and Staff are sent a campus communique in October with notice that the ASR is available and a direct link to the report. Faculty and staff members are also provided a link to the ASR annually each October on their pay warrant. The Human Resources Department provides the ASR disclosure report information to all CSUEB prospective employees as part of every job application posting.

Upon request, a paper copy of the report may also be obtained at the UPD, Library Building, Room #1063, by calling (510) 885-3791, or by emailing us at [upd@csueastbay.edu](mailto:upd@csueastbay.edu).

Written campus policies relating to campus safety and security may be viewed at the Office of the Vice President of Student Affairs, Student Services and Administration Building, Room #4000, or by telephoning (510) 885-3646.

## 1.2 Fire Safety Report

The University publishes a separate annual Fire Safety Report, which can be found at: <http://www.csueastbay.edu/af/departments/upd/files/pdf/2016-Annual-Fire-Report.pdf>. The Fire Safety Report statistics are specific to on-campus student housing facilities – Pioneer Heights and University Village. Upon request, a paper copy of the report may also be obtained at the UPD, Library Building, Room #1063, by calling (510) 885-3791, or by emailing us at [upd@csueastbay.edu](mailto:upd@csueastbay.edu).

## 1.3 Campus Security Authorities

A Campus Security Authority (CSA) is a campus employee, volunteer, or other official with significant responsibility for campus and student activities. A CSA has responsibilities under the Clery Act to report information for timely warnings and campus crime statistics.

CSA training is mandatory for all CSAs and is designed to educate and inform them of their responsibilities as a CSA under the Clery Act regulations. In addition to police officers and certain administrators, faculty and other staff that have significant responsibilities for student activities are all designated as CSAs. California State University East Bay has identified the following groups or individuals as CSA:

- The University Police Department and its employees including officers, dispatchers, Community Service Officers and student service officers (SSOs),
- Any Individual(s) who have responsibility for campus security but are not a member of the University Police Department including Parking Employees, other non-university police department employees or other outside security personnel that are contracted by the university to provide security at campus events or activities.
- Any official of the University who has a significant responsibility for student and campus activities.
- All resident advisors (RAs) in student housing
- The Director of Athletics and All athletic coaches, for all sports
- Director, Student Life and Leadership Programs
- Coordinators of “Greek” clubs and affairs
- Director of Campus Health / Counselling Center

- Faculty and staff advisors for “Greek” clubs
- Faculty and staff advisors for academic and social clubs
- Title IX Coordinator
- Student Conduct, Rights and Responsibilities (SCRR) staff

When a campus security authority receives crime information that he/she believes was provided in good faith, (little or no reason to doubt the validity of the information) the CSA has the duty to immediately report the crime information to UPD by calling (510) 885-3791 or dialing 911 in an emergency.

## **2. A Message from the University Police Chief**

On behalf of the men and women of the California State University East Bay Police Department (also known as the University Police Department – UPD), I am pleased to extend you an opportunity to partner with us in the shared process of enhancing and preserving the quality of life in our community. We are excited about the possibility of collaboratively working with you in this very important venture and have aligned our professional ideals toward the attainment of this goal.

*Sheryl Boykins, Chief*

## **3. The University Police Department**

### **3.1 Vision**

Our vision is to be nationally recognized as a premier university law enforcement agency. Our vision will be realized via the use and adaptation of law enforcement best practices, including but not limited to, proactive collaboration with all facets of the community to provide a safe and secure campus environment.

### **3.2 Mission**

Our mission is to provide the University community with a safe, secure environment in which to learn, live, grow, work and play. We will accomplish our mission by partnering and collaborating with the community, by providing services in a professional, courteous manner, and by affording dignity and respect to each individual we encounter.

### **3.3 Philosophy**

University Police Department Personnel are committed to a service philosophy of "Community Oriented Policing and Problem Solving" (COPPS). Recognizing that the Department's mission is best attained through community involvement, employees are collectively committed to nurturing collaborative partnerships with individuals, groups and departments in the responsibility of:

- Identification and resolution of safety and security concerns.
- Development of safety and security resources, and service initiatives.
- Delivery of efficient, effective and relevant public safety and security services and training.

### **3.4 Statutory Authority**

The UPD is a professionally trained department established pursuant to Section 89560 of the Education Code to meet the public safety requirements of the campus community. University police officers are sworn police officers as established by Section 830.2(c) of the California Penal Code. They have the same responsibilities and powers of arrest as any other peace officer in the State of California.

Our primary jurisdiction is the campus and a radius of one mile beyond campus borders. By a written memorandum of understanding (MOU) with the City of Hayward and Concord, our police officers may also enforce Federal, State, and local laws in the cities of Hayward and Concord.

### **3.5 Where to Find Us**

#### ***3.5.1 Hayward Campus***

Our Hayward Campus office is located on the basement level of the Library Building, at the Library Loading Dock, Room 1063. The Hayward office may be contacted by calling 9-1-1 (for emergencies) or extension 53791 from campus phones, or 9-1-1 (for emergencies) or (510) 885-3791 from payphones and off-campus phones.

The UPD is available to respond to all requests for police services on the Hayward campus, 24 hours a day, 7 days a week, 365 days a year.



**Emergency: Call 9-1-1**

<b>Hayward Campus Non-Emergency Public Safety Services</b>		
<b>Hayward Campus</b>	<b>On-Campus Phones</b>	<b>Off-Campus</b>
Police Business	53791	(510) 885-3791
Safety Escort Service	53791	(510) 885-3791
Crime Prevention	53791	(510) 885-3791
Lost and Found	53791	(510) 885-3791

**Off campus:** Hayward Police Department: (510) 293-7000

**3.5.2 Concord Campus**

Our Concord Campus office is located in the main lobby of the Facilities Operations Building. This office may be contacted by calling 9-1-1 (emergencies) or extension 26737 from campus phones, or (925) 602-6737 from pay phones and off-campus phones. This campus has limited police coverage.

**Emergency: Call 9-1-1**

<b>Concord Campus Non-Emergency Services</b>		
<b>Concord Campus</b>	<b>On-Campus Phones</b>	<b>Off-Campus</b>
Police Business	26737	(925) 602-6737
Safety Escort Service	26737	(925) 602-6737
Crime Prevention	26737	(925) 602-6737
Lost and Found	26737	(925) 602-6737

**Off Campus:** Concord Police Department (925) 671-3232

**3.5.3 Oakland Center**

Because of its remoteness from the CSUEB campus, the Oakland Center is monitored by the Oakland Police Department. Any emergencies or calls for service should be directed to the Oakland Police Department:

## **Oakland Police Department**

455 7th Street

Oakland, CA 94607

Emergency: 9-1-1

Non-Emergency: (510) 777-3333

## **4. The University Police Department Services**

### **4.1 Special Services**

The University Police Department offers a variety of services and programs to help promote the personal safety needs and the security of the community. These services are extended to all members and guests of our campus community. Some of our services are listed below:

#### ***4.1.1 Crime Prevention and Safety Services***

The Department offers a variety of crime prevention programs and services. All of these programs may be tailored to individual or group needs. Specially trained personnel are available to students, staff, faculty or other community members. Personal safety, property security, security surveys and information regarding crime statistics are only a few of the programs and services available.

#### ***4.1.2 Safety Escort Service***

Safety escort services are available to students, staff, faculty and visitors, subject to Department personnel availability. When you are ready to be escorted, simply give us a call and a Department member will safely escort you to your on-campus destination. You may call the Department from any courtesy phone, office phone, payphone, or the conveniently located "call boxes" (call boxes have a blue flashing light above them so that they can be easily seen and located).

#### ***4.1.3 Battery Failure***

If your vehicle will not start due to battery failure, the Police Department will assist with contacting your emergency road-service provider. If you do not have emergency road service, personnel may respond to your location and provide vehicle "jump" services.

#### **4.1.4 Found Property**

The Department is designated as the official campus location for receipt and storage of found property. To inquire about an item lost on campus, please contact the Department in person or by telephone.

