

FRESNO STATE

Discovery. Diversity. Distinction.

2019 ANNUAL SECURITY REPORT



JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES & CAMPUS CRIME STATISTICS ACT (20 U.S.C. SECTION 1092(F))
PUBLISHED 9-19-2019

UPDATED 10-14-2019: THE HATE CRIME IN 2018, DESCRIBED ON PAGE NINE (9), WAS INADVERTENTLY OMITTED FROM THE STATISTICS TABLE ON
PAGE SIX (6). THE TABLE HAS BEEN UPDATED FROM ZERO (0) TO ONE (1).

CLERY CRIME STATISTICS 2016-2018

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MESSAGE FROM THE PRESIDENT

Dear Campus Community:

I am pleased to introduce the 2019 Annual Security Report (ASR). The report, provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), is designed to provide you with important information about safety and security at Fresno State.

The information contained within this document is a result of a collaborative effort between the Fresno State Police Department, the Director of Title IX and Clery Compliance, and many campus and community partners, including members of the Clery Compliance Team and local law-enforcement agencies.

Enclosed, you will find information about key institutional policies and procedures, personal safety and crime-prevention programs, how to report suspicious and criminal activity, as well as crime statistics for the previous three (3) calendar years, as required by the Clery Act. For more information about safety and security on campus, please visit the Fresno State Police Department website at <http://fresnostate.edu/adminserv/police>.

I encourage you to review the report since safety and security is a shared responsibility. Our campus community plays a significant role in supporting the efforts of our law-enforcement officers to continue to maintain the safety and security of our campus. Your continued efforts in this regard are greatly appreciated.

Sincerely,

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

PREPARING THE ASR

The 2019 Annual Security Report (ASR) is prepared and published by staff members of the Fresno State Police Department and the Director of Title IX and Clery Compliance, and is provided in compliance with the 1998 Jeanne Clery Disclosure Act, and California Education Code section 67380.

Compilation of information for this report, as well as required criminal statistical data, is accomplished through cooperative efforts with the Fresno State Police Department; members of the Clery Compliance Team; Division of Student Affairs and Enrollment Management; Division of Administrative Services and Finance; Fresno State Housing; team coaches; advisors to student organizations; and neighboring law enforcement agencies.

Criminal statistics for non-campus properties used by Fresno State, recognized student organizations, and public property around the campus are requested and obtained from local law-enforcement agencies.

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

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

If you have questions regarding the ASR, please contact the Clery Director at 559.278.2083.

CRIME STATISTICS 2016-2018

Fresno Campus

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Murder	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Manslaughter by Negligence	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Rape	2016	0	0	0	0
	2017	1	1	0	0
	2018	1	1	0	0
Fondling	2016	3	1	0	0
	2017	1	0	0	0
	2018	1	0	0	1
Incest	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2016	0	0	0	0
	2017	0	0	0	0
	2018	2	0	0	0
Robbery	2016	2	0	3	1
	2017	1	0	0	0
	2018	3	0	0	0
Aggravated Assault	2016	0	0	3	0
	2017	4	0	0	0
	2018	2	0	0	0
Burglary	2016	8	0	6	0
	2017	11	0	3	0
	2018	3	1	0	0
Motor Vehicle Theft	2016	28	0	2	0
	2017	6	0	1	2
	2018	6	0	3	0
Arson	2016	1	0	0	0
	2017	1	1	0	0
	2018	0	0	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Domestic Violence	2016	2	0	0	0
	2017	1	0	0	1
	2018	5	1	2	0
Dating Violence	2016	2	1	1	0
	2017	0	0	1	0
	2018	3	1	0	0
Stalking	2016	3	0	0	0
	2017	0	0	0	0
	2018	2	0	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2016	1	0	2	0
	2017	1	0	0	0
	2018	1	0	1	0
Liquor law referrals	2016	49	49	0	0
	2017	21	21	0	0
	2018	2	2	0	0
Drug law arrests	2016	28	4	3	13
	2017	19	0	0	5
	2018	9	2	1	4
Drug law referrals	2016	0	0	0	0
	2017	2	2	0	0
	2018	3	3	0	0
Weapons law arrests	2016	5	0	0	1
	2017	5	0	0	2
	2018	4	0	1	0
Weapons law referrals	2016	1	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

OFFENSE	YEAR	TOTAL	OFFENSE	YEAR	TOTAL
Unfounded Crimes	2016	0	Hate Crimes	2016	0
	2017	0		2017	0
	2018	0		2018	1

Visalia Campus

OFFENSE	YEAR	CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
Murder	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Manslaughter by Negligence	2016	*	*	*
	2017	*	*	*
	2018	0	0	0
Rape	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Fondling	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Incest	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Statutory Rape	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Robbery	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Aggravated Assault	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Burglary	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Motor Vehicle Theft	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Arson	2016	*	*	*
	2017	0	0	0
	2018	0	0	0

OFFENSE	YEAR	CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
Domestic Violence	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Stalking	2016	*	*	*
	2017	0	0	0
	2018	0	0	0

OFFENSE	YEAR	CAMPUS	NON-CAMPUS	PUBLIC PROPERTY
Liquor law arrests	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Liquor law referrals	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Drug law arrests	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Drug law referrals	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Weapons law arrests	2016	*	*	*
	2017	0	0	0
	2018	0	0	0
Weapons law referrals	2016	*	*	*
	2017	0	0	0
	2018	0	0	0

OFFENSE	YEAR	TOTAL	OFFENSE	YEAR	TOTAL
Unfounded Crimes	2016	*	Hate Crimes	2016	*
	2017	0		2017	0
	2018	0		2018	0

* The Visalia Campus opened in 2017, therefore, there are no crimes recorded prior to that year.

Hate Crimes

Main Campus 2018- There was one hate crime reported. The crime was assault on campus and indicated bias based on race.

