UC SANTA CRUZ

2026 Annual Security & Fire Safety Report

(Includes Crime and Fire Statistics for Calendar Years 2025, 2024, and 2023)

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1.0 Preparing the Annual Security and Fire Safety Report

The University of California, Santa Cruz (UCSC) Clery Act Compliance Program compiles this institutional report to comply with the Jeanne Clery Campus Safety Act (the Clery Act). This report discloses the three most recent calendar years concerning the number of specific crimes that occurred on or within the institution's Clery geography. This report is a collaborative and comprehensive effort that includes the cooperation of departments from all divisions within the institution, individuals designated as "Campus Security Authorities" (CSAs) under the Clery Act, and local law enforcement agencies with concurrent jurisdiction over the University's Clery geography. Each entity is asked to provide crime statistics and/or information on their educational efforts and programs to comply with the Act. Additionally, the Lead Designated Campus Fire Marshal collects information from various sources for the fire safety portion of this report, including the UCSC Police Department (UCPD); the City of Santa Cruz Fire Department; the Division of Student Affairs and Success (DSAS); and other reporting parties.

CSAs must promptly report allegations of Clery crimes that occur within UCSC's Clery geography that are reported to them. A report may be a written or verbal disclosure made by any person to the CSA, including information shared with the CSA by witnesses or other third parties. CSA reports must include the following, if known: the crime that was reported and the information provided; the exact location where the reported crime occurred; the date and time the reported crime occurred; any witness and perpetrator information; victim information, unless the victim requests confidentiality. Employees may be required to share this information with other offices if they have responsibilities under other laws and policies including, but not limited to, the UCSC Child Abuse and Neglect Reporting Act policy, the UC Abusive Conduct in the Workplace Policy, and the UC Systemwide Interim Sexual Violence and Sexual Harassment Policy (see Appendix A). In the event the victim does request confidentiality, enough information must be obtained and provided by the CSA about the criminal incident to prevent over-reporting or double-counting of the incident.

The policies and procedures within this report are current as of the publication, as the University recognizes this document is an immediate reference to possible current inquiries; however, the statistical data, as previously mentioned, is for the three previous calendar years.

All students and employees receive an annual notice via a campus-wide email that informs them of the Annual Security & Fire Safety Report (ASFSR),[1] a brief description of its contents, information regarding the availability of the report on the campus website, the electronic address to access the report, and a statement on how to obtain a paper copy, if desired. Additionally, similar notices are provided to prospective students and employees on the Admissions webpage and as part of job announcements, respectively.

1.1 Compiling Crime Statistics

Under the Clery Act, counting and disclosing criminal offenses (including sex offenses), hate crimes, and arrest and disciplinary referral statistics are based on definitions provided by the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program; and the following categories are counted and disclosed based on the definitions provided by the Violence Against Women Act of 1994 (VAWA) and repeated in the Department of Education's Clery Act implementing regulations at 34 C.F.R. § 668.46: Dating Violence, Domestic Violence, and Stalking.[2]

The statistics provide an overall picture of crime at UCSC from January 1 to December 31 for 2023, 2024, and 2025.

Crime statistics are requested annually from law enforcement agencies with concurrent law enforcement jurisdiction(s) surrounding UCSC, and off-site properties or facilities owned or controlled by the campus.[3] These law enforcement agencies provide crime statistics they have collected for crimes occurring on on-campus property or public property immediately adjacent to UCSC's properties or facilities. The University does not have any off-campus properties owned or controlled by student organizations.

Statistics regarding specific violations of law resulting in student and employee disciplinary actions are collected from multiple campus offices including the offices of Equity and Equal Protection, Colleges, Housing, and Educational Services, Student Conduct and Conflict Education, Staff Human Resources, and Academic Personnel.

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[1] Any reference to the ASFSR includes a combined report of two separate reporting requirements: the annual security report (ASR) and the fire safety report (FSR). These reports may be referred to separately if distinct requirements are being explained.

[2] The name VAWA is delegated per federal law (Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act, H.R. 3355); however, reports of this nature are taken regardless of the victim's gender or identity.

[3] Including but not limited to CA State Parks, California Highway Patrol, Marina PD, Santa Clara PD, Santa Clara Sheriff, Santa Cruz PD, Santa Cruz Sheriff and Scotts Valley PD.

Clery Act statistics are also collected from individuals with significant responsibility for students and/or their campus activities.

Crime statistics are separated by the following geographical areas (also known as Clery Geography):

1. *On-campus*;
2. *On-campus student housing facilities*;[4]
3. On *public property* (within and immediately adjacent to UCSC); and
4. In or on *noncampus property* (either owned or controlled by UCSC in direct support of or in relation to its educational purposes and is not reasonably contiguous to the core campus; or a building or property owned or controlled by an officially recognized student organization)

The following information is important when reviewing UCSC's crime data.

1.2 Counting Hierarchy

When counting multiple offenses in a single incident, UCSC uses the FBI's UCR Hierarchy Rule. Under this rule, when more than one Criminal Offense was committed during a single incident, UCSC only counts the most serious offense. A single incident means that the offenses were committed at the same time and place. That is, the time interval between the offenses and the distance between the locations where they occurred were insignificant. Beginning with the most serious offense, the following list shows the hierarchy for Clery Act reporting:

- Murder and Non-negligent Manslaughter
- Manslaughter by Negligence
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft

[4] UCSC has a residential community that operates apartment communities, including faculty and staff housing. Each community is considered on-campus since they are operated by the University and are within the same reasonably contiguous geographic area. Any crimes that occurred within faculty and staff housing are disclosed in the on-campus geography category only, as required.