#### **4.1.5 Fingerprinting**

The Department provides fingerprint (LIVESCAN) services at a nominal fee for the public between the hours of 9 a.m. and 4 p.m., Monday through Thursday and 9 a.m. to 1 p.m. on Friday.

#### **4.1.6 Rave Guardian**

The University Police Department encourages students, staff and faculty to download the Rave Guardian mobile application. This application is available to both Android and IOS users. This application incorporates several safety features which may be helpful to students:

**Safety Timer:** Students can identify University Police, friends, roommates or family as “Guardians” when using the safety timer feature. Once a timer is set, their “Guardian” will get notified if they do not deactivate the timer in the time specified by the user. In the case that the user selects the University Police to be their Guardian, UPD will be automatically provided a safety profile to be used to check on the user.

**Tip Texting:** This mobile application will allow the user to send in text messages directly to the University Police Communications Center.

**Safety Profile:** Students create a safety profile that can contain information such as residence details and medical conditions. When a student calls for assistance using the app, University Police or other Smart911 enabled 911 centers will automatically be able to review their safety profile.

**One Touch Dialing:** Calling the University Police Communications Center has never been easier. With the “Call Campus Safety” option in the application, users will automatically be connected with UPD and the mobile application will provide location information to help locate the caller.

## **4.2 Interagency Cooperation**

The UPD has MOU (Memorandum of Understanding) agreements with the Hayward Police Department (Hayward Campus) and the Concord Police Department (Concord Campus) for the interagency provision of routine and emergency public safety services to these campuses. Additionally, the

California State University (CSU) system operates a Critical Response Unit (CRU) that is composed of police officers from various campuses throughout the CSU System. Officers will respond in emergency situations that require additional staffing or specialized skills.

### **4.3 Monitoring of Off-Campus Crime Statistics**

All off-campus property owned by CSUEB is monitored and patrolled by the agencies in which they reside. All relevant crime statistics for off-campus properties are forwarded to or retrieved by the UPD.

## **5. Reporting Crimes and Emergencies**

All members of the CSUEB community are strongly encouraged to immediately report all criminal activity, occurring on or immediately adjacent to the campus, to the University Police Department. University police will respond promptly and in a manner appropriate to each incident. For purposes of inclusion in the Annual Security Report and for timely warning evaluation, incidents should be reported to the University Police Department or a Campus Security Authority. For crimes occurring at off-campus locations including the universities non-campus property, the law enforcement agency with jurisdiction in that area should be contacted. Police services for non-campus properties are the responsibility of the local law enforcement agency in that area

Your report may prevent someone else from becoming a victim. Reporting criminal incidents or emergencies and requests for police services, may be initiated by an in-person visit to our office or by a telephone call. For emergencies dial 9-1-1. If calling from a call box, simply open the door and push the red button inside.

The University encourages the reporting of all campus criminal activity directly to the University Police Department; however, in some instances members of the campus community may feel more comfortable reporting criminal activity to a Campus Security Authority (CSA) other than the police department. For Clery purposes, a crime is considered “reported” when it is brought to the attention of a Campus Security Authority by anyone (victim, witness, offender, second/third party) whether or not they are affiliated with the university

Individuals who would not meet the criteria for being campus security authorities include faculty members who do not have any responsibility for student and campus activity beyond the classroom, clerical staff and cafeteria staff. A physician in a campus health center or a counselor in a counseling center whose only responsibility is to provide care to students is unlikely to have significant responsibility for student and campus activity.

Exemption: Per Clery, licensed professional mental health/pastoral counselors are not required to report; however they should inform persons they are counseling of the procedures to voluntarily report crimes and/or the procedures that would allow for the counselor to file a statistical report with the police department (see “Confidential Reporting”).

**Pastoral Counselor:** A person who is associated with a religious order or denomination is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. [Clery Handbook, pg. 77]

**Professional Counselor:** A person whose official responsibilities includes providing mental health counseling to members of the institution’s community and who is functioning within the scope of his/her license or certification. [Clery Handbook pg.77]

When a campus security authority receives crime information that he/she believes was provided in good faith, (little or no reason to doubt the validity of the information) the CSA has the duty to immediately report the crime information to UPD.

- If the victim survivor does not want to “report” the crime to the police department, the CSA must advise him/her that for statistical purposes, you are required to report the incident but can do that without disclosing any personally identifying information.
- Do not attempt to convince or force the crime victim to make a report to the police department.

A CSA is not responsible for authoritatively determining whether a crime actually took place, such a determination is the function of law enforcement.

## 5.1 Emergencies

To report all police, fire, or medical emergencies, or when facing immediate harm or threat dial 9-1-1. Prompt and accurate reporting of emergencies is essential for effective response by police and/or other emergency personnel. It is important to provide the following information:

1. Exact location
2. Nature of the emergency
3. Injuries or medical issues
4. Number of people involved
5. Description of involved parties and/or vehicles

## 5.2 Policy for the Reporting of a Missing Student or Employee

It is the policy of CSUEB to investigate any report of any missing person or student, including those living in on-campus housing (Pioneer Heights and University Village). All students residing in campus housing are requested to complete an Emergency Contact form upon completing their License Agreement. The License Agreement is collected in advance of the student checking in to University residences. The student is asked to provide the name and contact number of the individual(s) who is to be contacted in the event of an emergency. This contact information is confidential and may not be disclosed, except to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation.

If a member of the University community has reason to believe that a student or employee is missing, he or she should immediately notify the University Police Department at (510) 885-3791. All appropriate efforts will be made to locate the student or employee to determine his or her state of health and well-being through the collaboration of the UPD and relevant campus departments.

If upon investigation by the UPD the student is determined missing, staff from UPD and/or Student Affairs will contact the resident's designated emergency contact within 24 hours. For any non-emancipated student under the age of 18, CSUEB will notify a custodial parent or guardian, in addition to any other individual designated on the emergency contact form, within 24 hours of the UPD determining that they are missing. University Police will continue to investigate, utilizing the following procedures in collaboration with relevant campus departments such as campus housing staff and local law enforcement agencies.

Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14205). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation.

Officers or other employees conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

1. Respond to a dispatched call for service as soon as practicable.

2. Interview the reporting person and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
3. Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
4. Broadcast a Be on the Look-Out (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 or may be at risk (Penal Code § 14205).
5. Ensure that entries are made into the appropriate missing person networks as follows:
  - a. Immediately, when the missing person is at risk.
  - b. In all other cases, as soon as practicable, but no later than two hours from the time of the initial report.
6. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
7. Collect and/or review the following:
  - a. A photograph and a fingerprint card of the missing person, if available.
  - b. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - c. Any documents that may assist in the investigation, such as court orders regarding custody.
  - d. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
8. When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.
9. Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report.

As soon as reasonable under the circumstances (within 24 hours), notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14205).
10. Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
11. Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known (Penal Code § 14205).

### 5.3 Non Emergencies

Incidents, police reports, and general safety and security issues that do not require an emergency response should be reported directly to the Police Department using the non-emergency telephone number (510) 885-3791 or extension 53791.

Students are encouraged to report any problems with the campus environment to the Environmental Health & Safety Department, Facilities Operations Department, or the UPD.

### 5.4 Confidential Reporting of Crime

If you or someone you know has become a victim of a sexual violence, on or off campus, there are several options for reporting and obtaining services:

- Go to a safe place.
- Contact the UPD or local police department (if off campus).
- Contact someone you trust to be with you or ask the police department dispatcher to do so for you.
- Contact the Student Health and Counseling Center for confidential services.
- Contact the campus Confidential Advocate.
- Contact the campus Title IX Coordinator.
- All of the below personnel can assist with arranging for forensic and medical services as appropriate. UPD can also accept a report in confidence, through a third party, or anonymously, upon request.
  
- **University Police**  
25800 Carlos Bee Blvd. Hayward, California 94542  
Dispatch (510)885-3791 | Anonymous line (510) 885-2444
  
- **Student Health and Counseling Services**  
25800 Carlos Bee Blvd. Hayward, California 94542  
SHCS 1209 (between KPE and the Library)  
(510) 885-3735 | [shcs@csueastbay.edu](mailto:shcs@csueastbay.edu)
  
- **Title IX Coordinator**  
Ms. Terri LaBeaux  
Risk Management and Internal Control  
25800 Carlos Bee Blvd. SA 4700, Hayward, California 94542  
(510) 885-4918 | 8:30 a.m. – 5 p.m.