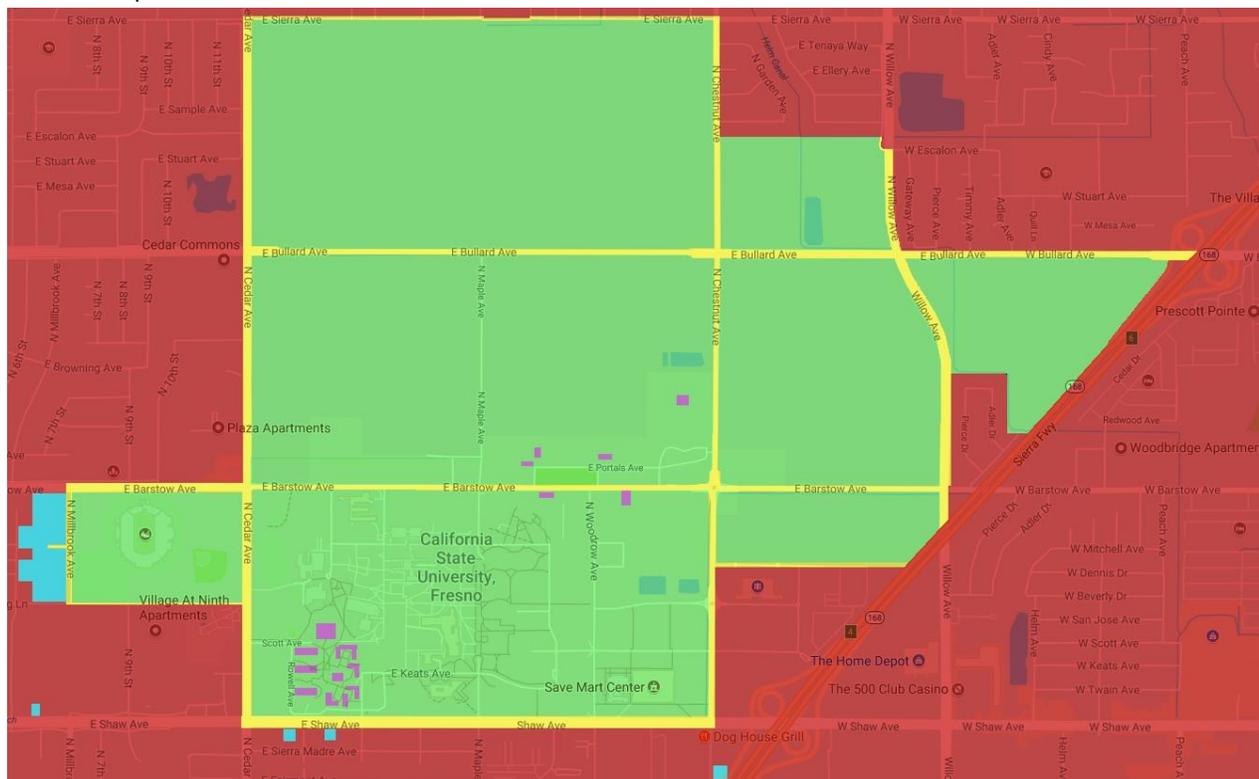
Visalia Campus 2018- There were no hate crimes reported on the Visalia Campus.

Clery Maps

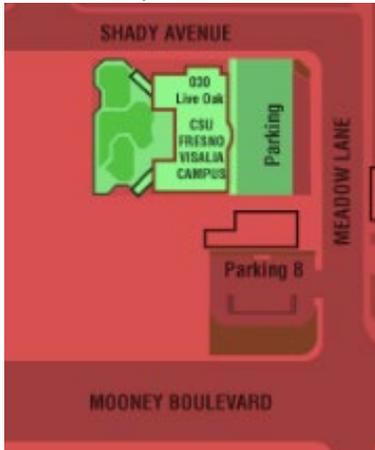
The crime statistic tables reflect the mandatory reporting offenses as specified in the Jeanne Clery Act. The tables display crime data over the past three calendar years and are separated by crimes occurring in four different geographical locations:

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

Fresno Campus



Visalia Campus



REPORTING CRIMINAL ACTIONS & EMERGENCIES

The reporting of crimes is vital in achieving the goal of providing a safe learning environment for the campus community. All persons who are victims or witnesses of a crime should promptly report the occurrence to the Fresno State Police Department.

Reporting of such offenses by victims or witnesses may be done voluntarily. At times, sensitive situations may arise and police officers cooperate with individuals on a confidential basis. Privileges of confidentiality in criminal matters that are referred for prosecution in a court of law may be subject to exposure. Police officers work closely with prosecutors and investigators with the Fresno County District Attorney's Office in these matters, and the welfare of the victim or witness is of primary concern. See Policy on Reporting Crimes, Policy No. G-69.

Fresno State Main Campus

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

Upon calling for assistance, please provide the following:

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

Visalia Campus

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

Anonymous Reporting (TipNOW)

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

- Text or call to leave a voicemail: **559.664.3204**
- Email or picture messages: fresnostate@tipnow.org

Your tip will be forwarded anonymously to the Fresno State Police Department for investigation or other appropriate actions. Clery crimes reported anonymously are included in the statistics charts.

Campus Security Authorities

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

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

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

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

Timely Warnings

Fresno State Main Campus

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

The Chief of Police is responsible for the decision to issue a timely warning (or a management designee in the absence of the Chief) and will confer with the Clery Director if one is designated by the campus and available, upon receiving a report of an incident reported to a CSA and/or UPD. The Chief of Police, with the Clery Director if one is appointed and is available, will complete a case by case analysis utilizing open communication and collaboration analyzing the reported crime, the known pertinent facts of a reported incident, and determine whether the incident meets all of the following factors: 1) is a Clery reportable crime; 2) occurred in Clery defined geography; and 3) poses a serious or ongoing threat to the community. If it is determined that any of the three factors are not met, then no timely warning will be issued.

