SAN FRANCISCO STATE UNIVERSITY

2020 ANNUAL SECURITY REPORT

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

Clery Crime Statistics 2017-2019
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MESSAGE FROM
Assistant Vice President & Chief of Police
for the Division of Campus Safety

Welcome to San Francisco State University!

Dear Campus Community Member,

On behalf of the San Francisco State University, I am pleased to present the SF State Annual Security Report, which is compiled in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. Even given our urban setting, our campus is a relatively safe place for people to live, learn and work. However, we are also not completely immune to crime or violence.

The Clery Act is a federal law that provides transparency regarding campus crime and statistics. Along with annual reporting of statistics regarding crimes committed on and around our campus, it includes important information and disclosures about crime reporting, crime prevention, victims’ rights, and information campaigns that raise awareness of how we can create and maintain a supportive campus community.

As members of the San Francisco State University campus community, we all share the responsibility of maintaining a safe and healthy environment. Your safety while at San Francisco State University is the primary concern of the University Police Department.

I hope you will read this report carefully and use the information to assist us in keeping our community safe, because safety is a shared responsibility.

Thank you for your interest,

Reginald Parson
Assistant Vice President & Chief of Police
Division of Campus Safety
PREPARING THE ASR

San Francisco State University prepares the Annual Security Report (ASR) to comply with federal law, specifically The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires that all universities that participate in federal financial aid programs provide their campus communities with the ASR, which contains crime statistic information and important safety policies.

The SF State Clery Compliance Team was established in 2016 for the purpose of conducting quarterly reviews of the University’s policies and procedures to ensure compliance with the Clery Act. The Clery Compliance Team will adhere to applicable guidance related to the Clery Act in accordance with the Office of Postsecondary Education (OPE) handbook and the Uniform Crime Reporting Handbook to make certain that we are including all required disclosures in Annual Security Report (ASR).

Additionally, the Clery Compliance Team will follow written procedures that clearly describe the review process used to ensure that the University is reporting crime statistics consistently and accurately in annual security reports. The Clery Compliance Team will also ensure that San Francisco State University fully implements CSU Executive Order 1107 in our institutional Clery compliance efforts. For complete information on CSU Executive Order 1107, you may visit this link: https://www.calstate.edu/eo/E0-1107.html.

On a monthly basis, the Clery Compliance Team will conduct a meeting to review the University’s policies, procedures, and crime statistics with respect to Clery Act compliance in order to confirm that such policies, procedures, and statistics are accurate, comprehensive and effective.

The Assistant Vice President for Campus Safety & Chief of University Police (or designee), or the Clery Coordinator shall serve as the Clery Compliance Team leader. The Clery Compliance Team leader shall be responsible for preparing and setting the agenda for the monthly meeting, trainings, and requisite legal updates. To ensure complete compliance with the Clery Act, the Clery Compliance Team, in conjunction with the office of University Counsel, will finalize any updates, changes, or revisions to Clery Act policy and procedures in sufficient time to ensure inclusion in the ASR. The Clery Compliance Team shall submit all approved Clery Act policy and procedures for each calendar year to the Equity Programs & Compliance Manager and the UPD, in order to ensure inclusion in the ASR. The Equity Programs & Compliance Manager and UPD shall be responsible for confirming and ensuring that all approved, required and necessary Clery Act policy and procedure statements are included and submitted for publication in the ASR. The members of the Clery Compliance Team will conduct a separate review of each Clery Act compliance policy and procedure to determine whether it is current, comprehensive, effective, and consistent with Clery Act requirements. Assigned Clery Compliance Team members will design and draft any new policies or procedures that may be called for due to changes in law or the outcome of any Clery Act investigations of findings during the preceding year and shall revise and update the existing policies and procedures as may be necessary. This internal update of policies and procedures shall include, but is not limited to, the following:

- Clery Act Geography/Campus Mapping
- Gathering, Reporting, and Validating Clery Crime Statistics
- Identifying Campus Security Authorities (CSAs)
- Obtaining Statistics from Local Law Enforcement
• Maintaining the Daily Crime and Fire Logs
• Emergency Response and Evacuation Procedures
• Timely Warning Policy and Procedures
• ASR Distribution Policy and Procedures
• ASR Policy Statements
• Web-based Data Submission to Education Department
• Missing Student Notification Policy and Procedures
• Fire Safety Statistics
• Training Campus Security Authorities (CSAs)
• Drug Free Schools and Communities Act
• Notice of ASR and Access to ASR

The Clery Act reportable crime statistics for the University are collected and collated by the San Francisco State University Title IX office and the UPD. The Manager for Equity Programs & Compliance maintains & reviews Clery Act crime statistics for the Title IX office from incident reports submitted by our Campus Security Authorities. The UPD Records Supervisor manages & reviews Clery Act crime statistics for the UPD. The Records Supervisor collects Clery crime reports completed by UPD Police Officers and crime reports provided to the UPD by our neighboring law enforcement agencies. The University Police Department has established collaborative relationships with our neighboring law enforcement agencies who readily provide us with relevant information. The Clery Compliance Team will review the Clery Act reportable crime statistics on an on-going basis at the monthly meetings for inclusion in the ASR.

Crime statistics are reported pursuant to the guidelines as specified in the Jeanne Clery Disclosure of Campus Crime Policy and Campus Crime Statistics Act, as defined under the FBI Uniformed Crime Reporting procedures, and separated by the following geographical areas:
• Campus; and on-campus residence halls;
• Public Property adjacent to the University; and
• Non-Campus Property.

The following crimes must be reported:
• Murder/Non-negligent manslaughter
• Sex offenses: Rape; Fondling; Incest; Statutory Rape
• Domestic Violence
• Dating Violence
• Stalking
• Robbery
• Aggravated assault
• Burglary
• Motor vehicle theft
• Arson
In addition, the university must report arrests or disciplinary referrals for liquor, drug and weapons law violations and hate crimes by classification. Statistics on campus disciplinary referrals are collected from the offices of Residential Life and Student Conduct.

Members of the community may obtain a copy of the Annual Security Report at the University Police Department lobby located at 1600 Holloway Avenue, San Francisco, CA 94132, by calling (415) 338-7200, or by visiting the University Police Department’s website at http://upd.sfsu.edu/sites/default/files/assets/pdf/Annual_Security_Report.pdf.

Additionally, the website address for the report is included in the pay stubs of all faculty and staff. All prospective employees may obtain a copy of the report from the office of Human Resources located in room 252 of the Administration building or by calling (415) 338-1872.
## CLERY CRIME STATISTICS 2017 – 2019: SFSU MAIN CAMPUS

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HATE CRIMES

The following hate crime statistics are compiled from:

Main Campus

2017- There was one (1) hate crime reported. The report was a criminal threats incident at the San Francisco State University Main Campus in on-campus property and the bias categories were race, ethnicity, and sexual orientation.

2018- There were (2) hate crimes reported. Both incidents happened at the San Francisco State University Main Campus in on-campus property. One incident was a vandalism with a religion bias and the other incident was an aggravated assault with sexual orientation bias.

2019- There was one (1) hate crime reported. The crime was a battery at the San Francisco State University Main Campus in public property with gender and race biases.

Downtown Center

2017- There were no reported hate crimes.

2018 - There were no reported hate crimes.

2019- There were (2) hate crimes reported. Both incidents happened at the San Francisco State University Downtown Campus on public property. One incident was an aggravated assault with racial bias and the other incident was a robbery with sexual orientation bias.

Estuary & Ocean Science Center

2017- There were no reported hate crimes.

2018- There were no reported hate crimes.

2019- There were no reported hate crimes.

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

Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin. Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.
REPORTING CRIMINAL ACTIONS & EMERGENCIES

Community members, students, faculty, staff and guests are encouraged to promptly and accurately report (or as soon they are available) all potential criminal incidents and any emergency, including medical emergencies to the University Police Department or the appropriate law enforcement agency, when these victims of such crime elect or are unable to make such a report. Upon receipt of the call, Officers are dispatched immediately to the site of the incident to take the necessary action.

The University Police Department participates in student programs and new student orientations and events on an ongoing basis throughout the year where information on campus safety and how to promptly contact the UPD or local law enforcement agencies is provided. Additionally, we encourage prompt reporting anywhere on campus you feel comfortable, such as to Student Affairs & Enrollment Management staff or any campus administrator.

San Francisco State University strives to create and maintain an environment for learning that promotes respect for and appreciation of scholarship, freedom, human diversity and the cultural mosaic of the City of San Francisco and of the greater Bay Area; promote excellence in instruction and intellectual accomplishment and; provides broadly accessible higher education to the region and state, as well as the nation and the world.

The University Police Department assists with delivering the University mission and strives to create a safe environment conducive to academic excellence and student success. Even though the University Police Department works closely with neighboring Police agencies and employs security measures to reduce and prevent crime, we believe security is everyone’s responsibility and we need your assistance.

San Francisco State University is a community of more than 30,000 faculty, staff and students located in the City and County of San Francisco. In addition to the Main Campus, San Francisco State University maintains a downtown teaching center and remote research facilities located in Tiburon and Sattley, California. While we do not employ University police officers at these locations, we maintain a collaborative and reporting relationship with the law enforcement agencies at these sites and will coordinate with the local law enforcement agency if a security issue arises.