The California State University, East Bay Police Department accepts reports of criminal activity in confidence. UPD accepts reporting from anywhere on campus you feel comfortable, however, pursuant to Executive Order 1095, if the crime is regarding a sexual violence offense, only certain individuals can keep the information you provide confidential. Most university employees are required to disclose the information to the campus Title IX Coordinator. The UPD and Student Health and Counseling Center will accept confidential and anonymous reports for inclusion in the annual statistical report. All other administrative offices will keep your information private, but must disclose it to the Title IX Coordinator. It is our goal to provide assistance wherever the report is made and to ensure that we include the appropriate crime information in our annual security report. Reports can be made to the Police Department by phone at (510) 885-3791.

Detailed reporting and response options for cases involving sexual and dating violence, including confidential and anonymous reporting, is found beginning on section 12.3.2 of this report.

## **5.5 Timely Warning**

The University endeavors to advise the CSUEB community of campus Clery crimes and Clery crime-related issues in a timely manner. If the Chief of Police or designee determines that a situation exists either on or off campus that constitutes a serious or continuing threat to the campus community, the University Police Department will issue a campus-wide “timely warning” notice. These situations will be analyzed on a case-by-case basis, and the Chief of Police or designee may consult with the Vice President of Administration and Finance/CFO and/or the AVP of University Communications, as needed. Names and other identifying information of victims will be withheld as confidential. It is our policy to disseminate these notices through a number of communication methods including, but not limited to: the AlertMe system, which generates automated text messages, emails, and phone messages to individual members of the campus community. In addition, University e-mail, University all-mail and mass-mail listservs are also utilized to communicate “timely warnings” rapidly.

## **5.6 Emergency Notification**

The University endeavors to ensure that the CSUEB community is notified when an emergency or dangerous situation exists which poses an immediate threat to the campus community, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Upon learning of an emergency, the on duty UPD supervisor will use all of the resources available to verify that the emergency exists.

It is the responsibility of the University Police Department to confirm any emergency situation or incident on or near the campus and in such cases initiate the emergency notification system. In order

to confirm an emergency, University Police will utilize all assets available including but not limited to local fire and police resources, security cameras, information from departments or personnel on campus and reports made to the dispatch center. Once verified and without delay, the on duty supervisor will notify the on duty dispatcher or other approved UPD employee to send out an emergency message using the AlertME system. The AlertME System is a web-based system which can be accessed from any web enabled computer. There are several emergency templates set up within the AlertME system to assist in the formatting the content of the emergency message including; Earthquake, Evacuation, Explosion, WildFire and Active Shooter.

Whenever practical, and if it can be done without delaying the notification, the Chief of Police or designee shall be consulted for assistance in developing the content for the message, ; however, to ensure the delivery of the message is immediate, there will be no requirement for chain of command approval before sending out emergency alerts. In any case, the Chief of Police or designee will be notified as soon as practical after the initial notification.

The initial message will share the nature of the emergency, which campus is affected and what immediate course of action should take place. Update messages will be sent out when significant information has changed or if the response to the emergency needs to be revised. Since CSUEB has multiple campuses used by students any emergency notification will be sent out to all students on all campuses.

The AlertMe system generates a text message, emails and phone messages based on the notification settings established by each student. At minimum, all emergency messages will be sent out as a text message.

UPD will send out another notification updating the CSUEB community that the emergency situation no longer exists.

## **5.7 Emergency Evacuation Procedures**

The manner in which CSUEB conducts emergency operations on campus is governed by State and Federal legislation. The ability to declare a campus State of Emergency is governed by CSUEB policy. The President has the authority to declare a State of University Emergency. Usually, such a declaration will be made upon the recommendation of the emergency operations center with the advice of the Chief of Police and other administrators. The CSUEB Emergency Operations Plan fulfills the University's responsibilities to adhere to the:

- Standardized Emergency Management System (SEMS).
- Incident Command System (ICS).

- National Incident Management System (NIMS).

The overall objective of emergency management is to ensure the effective management of response resources in preparing for and responding to situations associated with catastrophic emergencies. To carry out its responsibilities, the emergency operation center will accomplish the following objectives during an emergency/disaster:

- Support and coordinate emergency response and recovery operations.
- Coordinate and work with appropriate federal, state, and local government agencies, as well as applicable segments of the private sector, monitor resource needs and coordinate requests for resources from outside agencies and jurisdictions.
- Establish priorities and resolve any conflict demands for support.
- Prepare and disseminate emergency public information to alert, warn, and inform the campus
- Collect and disseminate damage information and other essential data about the situation. Fulfill our obligation for intelligence gathering and information flow as described in SEMS, NIMS, and other procedures.
- Provide logistical support for the emergency response.

In a campus-wide emergency, the decision to implement evacuation procedures rests with the emergency operations center, if the emergency operation center is activated. In situations requiring immediate action, public safety responders (Police/Fire) can also order a local area evacuation. When evaluating possible evacuation, consideration will be given to the specific threat (bomb, fire, storm, earthquake, explosion, hazardous materials incident, etc.), its context (time of day, likelihood, etc.), and the recommendation of the public safety officials. In a major earthquake, individuals should “duck, cover, and hold” until the shaking stops, and then evacuate the building if necessary. The procedures for a campus-wide evacuation will vary, depending on the nature of the event. In all cases when the decision has been made to evacuate, the campus will likely be evacuated in stages, beginning with the areas that are in the immediate vicinity of the threat. Other areas may then be evacuated, depending on the nature of the threat. This graduated evacuation is preferable to a total, immediate evacuation, as it triages the populations most in danger, minimizes likelihood of gridlock and congestion, and provides for ingress of emergency vehicles and personnel. In all cases, evacuees would be directed away from the vicinity of the threat.

The emergency operations center will initially focus on the dissemination of information and instructions to the people at risk on the campus. For some hazards the campus may have only a few minutes to alert those at risk. Pre-scripted information may go out with the initial warning. These messages will be followed up with what is happening, what the response organization (police, fire, etc.) is doing, and what else the campus should do for its safety. The emergency operation center will feed

preparedness information into an established media-public link, and give updates to the media and the campus after impact. If, in the professional judgment of responsible authorities, a notification would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency, a notification will not be issued.

Following is a list of various methods of notification to the larger campus community:

- a. All-Mail Email Listserv.
- b. Bulk email of notification messages to campus population that reaches faculty, staff and students.
- c. "Alert Me" (Emergency Notification Messages).
- d. Voice/Email/Text Messaging Text messaging of faculty, staff and students through a private vendor utilizing voice/email/text messaging to faculty/student and staff through an opt out system.
- e. Closed Circuit Televisions - Television screens in several University buildings can be used to inform of immediate or future conditions affecting the campus community.
- f. Social Media.
- g. Long Range Acoustical Device (LRAD).
- h. Variable Message Boards.

The approval level of emergency notifications will be time-dependent and determined by the incident. Authorization to send campus-wide notifications will be provided from the highest level listed below as circumstances permit. Notifications involving immediate life safety issues may need to be sent on short or no notice without full authorization.

- a. Executive Management Team and/or President.
- b. Vice President of Administration and Finance or designee.
- c. Chief of Police and/or Environmental Health & Safety Director or designees.
- d. On Duty Police Lieutenant/Supervisor.
- e. Incident Commander.