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

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

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

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

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

Visalia Campus

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

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

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

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

- Campus e-mail (COS E-News)
- Text / telephone message (Regroup System)
- Alertus ENS System (GiantsAlert)
- Police Department website
- Posted flyer

Voluntary Confidential Reporting

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

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

While all campuses encourage members of their community to promptly report all crimes to UPD, campuses do have policies requiring confidential, exempt sources defined in the Clery Act (Professional and Pastoral Counselors) to report information disclosed to them of a crime in a confidential session. All confidential exempt sources are encouraged to provide victims of all options and support resources for reporting crimes on campus for administrative or criminal investigation and action.

SECURITY OF & ACCESS TO CAMPUS FACILITIES

Main Campus

Access to Buildings/Facilities

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

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

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

Building Security Checks

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

Maintenance of Building/Facilities

The campus facilities are maintained by the Plant Operations department and patrolled by the Fresno State Police Department. Plant Operations maintains the campus buildings, grounds and roadways with a concern for safety and security. They inspect campus facilities regularly, respond to reports of potential safety and security hazards, and perform necessary repairs accordingly (see See Policy on Key and Access Issuance; Policy No. D-18). Community Service Specialists test the emergency phones on a monthly basis, recommend the trimming of shrubbery for safety reasons, conduct periodic lighting surveys, and report non-functioning lights or other security hazards to Plant Operations. Call Plant Operations at 559.278.2373 during business hours or the FSPD at 559.278.8400 after hours to report any safety or security hazard in or

around campus buildings, grounds, or roadways.

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

Visalia Campus

During business hours, District facilities are open to the community. During non-business hours, access to facilities throughout the District is restricted to those with issued keys, or to those admitted for unscheduled, and/or scheduled access through the District Police Department.

LAW ENFORCEMENT AUTHORITY

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

Main Campus

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

Visalia Campus

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

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

The University encourages the accurate and prompt reporting of all campus criminal activity occurring on or immediately adjacent to the campus directly to the University Police Department. For crimes occurring at off-campus locations, including the University's non-campus property, the law-enforcement agency with jurisdiction in that area should be contacted. Police services for non-campus properties are the responsibility of the local law enforcement agency in that area.

SECURITY PROCEDURES AND PRACTICES

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

- Promptly report all crimes and suspicious persons or activity to the Fresno State Police Department.
- Always be aware of your personal safety and your surroundings.
- Never leave your property unattended, and lock doors and windows to your car, office, and residence.
- Always double check your doors and windows to ensure they are completely closed and locked before you go to sleep or leave your room or residence.
- Keep all valuables with you or leave them at home.
- Walk on well-traveled pathways and in well-lit and populated areas. Walk with friends or groups when possible.
- Call the Fresno State Police Department for a safety escort on campus, if you feel afraid or need to walk in isolated

areas or at times when areas are unpopulated or closed.

- Get to know people in and around your place of residence. Do not invite or let unknown people into your residential building, nor go with them to an unfamiliar place. If you know someone by their first name only or met them on the internet, consider them a stranger.
- Engrave owner identification numbers onto electronics and items of value, and keep a list of serial numbers and description of property and provide it to the Police in the event your property is stolen.
- Use the internet wisely and never send money or provide personal identifying information, credit-card information, or bank information to someone you do not know or to a company or person you did not initiate contact with on your own (such as Airlines, Department Stores, Amazon, etc.).
- Use good bicycle theft-prevention measures. Use a U-lock. Most cable locks can be and are easily cut. Lock both the front and rear wheels when possible and make sure to put your lock(s) through a closed part of the bike frame. Wheels can easily be taken off. Register your bike with the Fresno State Police Department, and use the campus bike barns.

Informational Presentations and Publications

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

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

The following presentations are available upon request:

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

RAD/Personal Safety/Self-Defense Classes

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

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

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

CRIME PREVENTION PROGRAMS

Student Success “Not Anymore” Online Training

Fresno State understands the necessity to educate the University community regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking. In 2018, the campus utilized the Student Success: Not Anymore online student training as the primary ongoing prevention and awareness program for all new and returning students at Fresno State. Not Anymore is an online platform that addresses the critical issues of sexual assault, relationship violence, and stalking. This training focuses on: identifying behaviors and recognizing situations that could potentially result in sexual violence; bystander intervention; building healthy relationships; defining “consent”, and helping students understand and overcome the cultural contributors to sexual assault. All new and returning students are required to complete this training within the first few weeks of the semester.

Skillport

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

To comply with these federal laws, all Fresno State employees are required to annually complete the “Eliminate Campus Sexual Misconduct” course through the CSU “Skillport” training portal. This course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as educating employees on the resources available for victims of sexual assault. Interactive case studies and videos provide engaging educational content that explain how to respond to known incidents of sexual assault, dating violence, domestic violence, and stalking. Many interactions are based on real cases that teach important concepts to help provide a safe campus community and create a culture that does not tolerate sexual violence. State-specific legal definitions of sexual violence are included along with descriptions of victim protections, bystander intervention strategies, and school disciplinary proceedings. This course will be moved to a new platform (SumTotal) for the 2019 calendar year.

CRIMINAL ACTIVITY AT NON-CAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

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

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

ALCOHOL & DRUGS

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

All students, faculty, staff, and visitors are subject to Fresno State policy, as well as local, state, and federal laws regarding the unlawful possession, manufacturing, distribution, dispensation, sale, or use of alcohol and illegal drugs. Consumption or possession of alcohol by any persons under the age of 21 in California is illegal. The unlawful manufacturing, distribution, dispensation, possession, or use of controlled substances while attending an official University function (on or off campus) is absolutely prohibited and subject to arrest and/or disciplinary action. Alcohol and drug law violations on campus are strictly enforced by the Fresno State Police Department and may also be referred to Student Conduct or Human Resources for administrative discipline. The full policy on Campus Use of Alcoholic Beverages for Fresno State can be viewed at <http://fresnostate.edu/mapp/iii/g/g-04.pdf>. Fresno State's drug policies are currently under review by the Alcohol Tobacco and Other Drugs Safety Council.