To minimize the number of criminal incidents on the Main Campus, caring and committed Residential Life staff, professionally trained University police officers, students, and members of the wider campus community participate in a number of shared responsibilities to ensure that the campus community and their possessions are protected.
San Francisco State University Main Campus:
- Located at 1600 Holloway Ave. San Francisco, CA 94132
- **415-338-2222** to contact University Police Dispatch directly if urgent, 24/7
- **9-1-1** from any campus phone (*dialing 9-1-1* from your cell phone will connect you to San Francisco Police Department when in San Francisco who will forward the call to the University Police Department upon request if you’re on campus property)
- **Emergency (Blue light)** direct connect emergency phones located various areas of San Francisco State University, can be used and you will be connected to University Police Dispatch
- **Elevator phones** are also available for assistance and they will connect you to University Police.
- **415-338-7200** (UPD non-emergency line with phone tree options)
- **415-338-3030** (Anonymous Crime Tip line)
- **Anonymous Tip Reporting** - (via UPD website) can be filed at: [http://upd.sfsu.edu/html/anontip](http://upd.sfsu.edu/html/anontip)
- **UPD general email address**: upd@sfsu.edu (Please do not report crimes or urgent matters via email)

San Francisco State University Downtown Center Campus:
- Located at 835 Market Street - San Francisco, CA 94105 on the 5th and 6th floors
- **415-553-0123** to report non-emergency situations to San Francisco Police Department
- **9-1-1** to report Life Threatening Emergencies or Crimes in-progress (to SFPD when in San Francisco)
- **SFPD Online Reporting options** - [http://sanfranciscopolice.org/REPORTs](http://sanfranciscopolice.org/REPORTs)
- SFPD Tenderloin Station Website - [http://sanfranciscopolice.org/Tenderloin-station](http://sanfranciscopolice.org/Tenderloin-station)

San Francisco State University Estuary & Ocean Science Center:
- Located at 3152 Paradise Drive - Tiburon, CA 94920
- **(415) 479-2311** to report non-emergency situations to the Marin County Sheriff Office
- **9-1-1** to report **Life Threatening Emergencies or Crimes in-progress** (to Marin County Sheriff)
- Marin County Sheriff’s Office website - [https://www.marinsheriff.org/contact](https://www.marinsheriff.org/contact)

To Report a Crime to the San Francisco Police Department:
- **9-1-1** to report **Life Threatening Emergencies or Crimes in-progress** (within San Francisco)
- **415-553-0123** non-emergency situations
- **SFPD Online Reporting options** - [http://sanfranciscopolice.org/REPORTs](http://sanfranciscopolice.org/REPORTs)
- **Text-A-Tip** - Procedure: Enter either TIP411 or 847411 in the "To" field and the keyword SFPD in the text field, followed by the message. (Complete instructions that follow.)
• **Anonymous Tip via SFPD website** -

Any suspicious activity or person seen on or inside campus property, in parking lots loitering around vehicles, inside or around the Residence Halls, along with other possible criminal or urgent matters should be promptly reported to the police department. In addition, you may report non-emergency crimes to the following offices (they may direct you to UPD or report on your behalf):

| V.P. for Student Affairs & Enrollment Management; Title IX Coordinator | 415-338-2032, Student Services, Room 403 |
| Associate Vice President & Dean of Students | 415-338-3888, Student Services, Room 403 |
| Equity Programs & Compliance Manager | 415-338-2032, Student Services, Room 403 |
| Student Conduct Administrator | 415-405-3960, Student Services, Room 403 |
| Director of Residential Life | 415-338-1822, Mary Ward Hall, Office #6 |
| Director, Counseling & Psychological Services Center | 415-338-2208, Student Services, Room 208 |
| Human Resources | 415-338-1872, Administration, Room 252 |

**Daily Crime Log**
The University Police Department maintains a daily activity crime log of all crimes reported to the department. The log is available for viewing on our website at http://upd.sfsu.edu/crimelog. The log covers the past 60 days. Incidents are posted to the Log within 48 hours of occurrence. If a case disposition changes, it will be reflected in the log within 48 hours. If an arrest is made, the arrest information will be posted directly below the corresponding incident. Arrest information older than the 60-day log period is considered criminal history and is not available for public viewing.

**Reporting Sex Offenses to University or Local Police**
If a victim makes a report of a sex offense as enumerated in California Government Code § 6254(f)(2) to local or University Police, the police are required to notify the victim that their name 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 & Discrimination, Harassment, and Retaliation (DHR) Administrator** (see http://titleix.sfsu.edu/).

University Police will, however, report the facts of the incident itself to the Title IX Coordinator & DHR Administrator being sure not to reveal the victim’s name/identity, or compromise their
own criminal/police investigation. The victim’s identity may not be disclosed to local law enforcement unless the victim consents after being informed of their right to have identifying information withheld. If a victim does not consent, the alleged assailant’s identity may also not be disclosed to local law enforcement.

Victims have rights under Title IX, VAWA/Campus SaVE Act and related legislation, and any available resources, such as counseling, health, and mental health services, as well as the right to file a complaint with University and/or local law enforcement. Regardless of whether victims wish to remain confidential, victims receive information on how to report to law enforcement and to the Title IX Coordinator & DHR Administrator. The Title IX Coordinator & DHR Administrator provides interim remedies, if requested and available, regardless of whether the victim chooses to report the conduct to University police or local law enforcement.

**CAMPUS SECURITY AUTHORITIES**

Although San Francisco State University encourages the reporting of campus criminal activity directly to the University Police Department, in some instances members of the campus community may notify one of the other Campus Security Authorities about a crime. Crime statistics are gathered from San Francisco State University’s Campus Security Authorities and are included in our annual security report.

A Campus Security Authority (CSA) is defined as “An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial procedures.” Individuals may be designated as CSAs if their official job responsibilities involve significant interaction with student and/or campus activities; serve as formal or unofficial mentors to students, serve as a member in an office or of a committee to whom students are instructed or informed to report or discuss crimes, allegations of crimes and other troubling situations; or have oversight for disciplinary procedures.

At San Francisco State University, in addition to University police officers, CSAs include: Housing & Residential Life Professional Staff, Resident & Community Assistants, Student Health Staff, Athletic Coaches, Trainers and staff members, Office of Student Affairs & Enrollment Management staff, Faculty Student Organization Advisors, the Dean of Students staff, Student Activities & Events staff, and Title IX staff. For contact information regarding personnel in these various positions, visit San Francisco State University’s A to Z Directory at [http://www.sfsu.edu/atoz/](http://www.sfsu.edu/atoz/).

San Francisco State University provides a CSA Incident Reporting form to assist CSA’s in fulfilling their CSA-related reporting duties on an on-going basis and in a timely manner. CSA’s may obtain the CSA Incident Reporting form at: [https://cm.maxient.com/reportingform.php?SFStateUniv&layout_id=2](https://cm.maxient.com/reportingform.php?SFStateUniv&layout_id=2)
For additional reference, community members can obtain the San Francisco State University CSA brochure at http://upd.sfsu.edu/sites/default/files/assets/clery/SFSUCSABrochure.pdf. The CSA brochure is also available on the UPD and San Francisco State University Title IX websites.

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.

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

While SFSU encourage members of the community to promptly report all crimes to UPD, SFSU does 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.

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still consider making a confidential or anonymous report. Victims or witnesses who wish to report crimes on a voluntary, anonymous basis for inclusion in the annual disclosure of crime statistics may do so by calling our Anonymous Tip Line at 415-338-3030, by calling our Investigations Division at 415-338-1046, or by sending an email to the general UPD email address upd@sfsu.edu.

CSU TIMELY WARNING POLICY

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

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

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

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

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

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

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

All buildings except the library will be secured by the University Police Department by 11:00 P.M. on weekdays and 5:30 P.M. on weekends per University Executive Order 94-17. We recognize that there will be some need for after hour and weekend access to buildings. After hours, a faculty or staff I.D. is required. Anyone working late or on weekends should notify the University Police Department. Students working in the building after hours are required to have in their possession a student pass (authorized by college deans) along with photo identification. In the event of a campus closure due to an emergency response effort, access to buildings will be determined on a case-by-case basis and conveyed in writing to campus administrators and offices. Community members shall comply with authorized campus closure directives when provided. Holiday access is treated as weekend access. University Executive Directive 94-17 can be accessed directly at http://policiesandpracticdirectives.sfsu.edu/sites/default/files/ued94_17_0.pdf.

Access to University Housing facilities is limited to residents, escorted guests and University staff. Entry is monitored on 24-hour basis through a combination of card-key security systems, hard keys, door prop alarms and on-duty Residential Life personnel. The campus facilities are maintained by Facilities & Services Enterprises and patrolled by the Officers of the University Police Department. The Police Officers and Community Service Officers regularly test the emergency phones and submit work orders for repair, recommend the trimming of shrubbery for safety reasons and conduct periodic lighting surveys. Officers report the need for replacement of lights and any other physical hazards they notice. Periodic crime prevention surveys are conducted when a crime trend occurs or upon physical changes of office space and equipment when requested by an administrator. The majority of campus buildings are equipped with card key access that is controlled by an access administrator. Many offices, labs, computer rooms and areas of campus have security alarms. You may use this link for more information on Facilities & Services Enterprises: http://sfstatefacilities.sfsu.edu/node/33.

Lighting improvements are constantly being evaluated. Improvements have included the placement of high intensity sodium vapor lights in buildings, in parking lot areas, in areas with heavy landscaping and trees, and along pathways frequently traveled by students. Outdoor courtesy telephones are located at the entrances of all University Housing facilities and at many locations throughout the campus. All emergency telephones are connected directly to the University Police Department.

Residential Life staffs professional Area Coordinator and Residential Coordinators along with student Resident and Community Assistants, who are all members of the University Housing team, live on campus and provide 24-hour crisis coverage. Student room doors should be locked at all times even when occupied. Residents with automobiles may park them in a reserved carport space after
purchasing a semester permit. Most importantly, residents are reminded to observe building security procedures and to notify Residential Life team members or the University Police Department of any unfamiliar faces or unusual incidents within either the residence halls or apartments. In 2004, Residential Life implemented an in-house Residential Life Conduct process for alcohol and drug violations. In 2013, the Prevention Programs unit (currently the Health Promotion & Wellness Unit) launched a web-based sexual assault prevention and alcohol abuse awareness online program called Campus Clarity. All first-year students including transfer and graduate students are required to take this program.