## 5.8 Evacuation Drills

Training, drills, and exercises are conducted in a no-fault learning environment wherein systems and processes, not individuals, are evaluated. An After Action Report will be written after a training, exercise and/or drill. The After Action Report results will provide an opportunity to identify weaknesses, enhance strengths and improve capabilities. In addition to educating the occupants of the

building about the evacuation procedures during the drills, the process also provides the university an opportunity to test the operation of the fire alarm system components. Drills may be announced or unannounced and after action and corrective action reports which are designed for assessment and evaluation of emergency plans and capabilities are completed after each drill. CSUEB will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Because CSUEB tests emergency plans, skills, resources, and relationships in response to a dynamic homeland security environment, drills and/or exercises may result in multiple findings and recommendations for improvement. The CSUEB emergency coordinator will ensure CSUEB employees are aware of this plan, and are trained to the levels required by the guiding directives in SEMS and relevant national plans. Current training requirements include ICS (ICS 100, ICS 200), SEMS, and NIMS (IS 700) as required by State and Federal guidelines. The emergency coordinator will inform CSUEB Emergency Operation Center Staff of training opportunities associated with emergency management. Those with responsibilities under this plan must ensure their personnel are properly trained to carry out these responsibilities.

The schedule of training, drills, and exercises follows:

- **Campus Evacuation Drill:** Simulate day and night evacuation drills in an effort to ensure the safe evacuation and account for staff, faculty, students and the general public.
- **Frequency:** Campus drills are usually held in Fall and Spring

## 6. Registered Sex Offenders /Megan's Law Information

In 1995, a convicted child molester was arrested for the rape and murder of 7-year-old Megan Kanka in a New Jersey suburb. The offender lived across the street from the Kanka residence; however, the police department was prohibited from disclosing the presence of this child molester because the law did not allow for the release of sex-offender information to the public.

The law was changed to permit the release of this information to the public. On May 8, 1996, President Clinton signed the law, dubbed "Megan's Law," in remembrance of Megan Kanka. The Governor signed California's version of Megan's Law into effect on September 25, 1996. This law was implemented to allow potential victims to protect themselves and to allow parents to protect their children from sexual predators.

You may obtain information on sexual offenders living in the area by contacting:

**Hayward Police Department**

300 W. Winton Avenue  
Hayward, CA 94540  
Phone: (510) 293-7023

Records are available for review on Wednesdays from 9 a.m. – 11:30 a.m.; 1 p.m. – 4 p.m.  
appointment required.

**Alameda County Sheriff's Office – Eden Township Substation**

15001 Foothill Blvd.  
San Leandro, CA 94562  
Phone: (510) 667-7721

Records are available for review from Monday – Friday, 8:30 a.m. – 4:30 p.m.; no appointment  
necessary.

Additionally, sex offenders are required to register with the University's Chief of Police if he/she is  
enrolled as a student or is employed (in any capacity) on the campus or in any of its facilities. Any  
transient (person who has no residence) who is physically present on campus must also register with  
the University Chief of Police. You may view a list of registered offenders at the CSUEB Police  
Department by appointment only.

## **7. Access to Buildings**

Access to campus buildings is restricted during non-business hours. Campus buildings are opened by  
University custodians on weekdays at approximately 7a.m. and are secured at approximately 10 p.m.  
On weekends, buildings are opened and closed by department personnel for scheduled classes, events  
and by building pass, only. It is the responsibility of each staff and faculty member on campus to  
ensure that all doors allowing access to their offices, rooms and other areas are secured at the  
conclusion of their work day. The University Police Department will provide assistance as requested.  
We work closely with Facilities Planning and Operations on the maintenance of campus facilities. Their  
responsibilities include but are not limited to trimming shrubbery, repairing faulty/damaged doors and  
locking mechanisms. The University Police Department conducts frequent lighting and phone surveys  
which are forwarded to Facilities Planning and Operations for needed repairs.

## 8. On-Campus Housing

California State University, East Bay offers a multi-story apartment complex, Pioneer Heights, which provides on-campus housing for approximately 1,390 students. This 10-building apartment complex is located at 1901 Harder Road, Hayward, CA 94542. To meet the increased demand for student housing, an additional apartment complex, University Village, was leased effective July 15, 2014. It houses 163 students and is located at 25400 Carlos Bee Blvd., Hayward CA 94542, directly across from the entrance to the campus.

Security safeguards within our on-campus housing buildings include restricted access, guest registration, and security fencing around the buildings. Crime prevention programs include orientation workshops, individual floor meetings, and on-campus residential community-wide presentations and educational programs. See crime prevention tips and links on UPD's website:

<http://www.csueastbay.edu/af/departments/upd/police-services/crime-prevention.html>.

All University Housing staff members who work in on-campus housing undergo comprehensive training each quarter for both prevention and response regarding safety and security issues. As part of their responsibility for campus security, both student and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault, and community security. Professional Residence Directors and Student Resident Assistants, who are all members of the University Housing and Residential Life staff, live on campus and provide 24-hour staff coverage.

For safety and security purposes, student room doors should be locked at all times, even when occupied. Residents with automobiles may park them in Lot "C" after purchasing a quarter or daily permit. Most importantly, residents are reminded to observe building security procedures and to notify University Housing staff or the Police Department of any unfamiliar faces or unusual incidents within either the residence halls or apartments.

## 9. Student Organizations

The University does not have any non-campus properties that are owned or controlled by officially recognized student organizations, such as fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the University and student organizations are not recognized to engage in activity off-campus. Information regarding student organizations may be obtained by visiting the Student Life and Leadership office, located in the New Student Union, Room #2011, by telephoning (510) 885-3657, or by logging on to the Student Affairs website at <http://www20.csueastbay.edu/sa/>.



## 10. Hate Crimes

The University does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the United States Constitution are safeguarded for all persons regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs. Hate violence as defined in the statute means " any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group." Hate incidents should be immediately reported to the University Police Department or the Office of Student Conduct, Rights, and Responsibilities.

There were no reported hate crimes in 2013, 2014 or 2015 at either the Concord campus or the Oakland Center. There were no hate crimes reported for the Hayward Hills campus in 2013 or 2015. However, two hate crimes were reported on campus in 2014; both crimes were intimidation with a one with a bias based on ethnicity and the other with a bias based on sexual orientation.

## 11. Preventing and Responding to Sexual Violence

California State University East Bay does not discriminate on the basis of sex, gender, including gender identity or expression, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender from sex discrimination, including sexual harassment, sexual misconduct, including sexual assault, dating or domestic violence, and stalking.

The University seeks to provide an education environment in which students, faculty, and staff work together in an atmosphere free of sexual misconduct, including sexual assault, sexual harassment, dating violence, domestic violence and stalking. Every member of the University community shall be aware that sexual misconduct, and/or acts of violence with a sexual nature directed toward another person will not be tolerated and are prohibited by federal and state law and University policy. As members of the University community, student shall comply with University policies and guidelines in addition to federal, state, and local laws whether on or off campus. The University will discipline persons identified as responsible for sexual misconduct dating or domestic violence, or stalking as described in this report and university policy. In an ongoing effort to prevent sexual misconduct, dating violence, domestic violence and stalking, the University provides education and prevention programs, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course loads, campus housing



changes, work assignment assistance, stay away orders, leaves of absence, and more. The University also provides information to victims on pursuing criminal action and obtaining protective orders if needed. University officials who are responsible for investigating and/or adjudicating cases of sexual misconduct, dating violence, domestic violence and stalking receive annual training for compliance with federal, state and CSU system regulations.

The University is committed to empowering victims of sexual misconduct, dating violence, domestic violence, and stalking by providing ample supportive services and encouraging their choice of action, regardless of their decision to seek criminal prosecution of offender(s). If requested by the victim, University personnel will assist the victim in notifying the appropriate law enforcement authorities.

### **Reporting Options**

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

### **Criminal**

Reporting to the University police and/or local police is an option at any time. Victims who choose not to report to the police immediately following a sexual misconduct, dating and domestic violence, or stalking incident, can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim's behalf.

### **Reporting to a CSA**

Any member of the University community may report incidents of sexual misconduct, dating violence, domestic violence or stalking to any campus security authority (CSAs). These University personnel will assist the victim in notifying the appropriate law enforcement agency if the victim requests the assistance of law enforcement. In addition, most campus employees including CSAs are required to report incidents of sexual misconduct, dating violence, domestic violence and stalking to the Title IX coordinator. Title IX coordinator's reporting responsibilities are described in detail below.