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

In compliance with the Drug-Free Schools and Communities Act (DFSCA), and under the direction of the Vice President for Student Affairs and Enrollment Management, Fresno State continues its efforts to implement the CSU Alcohol policy through its Alcohol Tobacco and Other Drugs Safety Council (ATODSC). The ATOD Safety Council is comprised of campus and community representatives who provide leadership to all phases of the campus Alcohol Tobacco and Other Drugs Safety Council program. Fresno State's Biennial Alcohol Policy Report can be found at: <http://fresnostate.edu/studentaffairs/alcohol/>. This report includes distributed materials for educational programs and campaigns designed to bring awareness and prevention of alcohol and drug abuse. It also includes survey information used to evaluate program effectiveness.

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

The following activities were provided in 2018:

Watchdog Safety Summit

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

It Matters

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

Safe Celebrating Activities

Students have an opportunity to sign a pledge to celebrate safely, to help other students learn about Safe Celebrating and to intervene when they see a person in need because of alcohol or drug consumption. There were other events planned, such as cap decorating and free bowling in the evenings leading up to graduation to provide students a place to celebrate safely.

National Collegiate Alcohol Awareness Week (October 19-25)

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

Prescription Drug Abuse

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

Name of Event/Activity	ATOD Area	Date of Event	Number of Attendees	Event/Activity Partners
6th Annual I Heart Me Resource Fair	Marijuana	2/14/2018	200	SHCC, California Health Collaborative's Performing Above the High (PATH) and Lock it Up! Programs
Town hall prescription drug abuse awareness	Prescription Drugs	2/22/2018	150	SHCC, Lock it up, Student involvement
Watchdog Safety Summit (4 hour)	ATOD	2/24/2018	56	SHCC, Campus Police Department, California Health Collaborative's PATH and Lock it Up
CAMP Presentation	Prescription Drugs	4/12/2018	49	California Health Collaborative's Lock it Up! Program
College Kahoot #1	Marijuana	4/16/2018	28	California Health Collaborative's Performing Above the High (PATH) Program
College Kahoot #2	Marijuana	4/16/2018	32	California Health Collaborative's Performing Above the High (PATH) Program
College Kahoot	Marijuana	4/19/2018	24	California Health Collaborative's Performing Above the High (PATH) Program
Vintage Days (Day 1)	Marijuana	4/20/2018	400	California Health Collaborative's Performing Above the High (PATH) Program
Vintage Days (Day 2)	Marijuana	4/21/2018	500	California Health Collaborative's Performing Above the High (PATH) Program
CAMP Presentation	Prescription Drugs	4/23/2018	36	California Health Collaborative's Lock it Up! Program
In-Class Presentation	Prescription Drugs	4/30/2018	33	SHCC, California Health Collaborative's Lock it Up! Program

PEP Town Hall Meeting	Prescription Drugs	5/2/2018	86	California Health Collaborative's Lock it Up! Program
College Kahoot	Marijuana	5/7/2018	41	California Health Collaborative's Performing Above the High (PATH) Program
Safe Celebrating Event - Alternative Grad Night	Alcohol	5/17/2018	91	SHCC, Student Involvement, Housing
Safe Celebrating Event - Breakfast Burritos	Alcohol	5/19/2018	400	SHCC, Student Involvement
Step- up Bystander Intervention	Bystander training	June - July 2018		SHCC at Dog Days Orientation
Protect Your Dogs Presentation	ATOD	10/10/2018	45	SHCC, Fresno State Faculty
Prop. 64/College Kahoot #1	Marijuana	10/13/2018	49	California Health Collaborative's Performing Above the High (PATH) Program
Prop. 64/College Kahoot #2	Marijuana	10/13/2018	49	California Health Collaborative's Performing Above the High (PATH) Program
Protect Your Dogs Presentation	ATOD	10/15/2018	15	SHCC, Fresno State Fraternity
Protect Your Dogs Presentation	ATOD	10/16/2018	40	SHCC, Fresno State Faculty
National Collegiate Alcohol Awareness Week	Alcohol	10/25/2018	163	SHCC, Peer Ambassadors of Wellness
Watchdog Safety Summit (4 hour)	ATOD	11/3/2018	61	SHCC, Campus Police, PATH and Lock it Up
Conquer the Course	Prescription Drugs	11/10/2018	400	SHCC, California Health Collaborative's Performing Above the High (PATH) Program
Protect Your Dogs Presentation	ATOD	11/19/2018	10	SHCC, Fresno State Fraternity
Resource Table	Prescription Drugs	12/3/2018	85	California Health Collaborative's Lock it Up! Program
PEP Town Hall Meeting	Prescription Drugs	12/4/2018	64	California Health Collaborative's Lock it Up! Program
Distribution of Grad Box Safe Celebrating Tips Handbills	Alcohol	3/1/2018	2,500	SHCC, Student Involvement, Alumni Association

The Student Health and Counseling Center provides counseling and referrals for students with alcohol-related concerns. The cost of any off-campus service is the responsibility of the student. In addition, consultation is provided to faculty, staff, or students concerned about a student's well-being. However, medical or counseling information regarding a specific student cannot be divulged. These services are provided at no charge. The Employee Assistance and Development Program provides counseling and referral for faculty, staff and administrators regarding substance-use concerns. There is no charge for these

services. Employees should consult their health care benefit plan to determine coverage for off-campus services.

The Policy on Campus Use of Alcoholic Beverages for Fresno State can be viewed at <http://fresnostate.edu/mapp/iii/g/g-04.pdf>.