The community has a team of student Resident Assistants and professional Area and Residential Coordinators who reside in the community with students. Resident or Community Assistants are available to provide help in anything from roommate conflicts to directions on how to get to the nearest supermarket. Residential Life offers a wide variety of social, educational, and academic support programs.

All Residential Life team members in the residence community undergo comprehensive training throughout the year for both prevention and response regarding safety/security issues. As part of their responsibility for campus security, both student and professional staff participate in trainings and workshops related to issues with substance abuse, education and prevention of sexual assault, and general community security.

Central Campus

San Francisco State University offers two traditional residence halls and has two multi-story complexes, which provide on-campus housing for approximately 2,440 students. All buildings are owned and managed by San Francisco State University. Security safeguards within the residence community include restricted access, video surveillance and external door prop alarm systems. Crime prevention programs include orientation workshops, individual floor meetings, residential community-wide presentations and educational programs. All of the central campus residential buildings (Mary Ward Hall, Mary Park Hall, Village, and the Towers) have 24-hour community desk staffing as extra safety coverage.

Residents with automobiles may park them in Lot 25, the Village Garage, University Park North and University Park South after purchasing a semester or daily permit.

All buildings contain exterior doors that are monitored with door-prop alarms, key and card access. There are two to three Resident Assistants on duty each evening Sunday through Thursday night and 24
hours starting Friday at 5pm to Monday mornings. Residential Life team members provide evening rounds and enforce University and Housing policy. There are professional staff members On-duty each night and one Director-level professional staff member on duty each night.

Mary Ward and Mary Park Halls

The Residence Halls house approximately 840 first-time first-year students. Most rooms are double occupancy and when requested, ADA accessible single rooms are available. The rooms are furnished with a bed, closet space, desk, chair and drawers for each resident. Each room has a cable TV outlet providing basic cable programming, power outlets, phone jacks and 10baseT Ethernet jacks. Residents are allowed to bring or rent a small refrigerator and/or microwave to use in their rooms.

Towers at Centennial Square & Towers, Junior Suites

The “Towers” is a 15-story apartment building which houses approximately 800 first-time first-year students. Towers junior suites is a 5-story suite-style (shared room with private bathroom) housing approximately 100 first-time first-year students. The apartments are fully furnished, one- or two-bedroom, double occupancy, units with a kitchenette, living room and bathroom. Each bedroom has a cable TV outlet providing basic cable, power outlets, phone jacks and 10baseT Ethernet jacks for both residents. There is electronic card access to the exterior doors and 24-hour front desk employees.

The Village at Centennial Square

The Village at Centennial Square which houses 800 mostly first-time first-year students with some continuing first-year and second-year students at San Francisco State University. In addition, the Village community includes 12,000 square feet of retail space for restaurants and shops, as well as the Student Services Building and the Student One Stop Office. The Village name reflects a philosophy of easy student access to services with its design approach of a low-rise profile, linked courtyard, canopied walking areas and numerous community activity and study areas.

The Village offers single and double occupancy rooms in its three bedroom apartments and double occupancy rooms in the two bedroom apartments. Spaces are filled on a first come, first served basis. Residents are first and second year students and must be enrolled at San Francisco State University, carrying a minimum of 12 semester units. All apartments are fully furnished and have cable TV outlets.
providing basic cable, power outlets, phone jacks and 10baseT Ethernet jacks. Each apartment has a full kitchen with stove, refrigerator, dishwasher, microwave, and garbage disposal. ADA accessible units are available throughout the complex.

South Campus

San Francisco State University offers three apartment-style garden homes, which provide on-campus housing for approximately 300 students and approximately 100 faculty, staff, and nonaffiliated residents. Crime prevention programs include orientation workshops, individual floor meetings, residential community-wide presentations and educational programs. South Campus residential buildings (University Park South) have 16-hour community desk staffing operating in the Residential Life office.

Residents with automobiles may park them in reserved carport spaces after purchasing a semester permit. Exterior doors to apartments open to the general public and are not monitored by a central source. There are two to three Resident Assistants on duty each evening Sunday through Thursday night and 24 hours starting Friday at 5pm to Monday mornings. Residential Life team members provide evening rounds and enforce University and Housing policy. There are professional staff members On-duty each night and one Director-level professional staff member on duty each night. The Resident Assistant On-Duty Teams are supplemented with Community Service Officers who provide pedestrian patrol in the community Wednesday thru Saturday night.

University Park South (Blocks 2, 5, 41 and 42 forming the perimeter of South Campus)

University Park South (UPS) is comprised of 262 multi-family homes on the campus of San Francisco State University. The properties provide housing opportunities to students, faculty and staff of San Francisco State University as well as residents not affiliated with the University. The units vary in size (one, two and three bedroom units) and are constructed as low-rise profile with linked courtyards, covered parking areas and common laundry rooms.

Block 41 offers 16 unfurnished, three bedrooms, two and one-half bath town homes offered exclusively to faculty and staff of San Francisco State University. Spaces are filled on a first come, first served basis.

Blocks 42, 1, 2, 5 and 6 offer 246 apartment homes open to faculty, staff and students. Spaces are filled on a first come, first served basis.
All apartments at UPS are fully equipped and include power outlets, phone jacks and internet options. Each apartment has a full kitchen with stove and refrigerator. Some apartment homes have dishwashers and garbage disposals.

The following is a list of available entrances to various blocks:

- Entrances to the Block 41 residences are accessible via Vidal Street; a public road maintained by the City of San Francisco.

- Entrances to the Block 42 residences are accessible via Font Boulevard, Pinto Avenue and Arballo Drive; public roads maintained by the City of San Francisco.

- Entrances to the Block 41 residences are accessible via Tapia Drive and Font Boulevard; public roads maintained by the City of San Francisco.

- Entrances to the Block 2 residences are accessible via Holloway Avenue, Font Boulevard, Arellano Avenue and Serrano Drive; public roads maintained by the City of San Francisco.

- Entrances to the Block 5 residences are accessible via Arellano Drive, Serrano Drive and Holloway Avenue; public roads maintained by the City of San Francisco.

University Park South is owned by San Francisco State University and managed by San Francisco State University’s Housing.

North Campus

San Francisco State University offers four apartment-style towers and garden homes, which provide on-campus housing for approximately 1350 students and approximately 230 faculty, staff, and nonaffiliated residents. All buildings are owned and managed by San Francisco State University. Security safeguards within the residence community include restricted access, video surveillance. Crime prevention programs include orientation workshops, individual floor meetings, residential community-wide presentations and educational programs. North Campus residential buildings (University Park North) have 24-hour community desk staffing operating in the Residential Life office.

Residents with automobiles may park them in reserved carport spaces after purchasing a semester permit. Exterior doors to apartments open to the general public in the garden homes and to central
hallways in the towers and are generally not monitored by a central source. There are two to three Resident Assistants on duty each evening Sunday through Thursday night and 24 hours starting Friday at 5pm to Monday mornings. Residential Life team members provide evening rounds and enforce University and Housing policy. There are professional staff members On-duty each night and one Director-level professional staff member on duty each night. The Resident Assistant On-Duty Teams are supplemented with Community Service Officers who provide pedestrian patrol in the community Wednesday thru Saturday night.

University Park North (Blocks 1 thru 14 forming the perimeter of North Campus) University Park North (UPN) provides 697 unfurnished apartments to students, faculty and staff of San Francisco State University in addition to residents of the area. The complex provides easy access to the Main Campus with a design of both low-rise and tower accommodations.

University Park North offers one, two and three bedroom apartments with linked common areas and is filled on a first come, first served basis. Priority is given first to students, then to faculty and staff, and finally to residents of the area.

Student apartments are both furnished and unfurnished. All faculty, staff, and nonaffiliated resident apartments are unfurnished and include basic cable programming, power outlets, phone jack and accessible high-speed internet options. Each apartment has a full kitchen with stove, refrigerator, dishwasher, microwave, and garbage disposal. Entrances to the University Park North towers are protected by a key system that enables only residents or authorized personnel to open doors and have access to the building. Garden apartments have general entrances with private homes secured by individual front doors.

University Park North is owned and managed by San Francisco State University.

**LAW ENFORCEMENT AUTHORITY**

The San Francisco State University campus is under the primary jurisdiction of the California State University Police Department as described in section 89560 of the California Education Code and section 830.2 (c) of the California Penal Code.

Specifically stated in section 89560 of the California Education Code; the trustees may appoint one or more persons to constitute a police department for the headquarters and for each campus of the California State University. Persons employed and compensated as members of a California State
University police department, when so appointed and duly sworn, are peace officers. However, such peace officers shall not exercise their powers or authority except (a) at the headquarters or upon any campus of the California State University and in an area within one mile of the exterior boundaries of each campus or the headquarters, and in or about other grounds or properties owned, operated, controlled, or administered by the California State University, or by trustees or the state on behalf of the California State University.

University police officers meet all the requirements set forth by the Commission on Peace Officer Standards and Training (P.O.S.T.), which sets the standards for all California State law enforcement Officers. In addition, California State University police officers undergo training specially designed to meet the needs of the campus community after graduation from an academy. All sworn police officers have been trained in first aid and cardiopulmonary resuscitation and are authorized to enforce all regulations on the University campus and an immediate one-mile radius. In some instances, police powers extend statewide. University police officers are armed with firearms; they conduct foot, vehicular and bicycle patrols on campus and in the Residence communities 24-hours a day.

**ADMINISTRATIVE AGREEMENT BETWEEN SAN FRANCISCO STATE UNIVERSITY POLICE AND SAN FRANCISCO POLICE DEPARTMENT**

The University Police Department works closely with the San Francisco Police Department (SFPD), agencies near our branch sites, and other law enforcement agencies to assist with incidents involving campus community members that may occur off campus.

The University Police Department and SFPD have mutual aid and working agreements. Each department augments the other within their jurisdictions during mutual investigations, arrests and prosecutions. The University Police Department is responsible for processing, investigating and prosecuting all crimes committed on San Francisco State University property and grounds owned, operated, controlled or administered by the California State University except the following: homicide, suicide, and those death cases deemed suspicious by the Medical Examiner of San Francisco.