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

## 11.1 The Importance of Preserving Evidence

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

If you already cleaned up from the assault, you can still report the crime, as well as seek medical or counseling treatment. You may consult with the campus Title IX Coordinator, the campus Confidential Advocate or a local sexual assault victim resource center for assistance as well.

## 11.2 Definition of Terms as Outlined by CSU Executive Order 1097

**Sex Discrimination** is an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act California Education Code § 66250 et seq; California Education Code 11135. See also Title VII of the civil rights act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code 12940 et seq.), and other applicable laws. Persons of all genders and gender identities can be victims of sex discrimination.

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

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

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

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

Sexual harassment also includes acts of verbal, nonverbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

The University's policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to sexual harassment or sexual misconduct, including dating or domestic violence, or stalking, subject to University policy.

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

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

**Sexual Violence** is a form of sexual harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex), perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor or disability. Sexual violence may include physical force, violence, threat,

or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).

Men as well as women can be victims of these forms of sexual violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

**Sexual Assault** is a form of sexual misconduct, an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

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

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

**Acquaintance Rape** is a form of sexual misconduct committed by an individual known to the victim. This includes a person the victim may have just met or: i.e., at a party, introduced through a friend, or a social networking website.

**Statutory Rape** is non-forcible sexual intercourse with a person who is under statutory age of consent. (18 years old in California.)

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

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

- It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  - the respondents believe an affirmative consent arose from the intoxication or recklessness of the respondent;
  - The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

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

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

**Stalking** is defined as engaging in a repeated course of conduct directed at a specific person that would cause a reasonable person to fear for their own or others safety, or to suffer substantial emotional distress. For purposes of this definition:

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

- Reasonable person means a reasonable person under similar circumstances and with the same protected status(es) as the complainant;
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Protected status includes age, disability, gender, genetic information, gender identity or expression, nationality, marital status, race or ethnicity, religion, sexual orientation, and veteran or military status.

### **11.3 Procedures for Reporting a Crime Of Sexual Violence and/or Sexual Misconduct**

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

Persons who have experienced sexual misconduct including rape, dating violence, domestic violence, or stalking, are encouraged to seek immediate assistance from the police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a sexual assault victim advocate. Victims who prefer not to notify the police are strongly encouraged to seek assistance from the campus Title IX coordinator and/or a sexual assault victim advocate or counselor who can provide information on options, rights and remedies.

Victims have the right to decide who and when to tell about sexual misconduct, dating and domestic violence, and stalking. However, it is very important that they get medical attention after being assaulted. Following the incident, a victim may be physically injured, may have contracted a sexually transmitted disease, or may become pregnant.

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

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

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

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

### ***11.3.1 Voluntary Confidential Reporting***

Pursuant to California education code section 67380(a)(6)(A), CSAs who receive reports from employees or students of a Part 1 violent crime, sexual assault or hate crime that occurred in either a campus or non-campus location as defined by the Clery Act, may not disclose to University police or local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after being informed of the right to have personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

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



### ***11.3.2 Privileged and Confidential Communications***

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

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

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

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

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

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

### ***11.3.3 Reporting to University or Local Police***

As soon after the incident as possible, victims of sexual misconduct, dating violence, domestic violence, or stalking are strongly encouraged to report the incident to the police. Sexual misconduct, dating violence, domestic violence, or stalking may be reported to the University Police Department by dialing 911. The University police will support all victims of sexual misconduct, dating violence, domestic violence, or stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim. University police will protect the confidentiality of the victim to the extent permitted by applicable California State Law.

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

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

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

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

### ***11.3.4 Reporting to the Title IX Coordinator and Other University Employees***

#### **Administrative**

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

The Title IX coordinator will also provide information regarding resources available to victims as well as information regarding their rights and options. Contact information for the Title IX coordinator is listed in Section 11.6.1.

#### **Reporting to a Title IX coordinator or Responsible Employee**

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

with laws and policies related to sexual misconduct, dating and domestic violence, and stalking. The campus Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant complaint process, and rights to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

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

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

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

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request nor guarantee complete confidentiality. If a victim wishes to remain confidential or

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

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

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

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

The University will not generally notify parents or legal guardians of a sexual misconduct, dating violence, domestic violence, or stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

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

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

### **Non-Reporting**

Victims are strongly encouraged to report any incident of sexual misconduct, dating and domestic violence, or stalking to the police and/or campus Title IX Coordinator so that steps may be taken to protect them and the rest of the campus community. However, non-reporting is also an option.

### **Restraining Orders**

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

## **11.4 Educational Programs and Outreach**

In an ongoing effort to prevent sexual violence, dating violence, domestic violence and stalking, the University provides education and prevention programs, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course load, campus housing changes, work situation assistance, stay away orders, leaves of absence and more. The University also provides information to victims and survivors on pursuing criminal action and obtaining protective orders if needed. Men as well as women can be victims of sexual violence. University officials who are responsible for investigating and/or adjudicating cases of sexual and dating violence receive annual training for compliance with federal, state and CSU system regulations.

The following is a summary of educational programming and outreach activities:

**Freshman and Transfer Orientations.** All incoming students and their parents who attend orientation receive a presentation centered around awareness and prevention of on sexual violence, dating violence, domestic violence, rape, acquaintance rape, stalking, through consent, bystander intervention, healthy relationships, alcohol awareness, safety information, and the role of alcohol with violence, safety information and resources.

**“Not Anymore” Sexual Assault Prevention Training.** An interactive online module required for all students of CSEUB. The educational modules focus on awareness of sexual misconduct by defining consent sexual violence, dating violence, domestic violence, stalking, bystander intervention.

**In-Person Training.** Students who are in leadership roles including Resident Advisors, Student Service Officers, Peer Mentors, student athletes, Greeks, and others, receive in-person training on sexual assault awareness and prevention and bystander intervention.

**Associated Students, Inc.** ASI sponsors multiple events, workshops, and presentations throughout the academic year to promote education and awareness of sexual violence, dating violence, domestic violence, stalking, and bystander intervention.

**University Events.** The Title IX Coordinator disseminates information and collaborates with the University Police Department, ASI, and other departments to create awareness of and prevent sexual violence, dating violence, domestic violence, rape, acquaintance rape, and stalking.

**Title IX Website.** Our Title IX Website contains information and resources for the university community, including: CSU Executive Orders 1095 - 1098, Victim’s Rights and Options document, Myths and Facts document, information on risk reduction and protective measures, bystander intervention, on and off-campus resources, resources specific to faculty and staff, and links to training. See the Title IX website at <http://www.csueastbay.edu/af/departments/risk-management/risk/titleix/index.html>.

**Advocacy Services Website.** <http://www.csueastbay.edu/students/campus-life/shcs/advocacy-services/>

## 11.5 Civil Lawsuit

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

## 11.6 On and Off Campus Resources for Victims of Sexual Assaults

### 11.6.1 On Campus Resources

#### Hayward and Concord Campuses

- **Title IX Coordinator**  
Terri LaBeaux  
Risk Management and Internal Control  
25800 Carlos Bee Blvd. SA 1600, Hayward, California 94542  
Title9@csueastbay.edu  
(510) 885-4918 | 8:30 a.m. – 5 p.m.
- **University Police**  
25800 Carlos Bee Blvd. Hayward, California 94542  
Dispatch (510) 885-3791 | Anonymous line (510) 885-2444
- **Student Health and Counseling Services**  
25800 Carlos Bee Blvd. Hayward, California 94542  
SHCS 1209 (between KPE and the Library)  
(510) 885-3735 | [shcs@csueastbay.edu](mailto:shcs@csueastbay.edu)  
Monday – Friday, 8:30 a.m. – 5:30 p.m.  
[www.csueastbay.edu/shcs](http://www.csueastbay.edu/shcs)
- **Confidential Advocate**  
  
Caitlin Kauffman  
Health Center (HC) 1129  
(510) 885-3700  
[Caitlin.kauffman@csueastbay.edu](mailto:Caitlin.kauffman@csueastbay.edu)