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

Statement for students related to the Drug Free Schools and Communities Act may be viewed at <https://www.fresnostate.edu/studentaffairs/alcohol> (Student Affairs website).

SEXUAL VIOLENCE

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

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

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

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

Prevention, Education, and Awareness

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

Students

In 2018, the University utilized Student Success: Not Anymore online student training as the primary ongoing prevention and awareness program for all new and returning students at Fresno State. Not Anymore is an online platform that addresses the critical issues of sexual assault, relationship violence, and stalking. This training focuses on identifying behaviors and recognizing situations that could potentially result in sexual violence, bystander intervention, building

healthy relationships, defining “consent,” and helping students understand and overcome the cultural contributors to sexual assault. All new and returning students are required to complete this training prior within the first few weeks of the semester.

Employees

All employees are required to annually complete the “Eliminate Campus Sexual Misconduct” course through the CSU “Skillsoft” training portal. This course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of sexual assault. Interactive case studies and videos provide engaging educational content that explains how to respond to known or suspected sexual violence, which includes sexual assault, dating violence, domestic violence, and stalking. Many interactions are based on real cases that teach important concepts to help create a safe campus community and create a culture that does not tolerate sexual violence. The course teaches employees valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence. The course content also helps postsecondary institutions comply with the employee-training requirements of Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act).

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

Bystander Intervention

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

1. Create a Distraction

- a. Interrupt the conversation and change the subject to something else
- b. Start up a game involving everyone, including the person at risk
- c. Offer to get some food or drinks and ask the person at risk to help

2. Ask Directly

- a. Talk to the person at risk and ask if they came with anyone
- b. Ask the person at risk if they need a ride home

3. Refer to an Authority

- a. Talk to a Resident Advisor, bartender, or other person of authority to get their assistance
- b. Don't hesitate to call the police or 9-1-1 if you are concerned for someone's safety

4. Enlist Others

- a. Ask someone else to go with you to talk to the person at risk. Often there is power in numbers!
- b. Ask someone to intervene for you. For example, ask someone that knows the person at risk to meet you in the restroom.
- c. Enlist a friend of the person you are concerned about. For example, “Can you check on your friend over there, she looks like she might have had too much to drink.”

Risk Reduction

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

Increasing on-campus safety

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

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

Safety in social settings

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

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

RAD Self-Defense Classes

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

The following RAD classes were offered in 2018:

Program	Date	Participants
RAD Class #1	March 16-18, 2018	5
RAD Class #2	April 27-29, 2018	9
RAD Class #3	November 2-4, 2018	9
RAD Class #4	November 30, December 1-2, 2018	10

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

University Housing

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

Residential Life Staff Training:

Spring 2018 Semester:

- January 2018: Title IX Training – Refresh – 1hour (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
 - Training for Residential Life Staff on Title IX requirements

Fall 2018 Semester:

- July 2018: Training for the Resident Directors regarding dating violence, stalking, sexual assault and domestic violence.
- August 2018: Title IX Training – 2 hours (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
 - Training for Residential Life Staff on Title IX requirements and their responsibilities regarding sexual assault, sexual harassment, etc.
- August 2018: Crisis Counseling – Sexual Assault – 1 hour (RDs, ARDs, RAs, PSSC, PSAs – 35 in attendance)
- August 2018: Behind Closed Doors –Scenario training (ARDs, RAs, PSSC, PSAs) – 32 in attendance –
 - During this “simulation activity” one station includes a student who has been sexually assaulted and one station includes a domestic dispute.
- August 2018: Additional Title IX training for the entire University Courtyard Staff – 45 minutes - 75 student staff in attendance
- August 2018: Resident Advisors (RAs) discussing these issues in the first hall/floor meeting with their residents.

Active Programs/Events:

- February 13, 2018: Have Some Sweet Affection!, 20 in attendance
- February 7, 2018: Anti-Valentine, 20 in attendance
- February 12, 2018: Let’s Talk About Sex, 7 in attendance
- February 14, 2018: Don’t Date Disease, 15 in attendance
- February 19, 2018: Turn on Safe Sex, 20 in attendance
- February 26, 2018: Cupcake War on Unhealthy Relationships, 15 in attendance
- March 15, 2018: Drunk Obstacle Course, 40 in attendance
- March 23, 2018: Do You Know Your Title IX?, 20 in attendance
- September 19, 2018: STD Jeopardy, 5 in attendance
- September 30, 2018: Buzz and Fuzz, 15 in attendance
- October 4, 2018: Sex Jeopardy, 20 in attendance
- October 11, 2018: Livin’ the Sweet Life, 15 in attendance
- October 18, 2018: Milk and Cookies, 20 in attendance

- October 24, 2018: Spooky STD's, 10 in attendance

Passive Programs:

- January 2018: PSAs maintain a safety board in each building
- August 2018: Multiple boards for opening on various Title IX topics

Definitions per Executive Orders 1095-1097

Sex Discrimination

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

Sexual Harassment

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

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

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

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

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

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

Sexual Misconduct

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

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

Sexual Assault

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

Sexual Battery

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

Rape

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

Acquaintance Rape

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

Affirmative Consent

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

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

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

Domestic Violence

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

Dating Violence

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

Stalking

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

- Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es)

as the complainant;

- Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Protected Status includes Age, Disability, Gender, Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT

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 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 a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. Except in extreme circumstances, University students or employees who are victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline.

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

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

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

Privileged and Confidential Reports

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

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

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

Exceptions to Confidentiality

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

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

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

Reporting Options

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

CRIMINAL

Reporting to 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 THE 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 names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

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

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

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

REPORTING TO 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 (CSA's). These University personnel will assist the victim in notifying the appropriate law enforcement agency if the victim requests the assistance of law enforcement. In addition, most campus employees including CSA's are required to report incidents of Sexual Misconduct, Dating

Violence, Dating Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

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

ADMINISTRATIVE

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

The Title IX Coordinator will also provide information regarding resources available to victims, as well as information regarding their rights and options. Contact information for the Title IX Coordinator is listed above.