The Memorandum of Understanding (MOU) between the University Police Department and SFPD promotes collaboration, and enhances the reporting, investigation and appropriate response to sexual assault and other Clery Act crimes. The primary purpose of the MOU is to promote compliance with the numerous state and federal laws that provide specific requirements related to these issues, as outlined in California Education Code Sections 67380, 67381 (the Kristin Smart Campus Safety Act of 1998) and 67383; SB 967 (de León, 2014), specified in California Education Code Section 67386; the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”)
and Title IX of the Higher Education Amendments of 1972 (“Title IX”), as well as the California Penal Code and applicable state laws related to health and confidentiality/privacy. By this agreement, the UPD may call upon the San Francisco Police Department to assist in the handling of major crimes, including but not limited to Part 1 violent crimes as defined in California Education Code Section 67381.

Additionally, the purpose of the MOU is to meet the statutory requirements established by AB 1433 (Gatto, 2014), specified in the California Education Code (§ 67383(a) and § 67381), requiring covered institutions to adopt and implement written policies and procedures to ensure that reports of Part 1 violent crimes, hate crimes or sexual assaults are immediately, or as soon as practicably possible, disclosed to local law enforcement.

SECURITY PROCEDURES AND PRACTICES

The University Police Department is committed to contributing to the welfare of the campus community. The University Police Department supports this commitment through programs designed to anticipate, recognize, and appraise crime risks, and that initiate action to reduce those risks. These programs attempt to promote community involvement and support of activities that address community perceptions and misperceptions of crime.

CRIME PREVENTION PROGRAMS

The department’s crime prevention function is a shared responsibility of all employees, but specific duties are assigned to the Commanding Officer of Crime Prevention Unit, Community Liaison Unit, and the Investigations unit personnel.

The department’s Crime Prevention Unit provides for the following:

a. Targeting crime prevention programs based on the type of crimes that are occurring and location of those crimes as the result of an analysis of crime data by Department Investigators or other department employees;
b. Targeting crime prevention programs to address community perceptions or misperceptions of crime; and

The Commanding Officer of Investigations or their designee will prepare a comprehensive written evaluation of the agency’s crime prevention programs, at least once every four years. Crime Prevention Unit activities shall include safety presentations to:

1. University departments and office areas;
2. Campus Housing;
3. Fraternities and Sororities;
4. Campus clubs and organizations; and
5. Other interested groups.
6. New student and employee orientations.

Community education presentations will include sexual assault and acquaintance rape prevention, alcohol and drug abuse, bicycle safety, general campus safety and security, workplace violence, home, campus housing and office security, personal safety, self-defense training and theft prevention. The Crime Prevention unit will maintain a Community Engagement log in the Investigations Office to document all programs presented to the campus community.

Additionally, members of the University Police Department are available at any time to provide presentations to staff, faculty and students on topics such as: Personal Safety, Sexual Assault Prevention, Prevention of Auto Theft and Auto Burglary, Dealing with Distressed Individuals, Emergency Preparedness, Safety Presentations for Children and Parents, Laptop Safety, Fraud Prevention, Public Transportation Safety, Senior Citizen Safety and many other topics related to protecting personal and state property. In addition to crime prevention information, information regarding disciplinary procedures in relation to criminal activity is also covered and provided to community members.

We do encourage participation in our crime prevention programs and ask for your assistance in keeping our community safe. If you would like to schedule a Crime Prevention Presentation, please call our Crime Prevention Coordinator at 415-338-2226. For more information on our Crime Prevention, please visit the UPD website at: http://upd.sfsu.edu/html/crime_prevention.

When time is of the essence, information is released to the university community through security alerts/bulletins posted prominently throughout campus or placed on university websites. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. If you see something suspicious or out-of-the-ordinary, say something by contacting the police.

**CAMPUS ALLIANCE FOR A RISK-FREE ENVIRONMENT (C.A.R.E.)**

The University Police Department provides a safety escort program called C.A.R.E. The C.A.R.E. team members provide personal escorts and additional building security during evening and nighttime hours. Team members are available to escort students, faculty and staff to and from their classroom, laboratory or office, automobile, campus housing or any other location within a reasonable distance to campus. The C.A.R.E. program is a student security program which supplements the police department. Call x87200 or 415-338-7200 for an escort or visit the website at http://upd.sfsu.edu/html/care for more information.
EMERGENCY CAMPUS PHONES
Emergency phones are spread throughout the campus including every level of the main parking garage. Emergency phones are clearly marked and when activated connect directly to the University Police Dispatch Center. For more information on emergency phones, you may use this link http://upd.sfsu.edu/html/emergency-phones.

Emergency Phones are labeled on the SFSU Campus map with an ‭‌. The online version of the campus map is broken into four sections. Click on any one of those sections to zoom in and view where the emergency phones are located. To view the online map, please see the SFSU Map Page.

COMMUNITY LIAISON UNIT
The Community Liaison Unit was created to help foster a stronger working relationship between the University Police Department and the SFSU community it serves. The Community Liaison Unit works with multiple campus organizations, community organizations, advocacy groups, and individual students through education, involvement, and policing initiatives. As a result of these working partnerships, the Community Liaison Unit is able to develop pro-active crime prevention projects by analyzing crime hazards in our community and coming up with strategies to help mitigate them. The unit also provides members of the University community with a variety of services, including safety presentations and community outreach initiatives. For more information on the Community Liaison Unit please visit our website at http://upd.sfsu.edu/content/community-liaison-unit.

INTERNET SAFETY ZONE
The University Police Department launched the “Internet Sale Safety Zone” in July 2017 as a key safety awareness component of the Crime Prevention and Community Liaison Programs. The University Police Department has designated parking spots in front of the current San Francisco State University Police station as “Internet purchase exchange locations” that will allow students, staff and faculty to safely conduct and complete internet sale transactions they have made online in familiar surroundings. The spaces provided are monitored by video surveillance 24-hours-a-day and police personnel are nearby to deter crimes that can occur during these types of transactions and ensure everyone’s safety.

RAPE AGGRESSION DEFENSE SYSTEMS (R.A.D.)
The University Police Department offers R.A.D., a safety education program that consists of realistic self-defense tactics and techniques that can help reduce your chances of being victimized. This comprehensive, women-only course begins with awareness, prevention, risk reduction and avoidance, while progressing onto the basics of hands-on defense training. The R.A.D. self-defense training program is taught by certified instructors and is offered several times throughout the year. For more information, contact the UPD Crime Prevention Coordinator at 415-338-2226.

SF STATE CITIZEN’S POLICE ACADEMY
The San Francisco State University Citizen’s Police Academy is a program designed to educate members of the campus community about law enforcement on our campus through various methods.
of instruction including lectures, activities, discussions and scenario training. In addition to learning about law enforcement and community service, students will have the opportunity to explore new career opportunities and develop relationships that will last well beyond the course. For additional information on the Citizen’s Academy, please visit our website at http://upd.sfsu.edu/content/citizens-police-academy.

LOST AND FOUND
The University Police Department is the central repository of all found property. The Lost and Found office can be reached at 415-338-2306 and the link to the website is http://upd.sfsu.edu/html/lost-and-found.

ORIENTATION: THE OFFICE OF NEW STUDENT PROGRAMS
Orientation is an important aspect in helping new San Francisco State University students prepare for college success. The Office of New Student Programs will offer guidance and resources that can help students get started at San Francisco State University. Orientation is a collaborative effort consisting of academic counselors, student leaders, and many student services staff members and partner departments.

The University Police Department is involved in the orientation of new students and their parents and families. Orientation programs stress safety measures and general crime prevention strategies. Additionally, police personnel are often invited to speak in courses to provide an overview of the University Police Department, the services provided, current crime issues, and crime prevention strategies. The following link will take you to the New Student Programs website for more detailed information, http://newstudentprograms.sfsu.edu/home.

CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

When a San Francisco State University student is involved in an off-campus offense, police officers may assist with the investigation in cooperation with local, State, or federal law enforcement. Many San Francisco State University students live in the neighborhoods of San Francisco. While local police have primary jurisdiction in all areas off-campus, UPD Officers can and do respond to student-related incidents that occur in close proximity to campus on a case by case basis. Any student who has been arrested for or found guilty of committing a crime off-campus is subject to campus disciplinary adjudication for violation of Title V of the Student Code of Conduct. The Student Code of Conduct can be found at https://conduct.sfsu.edu/standards.

Student organizations may also use off-campus buildings or property on either a frequent or repeated use basis. Additionally, in a “reasonable good-faith effort” UPD will request the records for any criminal activity that may have occurred at those locations from local law enforcement agencies. UPD will coordinate with the Student Activities & Events office to assess for non-campus property of student organizations. San Francisco State University does not formally recognize or support student
organizations with non-campus housing facilities, and therefore does not have a policy concerning the monitoring and reporting of criminal activity at any such housing facility locations.

**ALCOHOL AND DRUGS**

As an academic community, San Francisco State University is committed to providing an environment in which everyone can learn and grow. However, the use and misuse of drugs can seriously affect members of the campus community. The University expects every student, faculty member, staff member, and administrator to be aware of and comply with all local, state, and federal laws regarding the unlawful possession, distribution, or use of illegal drugs and alcohol.

The University has a zero-tolerance policy regarding the use and sale of illegal drugs on the university campus or at any university-sponsored event off campus. The possession, transportation and/or consumption of alcohol by individuals under 21 years of age is strictly prohibited. Alcoholic beverages may not be consumed in public areas and must be concealed and not in plain view when transported in the residence community. Residents in the residence community under the age of 21 years of age are not permitted to host guests or residents of any age who are in possession of alcohol in their room/apartment.