### 11.6.2 Off-Campus Services

#### Hayward

- **Hayward Police Department**  
300 W. Winton Avenue, Hayward, CA 94544



(24-hrs emergency) 9-1-1 or (510) 293-7000

- **Bay Area Women Against Rape (BAWAR)**  
470 27th Street, Oakland, CA 94612  
24-hour hotline: (510) 845-7273 (RAPE)  
bawar@bawar.org | www.bawar.org
- **SFWAR – San Francisco Women Against Rape**  
San Francisco, CA 94110  
24-hour crisis line: (415) 647-7273  
info@sfwar.org [www.sfwar.org](http://www.sfwar.org)
- **Ruby's Place**  
Hayward, CA  
24-hour hot line (888) 339-SAFE (7233)  
<http://www.rubysplace.org/wp/>
- **A Safe Place**  
Oakland, CA  
Crisis Line (510) 536-SAFE (7233)  
<http://www.asafeplacedvs.org/>
- **The Men's Center for Counseling**  
2925 Shattuck Avenue Berkeley, CA 94705  
(510) 644-8262 | jsaah@igc.org  
<http://www.psychotherapist.com/menscenter/>
- **Sexual Assault Hotline** - (510) 757-8200
- **California Coalition Against Sexual Assault (CalCASA)** - (888) 922-5227

#### Concord

- **Concord Police Department** (24-hrs emergency) 9-1-1 or (925) 671-3232
- **Rape Crisis Center** (San Pablo) - (510) 237-0113
- **Rape Crisis Center** - (510) 236-7273

#### Oakland

- **Oakland Police Department** (24-hrs emergency) 9-1-1 or (510) 777-3211
- **Highland Hospital Sexual Assault Center** - (510) 437-4688
- **Bay Area Women Against Rape** - (510) 845-7273 (845-RAPE)

The University Police Department will assist any victim in notifying or obtaining victim services upon request.

## 12. Counseling Services

All registered CSUEB students are eligible to receive up to ten (10) free personal counseling sessions via the Student Health and Counseling Center per year during their college career. Depression, anxiety, difficulties in relationships, feelings of inadequacy, sexuality issues, and problems interfering with academic functioning are some of the concerns students often address through counseling. To make an appointment with a counselor, call the Student Health and Counseling Center office at (510) 885-3735. Individual, couples, and group counseling is available. Group counseling does not count against your ten (10) session limit. Both public safety officers and counselors have received training on threat assessment and Student Health and Counseling Center counselors consistently encourage their clients to report crimes to the UPD to prevent future crimes.

## 13. Policy for Campus Disciplinary Action in Sexual Violence Cases

The University has procedures that provide for an administrative investigation of reports of sexual misconduct, dating violence, domestic violence, or stalking, and written findings based on the preponderance of the evidence standard, provided to the complainant and respondent. Both the complainant and respondent may appeal written findings to the CSU Chancellor's Office, as well as the ultimate sanction for violation of CSU policy in student misconduct cases. The procedure for CSU employees and third parties is separate from but similar to the procedure for CSU students.

When a student or employee reports to the University that the student or employee has been a victim of sexual misconduct, dating violence, domestic violence or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options.

The investigation process from initial complaint to final result shall be prompt, fair, and impartial. The investigator will meet separately with the complainant and the respondent and other potential witnesses to gather information. The investigation shall be completed no later than 60 working days after the intake interview, unless the timeline has been extended. The timeline should not be extended for a period longer than an additional 30 working days from the original due date.

Before reaching a final conclusion or issuing a final investigation report, the Investigator shall have:

- a) advised the parties, or have offered to do so, verbally or in writing, of any evidence upon which the findings will be based; and,
- b) given the parties an opportunity to respond to the evidence, including presenting further relevant evidence, information or arguments that could affect the outcome. The investigator will not reach a final conclusion or issue an investigation report until giving careful

consideration to any such relevant evidence, information or arguments provided by the parties. The investigator retains discretion and authority to determine relevance.

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

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on sexual misconduct, dating violence, domestic violence, and stalking and how to conduct a hearing process that protects the victims and promotes accountability;
- Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Simultaneously inform the complainant and respondent in writing of:
  - the outcome of the disciplinary proceeding
  - the University's procedures to appeal the results of the disciplinary proceeding;
  - any change to the disciplinary results that occurs prior to the time such results became final; and
  - when disciplinary results become final.

### **13.1 Complaint Procedures**

The CSU has adopted and published the complaint procedures that provide for prompt, impartial, and equitable resolution of complaints of sex discrimination, including sexual harassment, sexual misconduct, including rape and sexual assault, domestic violence, dating violence, and stalking.

Regardless of whether an employee, a student or a third party ultimately files a complaint under the applicable complaint procedures, if the University knows or has reason to know about possible sex discrimination, sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking, it must review the matter to determine if an investigation is warranted. When warranted, all such investigations must be prompt, thorough and impartial. The University must then take appropriate steps to eliminate the sex discrimination, sexual harassment, sexual misconduct, domestic violence, dating violence, and/or stalking, prevent its recurrence, and remedy its effects.

### **13.1.1 Complaints Made by Students**

Executive Order 1097, entitled “System-wide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and System-wide Procedures for Addressing Such Complaints by Students” is the appropriate system-wide procedure for all complaints of sex discrimination, sexual harassment, sexual misconduct, sexual violence, domestic violence, dating violence, and stalking made by CSU students against the CSU, a CSU employee, another CSU student, or third party. Executive Order 1097 may be viewed at <http://www.calstate.edu/EO/EO-1097-rev-6-23-15.pdf>

### **13.1.2 Complaints Made by Employees, Former Employees, and Applicants for Employment**

Executive Order 1096, entitled “System-wide Policy Prohibiting Discrimination, Harassment, and retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and System-wide Procedures for Addressing Such Complaints by Employees and Third Parties” is the appropriate system-wide procedure for all complaints of sex discrimination, sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party.

Employees covered by collective bargaining agreement that provides a grievance procedure for raising allegations of sex discrimination or sexual harassment, including sexual misconduct, domestic violence, dating violence, and stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at <http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf>.

### **13.1.3 Complaints made by Student-Employees**

Executive Order 1096 is the appropriate system-wide procedure for all complaints of sex discrimination including sexual harassment, sexual misconduct, dating and domestic violence, and stalking, made by student employees where the alleged sex discrimination, sexual misconduct, domestic violence, dating violence, and stalking arose out of the person’s status as an employee and not their status as a student. Executive Order 1096 may be viewed at <http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf>.

### **13.1.4 Complaints made by Third Parties**

Executive Order 1096, entitled “System-wide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and System-wide Procedures for Addressing Such Complaints by Employees and Third Parties” is the appropriate system-wide procedures for all complaints of sex discrimination, sexual

harassment, sexual misconduct, domestic violence, dating violence, and stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party. Executive Order 1096 can be viewed at <http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf>.

## 14. Student Conduct

The following is a summary of the acts prohibited by Executive Order 1098 and Student Conduct Code of The California State University. The full text of the code is contained in Title V, Section 41301 of the California Code of Regulations and also in the appendix of the University Course Catalog. Each student is responsible for knowing and adhering to the code.

### 14.1 Summary of Conduct Prohibited by the Code

- Cheating or plagiarism
- Forgery, alteration or misuse of campus documents, records, or identification or furnishing false information to the university
- Misrepresentation of oneself as an agent of a campus
- Obstruction or disruption of the campus educational process or university function
- Actual or threatened physical abuse of any member of the campus community or his/her family members
- Theft of, or non-accidental damage to, campus property or property of another person.
- Unauthorized entry into, unauthorized use of, or misuse of campus property
- Sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes
- Possession or use of explosives, dangerous chemicals, or deadly weapons on campus property or at a campus function
- Engaging in lewd, indecent, or obscene behavior on campus property or at a campus function
- Abusive behavior directed toward, or hazing of a member of the campus community
- Soliciting or assisting another to do any act which would violate this code of regulations
- Violation of any order of a campus president, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the campus newspaper, or by posting on an official bulletin board designated for this purpose.