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.

Fresno State
Title IX Coordinator
Jamie Pontius-Hogan
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559.278.5357

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

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

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

police.

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

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and 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, and 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.

On-Campus Contact Resources

On Campus Agency	Address	Phone #
Fresno State Police Department Operational 24 hours a day. Assist in contacting support services for victims of sexual assault. Confidentiality, medical attention, and physical protection. Provide self-defense classes, safety escorts.	2311 E. Barstow Ave Fresno, CA 93740	559.278.8400
Employee Assistance Program Short-term individual counseling, mediation and conflict resolution services, supervisory consultation and training, development and coordination of on-campus professional development and wellness programs.	Lab School 185, M/S LS86 Fresno, CA 93740	559.278.1655
Student Health & Counseling Center Open Monday-Friday, 8am-5pm when campus is open. Walk-ins and appointments available. Counselors available on the spot without an appointment. Individual and group psychotherapy, diagnostic assessments and referral, HIV testing, crisis intervention, couples and family therapy.	5044 N. Barton Ave Fresno, CA 93740	559.278.2734
Human Resources Assists with reporting sexual assault, domestic violence, dating violence, stalking, and sexual harassment issues.	Joyal Administration 211, M/S JA41 Fresno, CA 93740 2771 E. Shaw Ave Fresno, CA 93710	559.278.7173 559.278.0865 559.278.0343
Student Conduct Assists students in becoming or continuing to be good citizens on campus, become aware of their rights as students under campus policies, and learn how to protect their rights to privacy regarding their educational records.	Joyal Administration 274, M/S JA67 Fresno, CA 93740	559.278.8740
Services for Students with Disabilities Coordinates academic support services for students with disabilities. Provides counseling, registration assistance, blue curb parking, orientation, and advocates with off-campus agencies.	Henry Madden Library 5200 N Barton Ave #1202 M/S ML 125 Fresno, CA 93740	559.278.2811
Fresno State Housing On-campus living and residence hall assistance. Provides a safe and secure environment. Public Safety Assistants have direct contact with Fresno State Police Department.	5152 N Barton Ave M/S RH 82 Fresno, CA 93740	559.278.2345
Confidential Survivor Advocate Provides confidential support services to individuals impacted by sexual assault, relationship violence and/or stalking. Provides on and off campus referrals and resources, facilitates academic and housing accommodations, and provides a safe space to discuss options and resources that will best support that individual.	Student Health and Counseling Center 5044 N Barton Ave Fresno, CA 93740	559.278.6796

Off-Campus Contact Resources

Off Campus Agency	Address	Phone #
Rape Counseling Services (RCS) Provides 24-hr crisis hotline, counseling, confidential advocacy, and information and referrals	259 N. Blackstone Ave. Fresno, CA. 93701	Office: 559.497.2900 24-hr. Hotline: 559.222.7273
Crime Victim Assistance Center Provides court advocacy, counseling referrals, emergency aid, and applications for Victims of Crime Compensation funds.	2233 Kern St. Fresno, Ca. 93721	559.600.2822
Central California Legal Services Free legal assistance to low income families in California's Central Valley. Outreach and education to the community. Restraining orders.	2115 Kern St #1 Fresno, CA 93721	Toll Free: 800.675.8001
Centro La Familia Direct advocacy and intervention services to low-income residents. Education, training, and social services. Assistance with U-Visa/T-Visa applications and restraining orders. (Available in English, Spanish, Lao, Hmong)	302 Fresno St Suite #102 Fresno, CA 93706	Office: 559.237.2961 Toll Free: 1.877.294.3772
Clovis Police Department	1233 5th St Clovis, CA 93612	559.324.2800
Fresno Police Department	2323 Mariposa St Fresno, CA 93721	559.621.7000
Fresno Sheriff's Department	2200 Fresno St. Fresno, CA 93721	559.600.3111
Fresno County District Attorney	10th Floor, 2220 Tulare St #1000, Fresno, CA 93721	559.600.3141
Fresno County Superior Court Self-Help Center (Centro de Recursos Legales) Self-help education and information center. Assists in finding and filling out legal forms. Available to Spanish speakers who require an interpreter.	1130 'O' Street Fresno, CA 93721	559.457.2100 Toll Free: 866.665.2345
Marjaree Mason Center Provides confidential shelter for women and children survivors of family violence, 24 hr. crisis line, court advocacy, counseling, and support groups.	1600 'M' Street Fresno, CA 93721	24-Hour Line: 559. 233.4357 Office: 559.237.4706

Non-Reporting

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

Civil Lawsuit

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

RESTRAINING ORDERS

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

DISCIPLINARY PROCEDURES

The University has procedures that provide for an administrative investigation of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking and written findings based on the preponderance of the evidence standard. In cases of Sexual Misconduct when: (1) the respondent is a student; (2) the credibility of a witness is an issue; and (3) there is the potential for the imposition of a severe sanction, the procedures provide for a hearing after an investigation. After the investigation (or hearing, if applicable), written findings based on the preponderance of the evidence standard will be provided to the complainant and respondent. Both the complainant and respondent may appeal written findings from the final investigation report or the hearing. All appeals are submitted to the CSU Chancellor's Office. The procedure for complainants filed by and against CSU employees and third parties is separate from but similar to the procedure for CSU students.

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

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

Before reaching a final conclusion or issuing a final investigation report, the investigator shall have: 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 after careful consideration has been given to any such relevant evidence, information or arguments provided by the Parties. The investigator retains discretion and authority to determine relevance.