The University also enforces state laws regarding driving while under the influence of alcohol. A Police Officer can confiscate the license of any driver suspected to be driving under the influence who refuses to take a blood alcohol concentration (BAC) test. Anyone under 21 found in possession of alcohol can have their driver’s license taken away, even if the underage person was not drinking, drunk, or driving. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner, which impairs performance of assigned tasks in the workplace and/or academic environment. A more complete description of these regulations is contained in the following University Directives:

University Directive 89-12 (The Alcohol and Drug Policy)
https://policiesandpracticedirectives.sfsu.edu/sites/default/files/ued89_12_0.pdf

University Directive 90-15 (Policy on Substance Abuse in the Workplace)
https://policiesandpracticedirectives.sfsu.edu/sites/default/files/ued90_15_0.pdf

For questions and more information on these University Directives, you can send an email to the Compliance & Policy Coordinator at policies@sfsu.edu.

Student violators are subject to discipline through the Student Conduct process (refer to CSU Executive Order 1098, found at https://www.calstate.edu/EO/EO-1098-rev-6-23-15.html, which may result in either probation, suspension, or expulsion from the University and/or the CSU system. This may also include removal from University Housing. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance that has been committed by a student who is under the age of 21.
Employees in violation of the University alcohol and drug policies may be subject to corrective action, dismissal, requirement to participate fully in an approved counseling or rehabilitation program, or other applicable legal sanctions under local, state and federal laws.

All members of the campus community may be subject to criminal prosecution for violation of applicable local, state, or federal laws.

HEALTH RISKS ASSOCIATED WITH ALCOHOL ABUSE OR ILLICIT DRUG USE

Substance use is linked to serious negative health effects including chronic diseases, increased risk of injury, and in some cases overdose. When taken in large quantities, alcohol can negatively affect many parts of the body including the brain, heart, liver, pancreas, and immune system. It can also increase risk of developing certain cancers including mouth, esophagus, throat, liver and breast cancer. Mixing alcohol and prescription or illicit drugs can also have serious negative effects including the increased risk of heart attack.

For more information please visit: http://bulletin.sfsu.edu/policies-procedures/regulations-procedures/drugs-alcohol/

PROGRAMS AND RESOURCES FOR SUPPORT:

HEALTH PROMOTION & WELLNESS

Health Promotion & Wellness provides health education through workshops and seminars on topics related to alcohol and other drugs and provides training to volunteers who work with other students, faculty, and staff to assist in creating a campus environment that reinforces healthy lifestyles. Information can be found at http://wellness.sfsu.edu.

COUNSELING & PSYCHOLOGICAL SERVICES (CAPS)

Counseling & Psychological Services provides culturally sensitive information and support services for students grappling with substance related problems through assessment, counseling and referrals. Services are free and confidential. The Center is located in the Student Services Building, Room 205 and can be reached at 415-338-2208 or http://caps.sfsu.edu.
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
TRAINING, EDUCATION AND PREVENTIVE MEASURES

It is University policy per CSU Executive Order 1095 to implement preventive education programs/training to promote the awareness of CSU policies against of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Executive Order 1095 requires programs/training for all new Students and new Employees; refresher programs/training at least annually for all Students; programs/training twice a year for all Students who serve as Advisors in residence halls; annual programs/training for all Student members of fraternities and sororities; annual programs/training for all Student athletes and coaches; and, annual programs/training for all Employees consistent with their role in responding to and reporting incidents.

Training for all incoming students and new employees declare that San Francisco State University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, and includes the definition of these crimes. These programs define consent in reference to sexual activity; provide safe and positive options for bystander intervention and provide information on risk reduction to recognize warnings of abusive behavior and how to avoid potential attacks. It is our goal to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Primary prevention programs include programming, initiatives, and strategies informed by research or assessed for value, effectiveness or outcome that are intended to stop Sexual Misconduct, Dating or Domestic Violence, or Stalking before they occur through the promotion of positive and healthy behaviors that foster mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. Ongoing prevention and awareness campaigns for all Students and Employees are also conducted.

Bystander Intervention

Bystander intervention includes the following four techniques known as the “Four Ds” campus community members can use to intervene and support our fellow community members:

- **“Direct“**: You can be direct when confronting a situation where someone else is being harmed or at risk of being harmed. In the case of witnessing a fight, the direct approach might involve asking the students who were fighting if everything is alright or asking the other students in the room if they are as uncomfortable with the situation as you were. In the case of a depressed housemate, a direct approach might be letting them know you are concerned and asking if you can walk to **Counseling & Psychological Services (CAPS)** with them.
• “Distract”- In a situation that involves more than one person, you can also distract one or both people involved. In a fight, this can allow people to cool off, and in cases of sexual violence, it can create an opportunity for the potential victim to get away. Distraction can also be useful for talking to friends with mental health concerns in addition to encouraging them to seek professional help. For example, if you suspect someone is suffering from an eating disorder, you can encourage that person to see themselves as more than just their eating disorder by talking about other aspects of their lives. The goal of distraction is to interrupt the harmful behavior, not necessarily to confront it.

• “Delegate”- You can delegate the task by looking for people to back you up when it’s time to intervene. Depending on the situation, that could mean asking for help from fellow partygoers when you witness a fight or see sexual violence or letting your Resident Assistant know that you have a housemate who is depressed or struggling with eating concerns. If you are unsure who to contact for help with a particular problem, check out this link to additional resources http://titleix.sfsu.edu/sites/sites7.sfsu.edu.titleix/files/RightsAndOptionsForVictimsOfSexualViolence.pdf. Delegating is great because it can create a shared sense of responsibility among community members.

• “Delay”- If the first 3 Ds don’t work for you or your situation, if you need to gather more information from an outside source, or if you feel like you missed an opportunity to intervene, don’t panic. You can also use a delayed response, such as following up and asking if someone is okay after the fact. The important thing is to show you fellow students that you care and are there to support them. (Fox, 2013)

**ACTION CARE TEAM**

The Action Care Team (ACT) (formerly known as the Action Crisis Team) is a multidisciplinary team of key campus partners established by the Student Affairs & Enrollment Management cabinet area to meet regularly to serve five major functions for the University:

1. Provide consultation and support to faculty, staff and administrators in assisting students who display concerning or disruptive behaviors;
2. San Francisco State University Annual Security Report
3. Gather information to assess situations involving students who display concerning or disruptive behaviors;
4. Recommend appropriate intervention strategies or disciplinary sanctions;
5. Connect students with needed campus and community resources; and
6. Monitor ongoing behavior of students who have displayed disruptive or concerning behavior.

While interacting with students across the University, staff may be confronted with situations in which a student is disruptive or displays behavior that may be intimidating, threatening or disturbing to others. The ACT is designed to assist faculty, staff and administrators in addressing these situations in a uniform and supportive manner. The ACT’s composition and membership is designed to provide all segments of the University with access to assistance, speedy response, and information/resources with direction for addressing students’ inappropriate behavior in and outside the classroom.

The ACT will be composed of representatives from various critical areas of the campus community including the following:

- Counseling & Psychological Services- ACT Co-Chair
- Dean of Students Office- ACT Co-Chair
- University Police Department
- Disability Programs & Resource Center
- Residential Life
- Undergraduate Advising
- College Associate Deans
- Office of Student Conduct
- Enrollment Management

Following the guidance of the National Behavioral Intervention Team Association (NaBITA- https://nabita.org/), the ACT will consult with Academic Advising, Athletics, Human Resources, Student Activities & Events, Career Services & Leadership Development, and other campus offices as needed. The ACT will receive ongoing training in the assessment of disturbing and threatening behaviors in students, protocol for intervention and referral, protocol for documentation and database development within the guidelines of FERPA confidentiality.

The University has zero tolerance for violence against members of the University community. To fulfill this policy, the University will work to prevent violence from occurring and will ensure federal and state laws, as well as University regulations prohibiting violence, are fully
enforced. In determining whether conduct constitutes a credible threat or act of violence, the circumstances surrounding the conduct will be considered.

Established University faculty, staff and the University Police Department procedures will serve as the mechanisms for resolving situations of violence or threats of violence. Each allegation of violence will be taken seriously. Individuals are encouraged to report acts of violence, threats of violence or any other behavior which by intent, act or outcome harms another person. For more information about the Action Crisis Team or to submit a report: http://act.sfsu.edu/home

**CAMPUS CLARITY: NEW STUDENT TRAINING**

“Think About It” by Campus Clarity is a web-based sexual assault prevention and alcohol abuse awareness program. Campus Clarity will empower students to make well-informed decisions about alcohol and sexuality, as well as respond more effectively to the risky behaviors of peers. We also know alcohol is one of several risk factors in sexual assaults on college campuses and we believe the educational material included in Campus Clarity will help provide students with the information they need to understand affirmative consent, healthy relationships, and effective communication.

Every incoming student will be required to take Campus Clarity. The material covered in the online course may be distressing for some students, so San Francisco State University offers assistance for those who may need additional information or support around these issues through the Health Promotion & Wellness Unit at clarity@sfsu.edu and The SAFE Place.

**COUNSELING & PSYCHOLOGICAL SERVICES (CAPS)**

The University Police Department works closely with Counseling & Psychological Services (CAPS). We work as a team in dealing with sensitive situations and we refer persons to Counseling and Psychological Services on a regular basis. Both University Police Officers and counselors have received training on risk assessments and the counselors consistently encourage their clients to report crimes to the University Police Department to prevent future crimes. Counseling sessions are considered confidential and privileged. The holder of the privilege is the client. Crime information be can forwarded anonymously at the request of the client. The counselors do not disclose information to the University Police Department without the consent of the client unless there is an immediate threat to safety. Any reporting of statistics to comply with this act is done by reporting numbers and not names so the information provided by clients is confidential.

Counseling & Psychological Services provides brief therapy to students at no cost. The staff consists of culturally diverse, professionally trained and licensed counselors, marriage and family therapists, psychologists, and clinical social workers. Counselors are also available for consultations regarding distressed or potentially violent students and can be reached at 415-338-2208. For more information on the CAPS, you may visit http://caps.sfsu.edu/.