Any student of a campus may be expelled, suspended, placed on probation, or given a lesser sanction for violations of the code which occur on University premises, or at off-campus functions or programs sponsored by the University.

## **14. 2 Student Disciplinary Proceedings**

### ***14.2.1 Student Conduct Proceedings***

The Title IX coordinator (or designee) is responsible for investigating complaints of gender discrimination, harassment and retaliation, including sex discrimination and sexual harassment, as well as complaints of sexual misconduct, domestic and dating violence, and stalking. (See Executive Orders 1095, 1096 and 1097.) In accordance with Executive Orders 1096 and 1097, the Title IX coordinator investigates those complaints, determines whether the accused violated the applicable executive orders, and prepares a report that includes findings of facts conclusions about whether the applicable Executive Order was violated. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings.

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

### ***14.2.2 Notice of Conference***

Where the investigative report finds a violation of Executive Order 1096 or 1097 and any appeal has been exhausted, the report is referred to the student conduct administrator to initiate conduct proceedings. The student conduct administrator will offer to conduct pre-hearing conferences separately with the complainant and the respondent to review information concerning the charges, interim remedies, proposed sanctions or range of sanctions, the nature of further proceedings, and possible disposition without hearing.

The student conduct administrator shall, in consultation with and agreement from the Title IX coordinator, determine which cases are appropriate for disposition without hearing, taking into consideration the investigation report and any additional information provided during any conferences. If a proposed resolution agreement can be reached, the terms shall be put in writing and signed by the student charged and the university (after a reasonable opportunity to consult with an

advisor). Any proposed resolution may be appealed by the complainant and is not final until any such appeal is exhausted.

### ***14.2.3 Notice of Hearing***

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

### ***14.2.4 Hearing***

The hearing is closed to all persons except the student conduct administrator; the student charged; the complainant/victim in cases of sex discrimination, sexual harassment, sexual violence, domestic violence.

The hearing officer controls the hearing. The student conduct administrator and a student charged each put on the evidence in their case and may each ask questions of the witness in whatever manner the hearing officer deems appropriate. The hearing officer may ask questions of any witness the student charged, the complainant, student conduct administrator, or the Title IX coordinator.

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

### ***14.2.5 Standard of Proof; Report and Recommendations of the Hearing Officer***

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

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

#### ***14.2.6 Final Decision/Notification***

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

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

#### ***14.2.7 Appeal of President's Sanctions***

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

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

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

#### ***14.2.8 Appeal of Finding in Investigation Outcome***

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



### **14.2.9 Disciplinary Sanctions for Students and Employees**

The following sanctions *may* be imposed for violation of the student conduct code.

1. **Restitution** - compensation for loss, damages or injury. This may include appropriate service and/or monetary material placement.
2. **Loss of financial aid**- scholarships, 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.
3. **Educational and remedial sanctions**-assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation and recognize student clubs and organizations ( e.g. fraternities) misconduct or as deemed appropriate based upon the nature of the violation.
4. **Denial of access to campus or persons**-a designated period of time during which the student is not permitted;(1) on University property or specified areas of campus; or (2) to have contact (physical or otherwise) with the complainant, witnesses or other specified persons.
5. **Disciplinary probation**- a designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to violate the student conduct code or any university policy during the probationary period.
6. **Suspension**- temporary separation of the student from active student status or student status.
  - a. A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re--enrollment may be specified.
  - b. A student who is suspended for one academic year or more shall be separated from the student status but remains eligible to reapply to the University (subject to individual campus application policies) once the suspension has been served. Conditions for readmission may be specified.
  - c. Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be

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

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

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

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

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

**14.2.10. Other Considerations Related to Sanctions.**

1. **Administrative hold and withholding of a degree** -The University may place an administrative hold on registration transactions and release of records and transcripts of a student who has been sent written notice of a pending investigation or disciplinary case concerning that student, and may withhold awarding a degree otherwise earned until the completion of the process, including the completion of all sanctions imposed.
2. **Record of discipline**- a record of disciplinary probation or suspension is entered into a student's transcript, with beginning and end date, for the duration of the sanction. A record of expulsion or suspension for one academic year or more shall note the effective date of discipline and remains on the transcript permanently, without exception. A record of withdrawal in lieu of suspension or expulsion and withdrawal with pending misconduct investigation or disciplinary proceeding remains on the transcript permanently, without exception. These requirements shall not be waived in connection with any resolution agreement.
3. **Interim suspension**- a president may impose an interim suspension pursuant to Title V, California code of regulations section 41302 where there is reasonable cause to believe that separation of a student is necessary to protect the personal safety of persons within the University community or university property, and to ensure the maintenance of order.

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

4. **Denial of presence on campus during interim suspension**- during the period of an interim suspension, the student charged may not, without prior written permission from the campus president, enter the campus of the California State University other than to attend the hearing regarding the merits of the interim suspension and any disciplinary hearing. The president may also restrict the student's participation in university-related activities on a case-by-case basis, such as attending off-campus activities and/or anticipating in on-line classes. Violation of any condition of the interim suspension shall be grounds for expulsion.
5. **Admission or readmission**-applicants for admission or readmission into any university program are subject to appropriate sanctions for violations of the student conduct code, including qualification, revocation or denial of admission or readmission. For students who withdraw while a disciplinary matter is proceeding, the campus has discretion whether to continue proceedings or hold proceedings in abeyance.

## 15. Workplace Safety

California State University, East Bay recognizes that workplace violence is a critical issue requiring strict attention and has therefore adopted a policy of no tolerance towards violent incidents and implemented the Workplace Safety and Security Plan, as the campus general plan to increase workplace safety and security.

Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and or coercion, which involve or affect the University or which occur on property owned or operated by the Board of Trustees, will not be tolerated. Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at the University or to create a hostile, abusive, or intimidating work environment for one or several employees. The University's prohibition against threats and acts of violence applies to all persons involved in the University's operation, including but not limited to CSUEB students, staff, faculty, contract and temporary workers, and anyone else on University property.

## 16. Weapons on Campus

The unapproved possession, use, or sale of firearms, ammunition, fireworks, major or minor explosives, or any lethal weapon is forbidden and subject to criminal sanctions as well as University discipline.

## 17. Alcohol and Drug Policy

CSUEB complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120(a) through (d). University police officers enforce laws regulating the use of alcoholic beverages and underage drinking. CSUEB is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs will not be allowed to interfere with the University's educational mission. All CSUEB students, staff, faculty and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

The unlawful manufacture, distribution, dispensing, possession or use of illegal drugs on the University campus or at any University sponsored event off-campus is prohibited. No one may use illegal substances, or abuse legal substances (including alcohol) in a manner which impairs performance of assigned tasks. A complete description of these regulations is contained in the University's "Alcohol and other Drugs Policy". The policy is available on the CSUEB home page and at the Human Resources Office, the Police Department, and the Office of the Vice President for Administration and Finance.

Excessive use of alcohol and/or other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, psychological depression, HIV infection and other sexually transmitted diseases.

The use of alcoholic beverages must be in compliance with California State Law and is strictly limited to those persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age are strictly prohibited. Alcoholic beverages may not be consumed in public areas and must be concealed and not in plain view when transported in the residence community. Residents in the residence community under the age of 21 are not permitted to host guests or residents of any age who are in possession of alcohol in their rooms.

The University Police Department enforces federal and state laws, as well as the University's policy for the use and sale of illegal drugs. Violators are subject to University discipline, criminal prosecution and removal from University housing. Students engaging in the sale of illegal drugs will be expelled. Students found in violation of the University's alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21.

Employees in violation of the University's "Alcohol and Drug Policy" may be subject to corrective action, dismissal or be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, state and federal laws for the unlawful possession or distribution of illicit drugs and/or alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in state prison. A police officer can take the driver's license from anyone suspected of driving under the influence of alcohol and/or drugs who refuse to take a blood alcohol test.

### **17.1 Alcohol and Drug Awareness Training**

The University Police Department (UPD), in collaboration with the Student Health Center, offers a presentation exploring the effects of alcohol and drugs on the human mind and body, the symptoms of alcohol and drug dependency, and the laws relating to alcohol and drug use.