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

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

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

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

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

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

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

COMPLAINT PROCEDURES

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

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

COMPLAINTS MADE BY STUDENTS

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

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

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

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

COMPLAINTS MADE BY STUDENT EMPLOYEES

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

Disciplinary Procedure

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

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

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

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

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

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

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

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

APPEAL OF FINDING IN INVESTIGATION OUTCOME

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

STUDENT CONDUCT DISCIPLINE PROCEEDINGS

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

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

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

The Hearing Officer controls the hearing. The Student Conduct Administrator and the student charged each put on the evidence in their case and may each ask questions of the witnesses in whatever manner the Hearing Officer deems appropriate. The Hearing Officer may ask questions of any witness, the student charged, the complainant, Student Conduct Administrator, or the Title IX Coordinator.

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

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

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

DISCIPLINE PROCEEDINGS FOR STUDENT MISCONDUCT CASES

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

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

- a) the factual allegations and alleged policy violations;
- b) the Preponderance of the Evidence standard;
- c) the evidence considered including an analysis of the credibility of the Parties and witnesses, when credibility

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

PRESIDENT'S SANCTION DECISION/NOTIFICATION

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

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

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

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

STUDENT SANCTIONS

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

1. RESTITUTION.
Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
2. LOSS OF FINANCIAL AID
Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled or denied.
3. EDUCATIONAL AND REMEDIAL SANCTIONS.
Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities misconduct or as deemed appropriate based upon the nature of the violation.
4. DENIAL OF ACCESS TO CAMPUS OR PERSONS
A designated period of time during which the student is not permitted: (i) on University Property or specified areas of campus; or (ii) to have contact (physical or otherwise) with the complainant, witnesses or other specified persons.
5. DISCIPLINARY PROBATION.
A designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to 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 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.

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

MORE THAN ONE SANCTION MAY BE IMPOSED FOR A SINGLE VIOLATION.

OTHER CONSIDERATIONS RELATED TO SANCTIONS

1. ADMINISTRATIVE HOLD AND WITHHOLDING DEGREE

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

2. RECORD OF DISCIPLINE

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

3. INTERIM SUSPENSION

A president may impose an interim suspension pursuant to Title 5, California Code of Regulations section 41302 where there is reasonable cause to believe that separation of a student is necessary to protect the personal safety of persons within the University community or University property, and to ensure the maintenance of order. An investigative finding of a violation of Executive Orders 1096 or 1097 standing alone may be sufficient to constitute reasonable cause to believe that an interim suspension is necessary to protect the personal safety of persons within the University community or University property, and to ensure the maintenance of order.

4. DENIAL OF PRESENCE ON CAMPUS DURING INTERIM SUSPENSION

During the period of an interim suspension, the student charged may not, without prior written permission from the campus president, enter any campus of the California State University other than to attend the hearing

regarding the merits of the interim suspension and any disciplinary hearing. The president may also restrict the student's participation in University-related activities on a case-by-case basis, such as attending off-campus activities and/or participating in on-line classes. Violation of any condition of interim suspension shall be grounds for expulsion.

5. ADMISSION OR READMISSION

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

Appeal of President's Sanction

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

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

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

REGISTERED SEX OFFENDERS

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

EMERGENCY NOTIFICATION

The following is a summary of the system-wide emergency notification policy in accordance with EO 1107:

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

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

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

If it is determined that both of the above factors are met, then an emergency notification will be issued to the community. The Chief of Police (or management designee in the absence of the Chief), will confer with the Clery Director if one is designated and if available, to prepare the content of the notification taking into account the safety of the on-campus community. They will also determine, based on the confirmed facts of the emergency, if the entire campus community or only a specific segment of the on campus community is threatened and need to be notified. Examples of emergencies

where only a segment might be alerted would be a fire contained in a dorm laundry room where only the residents of that one dorm floor or of that one dorm building are at risk and need to evacuate, or a chemical spill in a lab where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.

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

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

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

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

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

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

Resources and Responsibilities

Type of Notification	Responsibility	Purpose
Bulldog Alert (text and/or email)	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Fresno State O.N.E. (Outdoor Notification in an Emergency)	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Emergency Intercom Broadcasting through the campus phone system	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Hard of Hearing Text Notification	Campus Police Chief or designee	Campus Emergency Notification Campus Directives
Campus Web Notification	Campus Police Chief or designee University Communications	Campus Updates Local Area Updates
Radio 1040 AM	Campus Police Chief or	Campus Directives

	designee	Campus Updates Local Area Updates Local Area Directives
Campus Community Email	Campus Police Chief or designee	Campus Directives
Emergency Hotline 559.278.4000	University Communications	Campus Updates Local Area Updates Local Area Directives
Portable Signboards	Traffic Operations	Campus Directives
Building Safety Coordinators	Environmental Health and Safety	Building Directives
Web Sites Fresno State News: http://fresnostatenews.com Web Portal https://my.fresnostate.edu Main Fresno State Website http://www.fresnostate.edu Fresno State Police Department: http://www.fresnostate.edu/adminserv/police/	University Communications	Campus Updates Local Area Updates Local Area Directives

Visalia Campus

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

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

- Outbreak of serious illness, such as Meningitis or Norovirus
- Extreme weather conditions
- Earthquake
- Gas leak
- Terrorist incident
- Active Shooter / Armed Intruder
- Bomb Threat
- Civil Unrest
- Explosion
- Nearby chemical or hazardous waste spill
- Aircraft crash
- Fire

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

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

In situations when there is not time for consultation, a Police Officer from the District Police Department may initiate a

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

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

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

Emergency Response & Testing

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

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

The Fresno State Police Department, in conjunction with Environmental Health & Safety/Risk Management and Sustainability (EHS/RMS), provides information and training on procedures and practices to assist the campus community in preparing for and responding during an emergency. All members of the Fresno State community are encouraged to review the valuable information on the University's Emergency Procedures & Preparation web site at <http://www.fresnostate.edu/adminserv/emergency>.