**EDU: ELIMINATE CAMPUS SEXUAL VIOLENCE: NEW EMPLOYEE TRAINING**
New employees are able to complete online sexual violence awareness and prevention training which can be accessed here: http://tech.sfsu.edu/guides/skillport. 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. This course also provides state-specific legal definitions of sexual violence, and describes victim protections, bystander intervention strategies, and University disciplinary proceedings.

HEALTH PROMOTION & WELLNESS
In 2015, San Francisco State University established the new Health Promotion & Wellness (HPW) unit to coordinate health education and promotion efforts for the San Francisco State University community, including programs targeted at the prevention of sexual violence.

During the academic year 2019-2020, San Francisco State University’s Health Promotion & Wellness (HPW) unit provided the following sexual violence prevention education workshops, activities and programs in support of CSU Executive Order 1095 mandated sexual violence prevention efforts:

1. **Workshops on sex discrimination, sexual harassment, and sexual misconduct for campus Residential Life Student Leaders:** On August 8, 2019, HPW conducted an updated Sexual Violence Prevention to approximately 120 student leaders in Residential Life. This training includes prevention education covering affirmative consent, effective techniques for bystander intervention, and the importance of shifting campus culture, while incorporating mandatory content around reporting responsibilities and procedures in compliance to CSU EO 1095. A follow-up training was also conducted in May 2020 that served as a refresher training and support for student leaders navigating their unique role as reporters.

2. **Education on sex discrimination, sexual harassment, and sexual misconduct is provided to all incoming students (freshman, transfers, international students, graduate students, and College of Extended Learning students):** HPW coordinates San Francisco State University’s sexual violence prevention education to all incoming students at our university. San Francisco State uses Vector Solutions “Not Anymore” online workshop, which empowers students to make well-informed decisions about alcohol and sexuality, as well as to respond more effectively to the behaviors of
peers. It also provides information on affirmative consent, healthy relationships, and effective communication. Additionally, CSU EO 1095 requires campuses to provide a “refresher” training to all campus students in order that there is a culture of ongoing consciousness raising and awareness about sexual violence. In AY 2019-2020, San Francisco State University offered Vector Solutions’ online workshop titled “Clarifying Consent.”

3. **Sexual violence prevention education is provided to student members of fraternities and sororities:** Building on the content delivered to Residential Life student leaders, HPW also provides content that highlights gender norms and the relationship between students’ rights, protections, and practical strategies to prevent sexual violence.

4. **Sexual violence prevention education is provided to student athletes:** In AY 2019-2020, HPW also tailored its sexual violence prevention content for student athletes. HPW provided this education in December 2019 that includes affirmative consent, addressing social norms and rape myths, basic bystander intervention, while tying in brief interactive pair dialogues, short videos, and pertinent statistics about sexual violence specific to Athletics. In addition, mandatory CSU EO 1095 content was included in this training to emphasize the connections between students’ rights, protections, and practical strategies to prevent sexual violence.

5. **In partnership with AS Women’s Center, HPW coordinated Domestic Violence Awareness Month (DVAM) in October 2019.** To create awareness and dialogue, the 2019 DVAM day of awareness consisted of daytime activities such as resource tabling, educational workshops on healthy relationships and communication, as well as short spoken word on-stage performances and a “Pledge to Healthier Relationships” activity that all took place in Cesar Chavez Student Center.

6. **HPW launched two new ongoing educational outreach activities for the campus community.** In collaboration with Sexual Violence Prevention and Men’s Health Peer Health Leader (PHL) Interns, HPW planned, designed, and implemented the following bi-weekly educational outreach activities in Fall 2019:
   - **Thinking of You tabling:** an outreach activity that incorporates art as healing for peers looking to create messages to affirm and support peers and loved ones who are survivors of sexual violence. This interactive outreach activity also provides awareness education about on and off-campus resources, as well as information about educational events around sexual violence prevention.
• **Healthy Masculinity tabling**: an outreach activity that incorporates the activity “Man Box” that engages passersby in dialogue around how men can be active agents of change in preventing sexual violence. This interactive outreach activity examines unhealthy messages that boys and men learn in our culture that increases risk for perpetration, while providing opportunities for reflection and dialogue to begin the process of change. Each outreach interaction ends with awareness education about on and off-campus resources, as well information about educational events around sexual violence prevention.

7. **HPW spearheaded the formation of the new Sexual Violence Prevention Collaborative (SVPC).** To build campus capacity in creating programmatic and organizational changes, HPW applied for the National Association of Student Personnel and Administrators’ (NASPA) Culture of Respect Collective. In January 2019, San Francisco State became part of the Culture of Respect Collective, comprised of more than 40 institutions across the nation working on multi-stakeholder approaches to prevent sexual violence and support survivors. The SVPC, which consists of staff, faculty, and students, is charged to engage in collaborative efforts to address sexual violence. In AY 19-20, the members of the SVPC met monthly to build its structure and membership and build an implementation plan for campus improvements.

8. **In collaboration with HPW Alcohol, Tobacco, and Other Drugs (ATOD) and Sexual Health Education programs,** HPW coordinated its first Dating Violence & Stalking Awareness Month in AY 19-20. Campus partners include: The SAFE Place, United Greek Council, and La Casa de las Madres. The following workshops and events were offered for the awareness month:
   - Resource fair
   - Boundary Building workshop
   - Valentine’s Day Art Night

9. **In partnership with various campus partners,** HPW coordinated Sexual Assault Awareness Month in AY 19-20 (SAAM). Campus partners include: The SAFE Place and Equity Programs & Compliance. The following workshops were offered for SAAM:
   - Sexual Violence Prevention 101 Workshop
   - Coffee & Conversation: Demystifying Title IX
   - Thinking of You Peer Discussion
   - SAAM Talk: Risk Reduction & Resilience

**EQUITY PROGRAMS & COMPLIANCE**
Educational outreach and trainings are provided and facilitated to the campus community by members of the Equity Programs & Compliance team. The following policy and procedure trainings were conducted during Academic Year 2019-2020:

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<tr>
<th>Fall 2019</th>
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<tr>
<td>Residential Life Student Staff</td>
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<td>Residential Life Conduct Board</td>
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<td>Associated Students Board of Directors</td>
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<td>Student Resource Center for College of Health &amp; Social Sciences</td>
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<td>Fraternities and Sororities</td>
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<td>Student Health Services Staff</td>
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<td>Student Athletes</td>
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<td>Academic Senate</td>
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<td>Office of International Programs</td>
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<td>MPPs (SFSU Administrators)</td>
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<td>Residential Life Student Staff</td>
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<td>Athletics Staff</td>
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<td>Department Chairs and Directors</td>
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<td>Residential Life Community Assistants</td>
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<tr>
<td>Coffee &amp; Conversation: Demystifying Title IX (Workshop in collaboration with the SAFE Place, hosted by HPW)</td>
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**DEFINITIONS PER EXECUTIVE ORDERS 1095-1097**

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

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

**SEX DISCRIMINATION**

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

**ADDENDUM B: SEXUAL HARASSMENT**

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

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

**EXECUTIVE ORDER: SEXUAL HARASSMENT**

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

1. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Complainant's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
2. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, as limiting his or her ability to participate in or benefit from the services, activities or opportunities offered by the University; or
3. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, as creating an intimidating, hostile or offensive environment.
Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment. Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. The University’s policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to University policy.

**EXECUTIVE ORDER: SEXUAL MISCONDUCT**

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

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

**ADDENDUM B: SEXUAL ASSAULT:**

a. Rape is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant, with the present ability and the intent to commit Rape.

b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.
c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. Statutory Rape is sexual intercourse with a person who is under the age of 18 years, the California statutory age of consent.

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

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

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.

- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions.

- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.

- A person with a medical or mental disability may also lack the capacity to give consent.

- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.

- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
  - The person was asleep or unconscious;
  - The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
  - The person was unable to communicate due to a mental or physical condition.
• It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  o The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
  o The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

ADDENDUM B: DOMESTIC VIOLENCE

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

EXECUTIVE ORDER: DOMESTIC VIOLENCE

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

ADDENDUM B: DATING VIOLENCE

Physical violence or threat of physical violence committed by a person—
  a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and-
  b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
    1. The length of the relationship.
    2. The type of relationship.
    3. The frequency of interaction between the persons involved in the relationship.
EXECUTIVE ORDER: DATING VIOLENCE

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

ADDENDUM B: STALKING

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

EXECUTIVE ORDER: STALKING

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

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

PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT

IF A VICTIM IS IN THE MIDST OF AN EMERGENCY, THEY ARE ADVISED TO CALL THE POLICE IMMEDIATELY BY DIALING 9-1-1.

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

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

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

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

The University encourages victims of Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking to talk to someone about what happened – so they can get the support they need, and so the University can respond appropriately. Whether – and the extent to which – a University employee may agree to maintain confidentiality (and not disclose information to the Title IX Coordinator) depends on the employee’s position and responsibilities at the University. The following information is intended to make everyone aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn for help. The University strongly encourages victims to talk to someone identified in one or more of these groups.
Certain University employees, listed below, are required by law to maintain near or complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain the victim’s identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator, including the identity of the perpetrator. Most other University employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim and take steps to correct and eliminate the misconduct.

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

It is important for the victim to make every attempt to preserve any physical evidence of the assault. This may include a voluntary medical exam, not showering or disposing of any damaged clothing and bedding or other items that are present after/during the assault. Save clothing and/or any other evidence in paper bags. Preserving evidence from an assault may be helpful in obtaining a protection order. Victims are encouraged to call any law enforcement agency by calling 9-1-1 after a sexual assault for criminal investigation, referral or transport for medical treatment and referral to crisis counseling and legal advocacy.

Victims are encouraged to make their reports to the designated Title IX Coordinator.