## **18. Crime Prevention Education**

As a part of the University's educational mission, the UPD is dedicated to teaching members of the University community how to reduce their risk of becoming a victim of crime. The University's Crime

Prevention Program is based upon the dual concepts of, whenever possible, eliminating or minimizing criminal opportunities by offering crime prevention education/information and encouraging the community to share in the responsibility for their own safety and the safety of others. Presentations are provided periodically or as otherwise requested by members of the campus community.

In addition to UPD courses, bystander intervention has been incorporated into several Sexual Assault Awareness Campaigns including:

- The Choices Campaign - Which is provided to students in the Winter and Spring Quarters.
- Not Anymore Campaigns is an online course that must be completed by students by the end of October in order for students to be eligible to take winter classes.
- The “It’s on Us” Campaign is in person training provided to students during orientation.

### **18.1 Workplace Safety and Security Training**

California State University, East Bay provides training, instruction and information for all University employees regarding workplace safety and security. Training includes information on the CSUEB Workplace Safety and Security Policy and Plan including:

- Procedures for reporting any violent acts or threats of violence
- Recognition of workplace security hazards, including the risk factors associated with the three types of workplace violence
- Measures to prevent workplace violence, including procedures for reporting workplace security hazards or threats to managers and supervisors
- Ways to defuse hostile or threatening situation
- Measures to summon others for assistance
- Employee routes of escape
- Notification to public safety when a criminal act may have occurred
- Emergency medical notification due to illness/injury resulting from any violent act upon a University employee or other circumstance
- Post-event trauma counseling for students and/or employees desiring such assistance
- Information regarding workplace security hazards unique to job assignments (to the extent that such information is not already covered in other training)

## **18.2 Community Oriented Policing and Problem Solving (COPPS)**

Community Oriented Policing and Problem Solving (COPPS), is a philosophy of policing adopted by the University Police Department which unites law enforcement with the community by creating partnerships.

## **18.3 Personal Safety Workshops**

The Department offers a program which includes useful techniques that will reduce your risk of becoming a victim of crime in your office, at home or out in the community. This program can be tailored to meet the specific needs of individuals, groups, or organizations. Please contact UPD at (510) 885-3791 to schedule a Personal Safety Workshop.

## **18.4 Rape Aggression Defense (R.A.D.)**

The police department offers a program of self-defense for women called “Rape Aggression Defense” (RAD). RAD was specifically designed for women, using techniques which are easy to learn and remember. This course combines awareness, avoidance, and risk reduction skills with hands-on basic physical defense techniques to make it one of the most comprehensive courses of its kind. If you are interested in participating in a RAD class, please contact Corporal Michael Elder at (510) 885-3791. He can also be reached via email: [michael.elder@csueastbay.edu](mailto:michael.elder@csueastbay.edu).

## 18.5 Crime Statistics

### Hayward Campus CLERY Crime Statistics

2013-2015

Crime	On-Campus (Includes On-Campus Housing)			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sex Offenses</i>												
Rape	3	1	4	2	1	3	0	0	0	0	0	0
Fondling	0	1	3	0	1	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	1	0	0	0	1	0	0	0
Burglary	6	3	11	3	1	1	1	0	0	0	0	0
Motor Vehicle Theft*	4	5	6	0	0	0	0	0	0	0	0	0
Domestic violence	0	2	5	0	1	3	0	0	0	0	0	0
Dating violence	1	0	3	1	0	1	0	0	0	0	0	0
Stalking	0	2	14	0	1	2	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total:</b>	14	15	46	7	10	11	1	0	1	0	0	0



\*Note: The 2013, 2014 On Campus Housing Motor Vehicle Thefts were removed and counted as “On-Campus” only since the parking lot is not a part of On-Campus Housing.

\*\* Revised on 3/22/17 to add 1 fondling to the Hayward campus statistics that was counted in error in the Concord campus statistics.

### Hayward Campus CLERY Crime Statistics

2013-2015

Special Category – <i>Referrals for Disciplinary Action</i>	On-Campus (Includes On- Campus Housing)			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	125	113	67	125	113	67	0	0	0	0	0	0
Drug Violations	75	53	119	75	53	119	0	0	0	0	0	0
Weapons Possession	0	2	1	0	2	1	0	0	0	0	0	0
<b>Total:</b>	200	168	187	200	168	187	0	0	0	0	0	0

### Hayward Campus CLERY Crime Statistics

2013-2015

Special Category Arrest	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	0	1	1	0	0	0	0	0	0	0	0	0
Drug Violations	0	1	2	0	0	0	0	0	4	0	0	0
Weapons Possession	0	1	2	0	1	1	0	0	0	0	0	0
<b>Total:</b>	0	3	5	0	1	1	0	0	4	0	0	0

**Concord Campus CLERY Crime Statistics**

**2013-2015**

Crime	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder	0	0	0	-	-	-	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses</i>												
Rape	0	0	0	-	-	-	0	0	0	0	0	0
Fondling	0	0	0	-	-	-	0	0	0	0	0	0
Incest	0	0	0	-	-	-	0	0	0	0	0	0
Statutory Rape	0	0	0	-	-	-	0	0	0	0	0	0
Robbery	0	0	0	-	-	-	0	0	0	0	0	0
Aggravated Assault	0	0	0	-	-	-	0	0	0	0	0	0
Burglary	0	1	0	-	-	-	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	-	-	-	0	0	0	0	0	0
Domestic Violence	0	0	0	-	-	-	0	0	0	0	0	0
Dating violence	0	0	0	-	-	-	0	0	0	0	0	0
Stalking	0	0	2	-	-	-	0	0	0	0	0	0
Arson	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	1	3	-	-	-	0	0	0	0	0	0

\*Note: Revised on 3/22/17 to remove 1 fondling that was reported in error for Concord campus statistics and added it to the Hayward campus statistics instead.

### Concord Campus CLERY Crime Statistics

2013-2015

Special Category Referrals*	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	0	0	-	-	-	0	0	0	0	0	0

### Concord Campus CLERY Crime Statistics

2013-2015

Special Category Arrest	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	0	0	-	-	-	0	0	0	0	0	0

\*Note: There is no on-campus housing located at the Concord Campus.

**Note: There were no crimes that were investigated and ultimately determined to be “unfounded,” and subsequently removed from our crime statistics.**

Oakland Center CLERY Crime Statistics

2013-2015

Crime	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder	0	0	0	-	-	-	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses:</i>												
Rape	0	0	0	-	-	-	0	0	0	0	0	0
Fondling	0	0	0	-	-	-	0	0	1	0	0	0
Incest	0	0	0	-	-	-	0	0	0	0	0	0
Statutory Rape	0	0	0	-	-	-	0	0	0	0	0	0
Robbery	0	0	0	-	-	-	0	0	1	0	0	0
Aggravated Assault	0	0	0	-	-	-	0	0	0	1	0	0
Burglary	0	0	0	-	-	-	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	-	-	-	2	0	0	0	0	0
Domestic violence	0	0	0	-	-	-	0	0	2	0	0	0
Dating violence	0	0	0	-	-	-	0	0	0	0	0	0
Stalking	0	0	0	-	-	-	0	0	1	0	0	0
Arson	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	0	0	-	-	-	2	0	5	1	0	0

**Oakland Center CLERY Crime Statistics**

**2013-2015**

Special Category Referrals	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	0	0	-	-	-	0	0	0	0	0	0

**Oakland Center CLERY Crime Statistics**

**2013-2015**

Special Category Arrests	On-Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	3	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
<b>Total:</b>	0	0	0	-	-	-	0	0	3	0	0	0

\*Note: Public property offenses are those offense reported to the Oakland Police Department.

\*\*Note: There is no student housing located at the Oakland Center

Statistics include surrounding areas: 12th Street, Broadway, 9th Street, and Harrison Street.

\*\*\*Note: Revised Oakland Center Public Property statistics to include crimes statistics received from Oakland PD on 2/17/17.

**Note: There were no crimes that were investigated and ultimately determined to be “unfounded,” and subsequently removed from our crime statistics.**