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

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

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

Trainings are regularly held and made available for departments across campus. These trainings include information regarding available exits out of the building, assembly points for a building evacuation and assembly points for a campus wide evacuation. Designated Department Safety Coordinators are given information regarding evacuations for each department and are responsible for disseminating that information to employees. If you have questions or would like to schedule a presentation, contact Amy Luna, Manager of Emergency Operations & Business Continuity at 559.278.6875 or amyluna@csufresno.edu. The following trainings were conducted in 2018:

Emergency Preparedness Training Log			
Date	Presentation	Department	# Attendees
1/8/2018	Seconds 2 Survive	Ag Operations	8
1/10/2018	Security	Athletics	23
2/14/2018	Seconds 2 Survive	Plant Science	9
2/21/2018	Seconds 2 Survive	Fresno Fair	70
2/24/2018	Step Up	Watch Dog	45
2/24/2018	Safety	Watch Dog	45
3/5/2018	Seconds 2 Survive	Public Health	10
3/5/2018	Seconds 2 Survive	HR & Payroll	23
3/6/2018	Seconds 2 Survive	Credential Class	30
3/7/2018	Seconds 2 Survive	Campus	
3/8/2018	Seconds 2 Survive	Engineering Advising	6
3/9/2018	Seconds 2 Survive	Undergraduate Recruitment	
3/9/2019	Difficult People	Undergraduate Recruitment	
3/17/2018	Campus Safety	HEAL	25
4/2/2018	Difficult People	Undergraduate Recruitment	24
4/3/2018	Seconds 2 Survive	Anthropology	7
4/4/2018	Seconds 2 Survive	Library	
4/9/2018	Seconds 2 Survive	Maya Cinema	6
4/11/2018	Seconds 2 Survive	Accounting	23
4/17/2018	Seconds 2 Survive	Library	
4/17/2018	Seconds 2 Survive	Alumni	14
4/18/2018	Seconds 2 Survive	Library	
4/19/2018	Seconds 2 Survive	Physical Therapy	9
4/20/2018	Seconds 2 Survive	Outreach	20
4/23/2018	Seconds 2 Survive	St. Anthony's	33
5/1/2018	Seconds 2 Survive	CVCB	60
5/2/2018	Seconds 2 Survive	CVCB	60
5/8/2018	Stop the Bleed	Commencement	30
5/11/2018	Seconds 2 Survive	SSSP/SSSV	6
5/22/2018	Safety	Upward Bound	60

5/29/2018	Seconds 2 Survive	Flora Chicon	100
5/30/2018	Seconds 2 Survive	Mail Services	8
6/11/2018	Campus Safety	Migrant Institute	27
6/11/2018	Safety	Dog Days	700
6/13/2018	Seconds 2 Survive	Testing Center	5
6/14/2018	Campus Safety	Dog Days	700
6/19/2018	Campus Safety	Dog Days	650
6/21/2018	Campus Safety	Dog Days	675
6/26/2018	Campus Safety	Dog Days	700
6/28/2018	Campus Safety	Dog Days	700
7/9/2018	Difficult People	CSB Advising	17
7/10/2018	Safety	Dog Days	700
7/12/2018	Safety	Dog Days	700
7/18/2018	Safety	Dog Days	700
7/20/2018	Safety	Dog Days	700
7/25/2018	Safety	Dog Days	700
7/27/2018	Safety	Dog Days	700
8/8/2018	Safety	OSHER	40
8/9/2018	Seconds 2 Survive	Programs for Children	20
8/9/2018	Seconds 2 Survive	Cal-SOAP	18
8/9/2018	Safety	CCGC	9
8/9/2018	Safety	Faculty Orientation	25
8/18/2018	Seconds 2 Survive	Housing	65
8/17/2018	Safety	USU Employee	40
8/21/2018	Safety	Smittcamp	15
8/22/2018	Safety	SRC Employees	40
8/27/2018	Seconds 2 Survive	Holy Spirit	60
9/13/2018	Seconds 2 Survive	Campus	4
9/21/2018	Safety	Communication Department	10
10/6/2018	Seconds 2 Survive	Masjid	50
10/16/2018	Safety	Tech Services	15
10/23/2018	Seconds 2 Survive	SJVCL	30
10/24/2018	Seconds 2 Survive	Campus	4
11/9/2018	Seconds 2 Survive	Campus	2
11/13/2018	Safety	Athletics	25
11/20/2018	Seconds 2 Survive	SJMHS	35

12/4/2018	Campus Safety	Music Department	17
12/4/2018	Seconds 2 Survive	Credential Class	15
12/6/2018	Seconds 2 Survive	Athletics Marketing	4

MISSING STUDENT NOTIFICATION

To report a missing person, contact the Fresno State Police Department, 559.278.8400 or 911 (from any campus phone). Fresno State Police will generate a missing-person report and initiate an investigation. The missing person will be entered into the California Law Enforcement Telecommunications System (CLETS), which will also generate and send a “Be on the Lookout” broadcast to all California law enforcement agencies. If a student has been determined to have been missing for 24 hours, then the University will initiate the specifically designated notification procedure described below within 24 hours after receiving the report. Nearby law enforcement agencies will also be notified within 24 hours of the official determination that the student is missing. (See Policy on Reporting Missing Student, Policy No. g-71)

A student living in resident housing may be considered a “missing person” if the resident’s absence is suspiciously different to his/her usual pattern of behavior and/or unusual circumstances may have caused the absence. Campus residents are notified of the missing student notification procedures when providing emergency contact information and are given the opportunity to provide an additional confidential contact person (different than emergency contact). This information is maintained by the University Courtyard and is treated as strictly confidential. This information is only disclosed to law enforcement officials during a missing person investigation.

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

FIRE SAFETY ACT

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

<https://fresnostatehousing.org/wp-content/uploads/2019/10/FIRE-SAFETY-IN-STUDENT-HOUSING-Clery-2018.pdf>