**Executive Director of Equity Programs & Compliance:**
Title IX Coordinator & DHR Administrator,
Equity Programs & Compliance
Hours: Mon-Fri, 9am-6pm
Phone: (415) 338-2032

**SAN FRANCISCO STATE UNIVERSITY POLICE**
Phone (emergency) (415) 338-2222
Phone (non-emergency): (415) 338-7200
Email: upd@sfsu.edu

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS:**
(800) 421-3481 or ocr@ed.gov

If a victim wishes to fill out a complaint form online with the OCR, the victim may do so at:
http://www2.ed.gov/about/offices/list/ocr/complaintintro.html

Once a concern has been raised, San Francisco State University will follow its established procedures which are based on CSU Executive Orders 1096, 1097, Addendums A & B, to address complaints of
discrimination, harassment or retaliation made by students against the CSU, a CSU employee, other
CSU students or a third party.

Students, staff, faculty, or third parties wishing to file a report involving alleged violations of prohibited
conduct under Executive Order 1096 or 1097 can submit a Title IX/DHR Incident Reporting Form:

Except in the case of a privilege recognized under California law (examples of which include Evidence
Code §§1014 (psychotherapist-patient); 1035.8 (sexual assault counselor-victim); and 1037.5 (domestic
violence counselor-victim)), any member of the University community who knows of or has reason to
know of sexual discrimination allegations shall promptly inform San Francisco State University’s Title IX
Coordinator.

Regardless of whether an alleged victim of sexual discrimination ultimately files a complaint, if the
campus knows or has reason to know about possible sexual discrimination, harassment or violence, it
must review the matter to determine if an investigation is warranted. San Francisco State University
must then take appropriate steps to eliminate any sex discrimination/harassment, prevent its
recurrence, and remedy its effects.

ON AND OFF CAMPUS RESOURCES FOR VICTIMS/SURVIVORS OF SEXUAL OFFENSES

<table>
<thead>
<tr>
<th>On Campus</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>University Police (24-hrs Emergency)</td>
<td>911/ 415-338-2222</td>
</tr>
<tr>
<td>University Police (24-hrs Non-Emergency)</td>
<td>415-338-7200</td>
</tr>
<tr>
<td>San Francisco State University Title IX Coordinator</td>
<td>415-338-2032</td>
</tr>
<tr>
<td>Counseling &amp; Psychological Services*</td>
<td>415-338-2208</td>
</tr>
<tr>
<td>The SAFE Place*</td>
<td>415-338-2208</td>
</tr>
<tr>
<td>Student Health Services</td>
<td>415-338-1251</td>
</tr>
<tr>
<td>Dean of Students, Deputy Title IX Coordinator</td>
<td>415-338-2032</td>
</tr>
</tbody>
</table>

*CONFIDENTIAL- except as noted by law, program staff/faculty are not required to report incidents of
sexual violence to the Title IX Coordinator without consent of the victim.

<table>
<thead>
<tr>
<th>Off Campus</th>
<th></th>
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<tbody>
<tr>
<td>SF Trauma Recovery/Rape Treatment Center</td>
<td>415-437-3011</td>
</tr>
<tr>
<td>San Francisco Women Against Rape</td>
<td>415-647-RAPE</td>
</tr>
<tr>
<td>Victim Services Division (SF DA’s Office)</td>
<td>415-553-9044</td>
</tr>
<tr>
<td>Highland Sexual Assault Center (Oakland)</td>
<td>510-534-9290</td>
</tr>
<tr>
<td>Bay Area Women Against Rape (Oakland)</td>
<td>510-845-RAPE</td>
</tr>
<tr>
<td>W.O.M.A.N. Inc.</td>
<td>877-384-3578</td>
</tr>
<tr>
<td>Community Violence Solutions (Marin)</td>
<td>800-670-7273</td>
</tr>
</tbody>
</table>
CA Coalition Against Sexual Assault (CALCASA)  916-446-2520
Sierra SAFE (Loyalton)  530-993-1237

IF YOU BECOME THE VICTIM OF A SEXUAL ASSAULT ON OR OFF CAMPUS:

• Get to a safe place.
• Contact the University Police Department (or your local police) by dialing 9-1-1 or The S.A.F.E. Place at 415-338-2208.
• Refrain from showering, bathing, douching, changing or destroying clothing. Save clothing and other evidence in a paper bag.
• Do not straighten up the area.
• Seek medical attention from the Trauma Recovery/Rape Treatment Center at SF General Hospital by calling 415-437-3000.
• Seek emotional support from a local Rape Crisis Center such as SFWAR at 415-647-RAPE (7273).
• Save all text messages and electronic communications from perpetrator

The University Police Department and the San Francisco State University Title IX office will assist our community in notifying or obtaining services from the above and any authorities upon request.

VICTIM ASSISTANCE AND RIGHTS
Victims have the right to be treated with respect, dignity and courtesy, regardless of race, age, lifestyle, or occupation. Victims also have a right to file a complaint and receive services regardless of the relationship between the victim and the suspect. The victim may have an advocate for support throughout the investigative process and will receive explanations about processes and procedures.

The use of alcohol or drugs never makes the victim at fault for sexual discrimination, harassment or violence; therefore, victims should not be deterred from reporting incidents of sexual violence out of a concern that they might be disciplined for related violations of drug, alcohol or other San Francisco State University policies. Except in extreme circumstances, victims of sexual violence shall not be subject to discipline for related violations of the Student Conduct Code.

When reporting the crime to the San Francisco State University Police, confidentiality and the protection of the victim’s name and any identifying information will remain the highest priority if the victim chooses not to have their name released. A victim’s decision to prosecute does not have to be made during the initial report to police, so it is important that we let any persons considering reporting a sexual assault but who are afraid, know that maintaining their confidentiality, if they wish to remain confidential, will be done to the fullest extent of the law. In such instances, we recommend the investigative and evidence collection processes still be completed to better assist the victim should they wish to no longer remain confidential after their initial report.

University Police and Advocates can answer the victim’s questions, inform them of their options, advocate for their rights, and connect them to counseling, and available support resources. Advocates,
University Police, and the District Attorney’s Office can assist a victim in obtaining a restraining order against the perpetrator if they choose. Victims are advised that they should always contact the police immediately if they feel threatened or are contacted by the perpetrator after the assault.

PRIVELEGED AND CONFIDENTIAL REPORTS

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

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

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

University employees have a duty to report to the Title IX Coordinator all relevant details about any sexual violence of which they become aware. To the extent possible, information reported to the Title IX Coordinator or other University employee will be shared only with individuals responsible for handling the University’s response of the incident. The University will protect the privacy of individuals involved in a sexual violence incident except as otherwise required by law or University policy. The University must weigh requests for confidentiality against the University’s obligation to provide a safe,
non-discriminatory environment for all students, employees, and third parties. The Title IX Coordinator will determine whether requests for confidentiality can be honored under the facts and circumstances of the particular case.

San Francisco State University directs students, faculty and staff to the S.A.F.E. Place a confidential campus resource center for sexual violence prevention and crisis intervention. The S.A.F.E. Place advocate will accept confidential reports of sexual violence and other Clery Act related crimes and will alert University Police Department to any potential threats to the campus community. Additionally, Confidential reports can be made with Counseling & Psychological Services (CPS) where services are free and confidential.

**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.

**PRESERVATION OF EVIDENCE**

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

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

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

**REPORTING OPTIONS**

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

**REPORTING TO THE POLICE**

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

As soon after the incident as possible, victims of Sexual Misconduct, 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.

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.

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

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

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

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

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University’s response to the incident. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim’s identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim’s identity to the police without the victim’s consent or unless the victim has also reported the incident to the police.
If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University’s obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim’s request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim’s identity, the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

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

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

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

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.
The University will not generally notify parents or legal guardians of a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

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

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

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

**NON-REPORTING**

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

**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.
EMERGENCY PROTECTIVE ORDERS (EPOS)
A University Police Officer may issue an EPO if there’s an immediate and present danger of domestic violence, child abuse, child abduction, stalking, elder abuse or dependent adult abuse and need protection – at any time of the day or night. The order may be issued by police Officers at the scene of the crime and must be approved by a San Francisco Superior Court Judge (by phone.) They are temporary orders and are good for five (5) business days or seven (7) calendar days. There is no fee. These orders cannot be renewed.

CRIMINAL STAY AWAY ORDERS
This order may be issued when there is a criminal court case against a victims’ attacker and arranged through the San Francisco District Attorney’s Office & issued by the Judge assigned to the case. They remain in effect for as long as the attacker is involved in the criminal justice system or until lifted by the Judge. A Criminal Stay Away Order can also be made a condition of probation.

More information on these orders can be acquired at the following locations:

San Francisco Superior Court
400 McAllister
For any person who meets the above listed qualifications. Go to the "Family Law" window in room 109.

Cooperative Restraining Order Clinic (CROC)
415-252-2844 - For female victims of domestic violence.
Clinics held every other Saturday or Thursday.

SF Bar Association
415-989-1616 - For male victims of domestic violence.

Community United Against Violence (CUAV)
415-333-4357 - For victims of same sex domestic violence. (lesbian, gay, and transgender)

For a list of Rights and Options for Victims of Sexual Violence, Dating Violence, Domestic Violence, and Stalking, please visit:

Individuals who report being a victim of Sexual Misconduct, Dating or Domestic Violence, or Stalking will receive written notification of:

• Existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on Campus and in the community.
• Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the incident to Campus police or local law enforcement.

• The rights of victims and the University’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
  o Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim’s behalf.

DISCIPLINARY PROCEDURES

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

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

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

COMPLAINT PROCEDURES

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

Those wishing to file a Formal Complaint with our Title IX Coordinator can use this link https://cm.maxient.com/reportingform.php?SFStateUniv&layout_id=3. More information about reporting options can be found at https://titleix.sfsu.edu/content/reporting.
Regardless of whether an employee, a student or a third party ultimately files a formal complaint under the applicable complaint procedure, if the University knows or has reason to know about possible Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking, the Title IX Coordinator must review the matter to determine if an investigation is warranted. When warranted, all such investigations must be prompt, thorough and impartial. The University must then take appropriate steps to eliminate the Sex Discrimination, Sexual Harassment, Sexual Misconduct/Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

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

COMPLAINTS MADE BY EMPLOYEES, FORMER EMPLOYEES, THIRD PARTIES, AND APPLICANTS FOR EMPLOYMENT
Executive Order 1096, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties” is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party.

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

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

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

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

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

Appeals will be filed with the Chancellor’s Office (CO) and will be addressed to:
Systemwide Title IX Unit
Systemwide Human Resources
Office of the Chancellor
TIX-Dismissal-Appeals@calstate.edu

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

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given 5 Working Days from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within 10 Working Days of the CO’s receipt of the appeal, the Parties will simultaneously receive (via email) a written decision with explanation.
The CO review will not involve a new assessment of the Dismissal/Referral or consideration of evidence that was not introduced during the Campus review, unless the new evidence was not reasonably available at the time of the review.

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

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

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

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

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

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

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

INFORMAL RESOLUTION

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

a) informal Resolution under Addendum B may only be offered where a Formal Complaint has been filed;

b) the University cannot offer or facilitate Informal Resolution under Addendum B to resolve allegations that an Employee sexually harassed a Student; and

c) the University must obtain the Parties' voluntary, written consent before starting the Informal Resolution process.

Once the Title IX Coordinator determines that Informal Resolution is appropriate, the Parties should simultaneously be provided written notice regarding Informal Resolution that includes the following:

a) the allegations of Sexual Harassment, as defined by Addendum B;

b) the requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations;

c) an explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process;

d) an explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared; and

e) the Parties' right to consult with a Support Advisor, if any.

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

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

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

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator and/or other appropriate University Administrator responsible for the implementation of the terms. Use of electronic signatures is permitted.
Any agreed-upon Remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a hearing.

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

INVESTIGATIVE PROCEDURES

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

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

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

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

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

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

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

Review of Evidence
Before issuing a final investigation report (Final Investigation Report), the Investigator will send to the Complainant and Respondent, and their respective Support Advisors, if any, all evidence (including evidence upon which the University does not intend to rely) obtained as part of the investigation that is Directly Related to the allegations raised in the Formal Complaint (Preliminary Investigation Report). This includes inculpatory or exculpatory evidence whether obtained from a Party or other source, redacted if required by law.
Each Party will be given a minimum of 10 Working Days for the initial Review of Evidence to respond to the list of disputed facts and evidence and submit additional questions for the other Party and witnesses. This timeframe may be extended at the discretion of the Title IX Coordinator (either on their own or in response to a Party’s request). The extension must be made available to both Parties, who must be notified as such. During the Review of Evidence, each Party may:

1) meet again with the Investigator to further discuss the allegations;
2) identify additional disputed facts;
3) respond to the evidence in writing;
4) request that the Investigator ask additional specific questions to the other Party and other witnesses;
5) identify additional relevant witnesses; or
6) request that the Investigator gather additional evidence.

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

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

HEARING PROCEDURES

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

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

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

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

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

DETERMINATION REGARDING RESPONSIBILITY

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

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

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

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

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

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

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

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

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

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

EMPLOYEE SANCTIONS

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

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

STUDENT SANCTIONS

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

1. 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 polices) once the suspension has been served. Conditions for readmission may be specified.
   c) Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the student’s transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

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

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

**OTHER CONSIDERATIONS RELATED TO SANCTIONS:**

1. **ADMINISTRATIVE HOLD AND WITHOLDING A DEGREE**
The University may place an administrative hold on registration transactions and release of records and transcripts of a student who has been sent written notice of a pending investigation or disciplinary case concerning that student and may withhold awarding a degree otherwise earned until the completion of the process, including the completion of all sanctions imposed.¹

2. **RECORD OF DISCIPLINE**
A record of disciplinary probation or suspension is entered on a student’s transcript, with beginning and end date, for the duration of the sanction. A record of expulsion or suspension for one academic year or more shall note the effective date of discipline and remains on the transcript permanently, without exception. A record of withdrawal in lieu of suspension or expulsion and withdrawal with pending misconduct investigation or disciplinary proceeding remains on the transcript permanently, without exception². These requirements shall not be waived in connection with any resolution agreement.

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

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

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

¹ For matters involving processes other than those that fall under addendum B, this is not applicable.
² For matters involving processes other than those that fall under addendum B, this is not applicable.
condition of interim suspension shall be grounds for expulsion.

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

APPEAL OF PRESIDENT’S SANCTION

Filing an Appeal to the Chancellor’s Officer

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

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

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

Equal Opportunity and Whistleblower Compliance Unit Systemwide Human Resources Office of the Chancellor 401 Golden Shore, 4th Floor Long Beach, California 90802 eo-wbappeals@calstate.edu
Electronic submission to the email address listed above is the preferred method of submitting appeals. The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the
non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within 10 Working Days of the date of the notice. The appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

**REGISTERED SEX OFFENDERS**

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

**EMERGENCY NOTIFICATION**

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

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

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

If it is determined that both of the above factors are met, then an emergency notification will be issued to the community. The Chief of Police (or management designee in the absence of the Chief), will confer with the Clery Director if one is designated and if available, to prepare the content of the notification taking into account the safety of the on-campus community. They will also determine, based on the confirmed facts of the emergency, if the entire campus community or only a specific segment of the on campus community is threatened and need to be notified. Examples of emergencies where only a segment might be alerted would be a fire contained in a dorm laundry room where only the residents of that one dorm floor or of that one dorm building are at risk and need to evacuate, or a chemical spill in a lab where only the one room, floor, or the occupants of that one building are at risk and need to evacuate.
Once the notification is prepared, the Chief of Police or the Clery Director if one is designated, or in their absence, the management designee(s) will, without delay and taking into account the safety of the community, transmit the emergency notification unless doing so would delay the ability to mitigate and/or contain the emergency, including the ability to provide immediate, life saving measures.

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

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

Students and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should visit [http://upd.sfsu.edu/ENSFAQ](http://upd.sfsu.edu/ENSFAQ) or call the on campus University Police Department at 415-338-7200 for assistance. To make changes to your notification preferences, changes can be made in your SFSU Gateway found at [gateway.sfsu.edu](http://gateway.sfsu.edu).

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

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

**TESTING THE EMERGENCY ALERT SYSTEM**

The emergency notification system is assessed for functionality by the Office of Emergency Services to ensure a state of readiness. The Director of the Emergency Operations Center (EOC) will conduct an annual review of operating policies and procedures for the emergency notification system and a campus-wide system test will be conducted at least once annually. The “All Campus” test will be conducted annually to ensure that new students, faculty and staff will have the opportunity to
become familiar with the process and fully participate. Notifications may be received via text, email, and automated phone call. An e-mail notice will be sent several days in advance of each test, to allow people to update their contact information and to avoid any undue alarm.

Information Technology Services is a collaborator in maintaining the campus mass notification system and the San Francisco Department of Emergency Management and the San Francisco Department of Electricity are partners in the maintenance and testing of the Outdoor Alert System.

MISSING STUDENT NOTIFICATION

It is the policy of Residential Life at San Francisco State University to investigate any report of a missing student living in one of the University’s residence halls or apartments. All students residing in a campus residence hall or apartment have the option to register one or more individuals to be a contact strictly for missing person’s purposes. All students residing in a campus residence hall or apartment are requested to complete an Emergency Contact form upon completing their License Agreement. The License Agreement is collected in advance of the student checking in to University residences. This contact can be anyone. Residential Students have this option even if they have already identified a general emergency contact. This contact information is registered confidentially and is only available to authorized campus officials. The information will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

San Francisco State University understands that students may make individual arrangements to stay outside of the University residences. As such, the location of students in the halls and apartments is not monitored by Residential Assistants or other University staff. However, if there is a reason to believe a student is missing, all reasonable efforts will be made by Residential Life staff to locate the student to determine their state of health and well-being. These efforts include, but are not limited to, checking the student’s room, speaking with friends and/or roommates, checking ID and meal access and calling the student’s cell phone number. If at any point in the process of trying to locate the student a Residential Life staff member determines there is a credible threat to the well-being of the student reported as missing, the University Police Department will be contacted immediately at (415) 338-2222.

If known contacts do not confirm the student’s whereabouts and there does not appear to be a probable threat to the well-being of the student reported missing, Residential Life staff will notify the Director of Residential Life and write an Incident Report detailing the efforts to locate the student reported as missing. The Director of Residential Life will contact the Associate Vice President & Dean of Students reporting all obtained information. The Dean of Students will in turn notify the Vice President for Student Affairs & Enrollment Management.

When a residential student is missing, students, employees or other individuals not affiliated with the University should make a report to the University Police Department. If upon
investigation by the University Police Department the student is determined missing, staff from the University Police Department and/or Student Affairs & Enrollment Management will contact the resident’s designated Emergency Contact within 24 hours.

The University Police Department will also notify the local law enforcement agency within 24 hours of the official determination that a residential student is missing. This notification can be accomplished via the Missing and Unidentified Persons (MUPS) law enforcement database.

If upon investigation by the University Police Department the student is determined missing, staff from the University Police Department and/or Student Affairs & Enrollment Management will contact the resident’s designated Emergency Contact within 24 hours.

For any non-emancipated student under the age of 18, San Francisco State University will notify a custodial parent or guardian, in addition to any other individual designated on the Emergency Contact form, with 24 hours of the University Police Department determining that they are missing. University Police will continue to investigate, utilizing established procedures in collaboration with staff from Residential Life, other campus offices and local law enforcement agencies. University Police will make contact with the student’s parents or legal guardian when an Emergency Contact form cannot be located or has not been provided.

**Fire Safety Act**

The 2020 Fire Safety Report is available at the following link:
https://reslife.sfsu.edu/sites/default/files/Fire_safety_report.pdf