There are exceptions to using the Hierarchy Rule when counting offenses. They apply to Arson, Sexual Assaults, Hate Crimes and VAWA Offenses. When applying these exceptions, UCSC must:

- Always count Arson regardless of the nature of any other offenses that were committed during the same incident. When multiple offenses are committed during the same distinct operation as the Arson offense, report the most serious offense along with the Arson.
- Include incidents in which persons are killed as a direct result of Arson as Murder and Non-negligent Manslaughter and Arson or Negligent Manslaughter and Arson.
- Include a Sexual Assault as Fondling only if it is the only Sexual Assault.
- Count both the Sexual Assault and the Murder if Rape, Fondling, Incest or Statutory Rape occurs in the same incident as Murder.

The Hierarchy Rule does not apply to Hate Crimes. UCSC must count all offenses committed in a multiple offense incident that are bias-motivated and include only the crimes that are bias-motivated as Hate Crimes in a multiple-offense incident. For any Criminal Offense that is also a Hate Crime, statistics will indicate the offense and the offense with the category of bias. For example, if an Aggravated Assault is a Hate Crime, UCSC will include one Aggravated Assault in the statistics in the Criminal Offenses category and one Aggravated Assault motivated by (category of bias) in the Hate Crime category. The exception is when the Aggravated Assault is not included in the Criminal Offenses category because of the Hierarchy Rule. For example, for a single incident involving both a Rape and an Aggravated Assault that were both Hate Crimes, UCSC's statistics would include only the Rape in the Criminal Offenses category and both the Rape and the Aggravated Assault in the Hate Crimes category.

The Hierarchy Rule does not apply to VAWA Offenses. For any Criminal Offense, Hate Crime, or arrest for Weapons, Drug or Liquor Law Violations that is also a VAWA Offense, statistics reflect the original offense and the VAWA Offense.

1.3 Unfounded Crimes

In accordance with 34 C.F.R. § 668.46, UCSC may only exclude a reported crime from an upcoming ASR or remove a reported crime from its previously reported statistics, after a full investigation by sworn or commissioned law enforcement personnel who have made a formal determination that the report was false or baseless and the crime report was therefore "unfounded." This does not include a District Attorney who is sworn or

commissioned. A Campus Security Authority (CSA) who is not a sworn or commissioned law enforcement authority cannot "unfound" a crime report. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with law enforcement or the prosecution, or the failure to make an arrest does not "unfound" a crime. The findings of a coroner, court, jury (either grand or petit), or prosecutor do not "unfound" crime reports of offenses or attempts. Crime reports can be properly determined to be false only if the evidence from full investigation establishes the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A case cannot be designated "unfounded" if no investigation was conducted by sworn law enforcement personnel or the investigation was not completed, nor can it be designated "unfounded" merely because the investigation failed to prove the crime occurred; this would be an inconclusive or unsubstantiated investigation.

If a crime is "unfounded," it will not be included in the Clery Act statistics for the associated crime category and is removed from any previously reported statistics for that crime category. The "unfounded" crime is included in the total count of "unfounded" crimes for the year in which the crime was originally reported.

Crime statistics concerning this campus and other institutions are found on the U.S. Department of Education website.[5]

2.0 Clery Crime Statistics

Campus Residential crime statistics are an inclusive subset of On Campus crime statistics. Therefore, the numbers reported in the Campus Residential column must be equal to or lesser than the numbers reported in the On Campus column and are not added together to reach a total.

Statistics were requested from law enforcement as appropriate. Only the data available in a usable format for Clery reporting was included.

[5] https://ope.ed.gov/campussafety

2.1 Murder/Nonnegligent Manslaughter

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

2.2 Manslaughter by Negligence

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

2.3 Rape

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	24	21	2	1
2024	46	38[6]	0	0
2025	118	114[7]	21[8]	0

2.4 Fondling

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	13	13	1	0
2024	18	11	1	0
2025	35	30	0	5

2.5 Incest

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	1	0	0	0
2024	0	0	0	0
2025	0	0	0	0

[6] This total includes one report of 21 separate instances of non-consensual sex between two parties over a 3-week period. Note that these 21 incidents are included in the On Campus value (46).
[7] This total includes one report of 90 separate instances of non-consensual sex between two parties over a 3-month period. Note that these 90 incidents are included in the On Campus value (118).
[8] This total includes one report of 20 separate instances of non-consensual sex between two parties over a 20-day period.

2.6 Statutory Rape

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

2.7 Robbery

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	2	0	0	0
2025	1	0	0	0

2.8 Aggravated Assault

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	8	1	0	0
2024	3	3	0	1
2025	7	3	0	1

2.9 Burglary

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	6	3	1	0
2024	12	6	3	0
2025	6	6	1	0

2.10 Motor Vehicle Theft

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	7	0	1	0
2024	13	0	0	0
2025	20	0	0	0

2.11 Arson

Year	On campus	Campus Residential	Noncampus	Public Property
2023	1	0	0	0
2024	1	0	0	0
2025	2	0	0	1

2.12 Domestic Violence

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	31	29	2	0
2024	19	16	1	0
2025	39	33	2	0

2.13 Dating Violence

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	1	1	0	0
2024	1	0	0	0
2025	0	0	0	0

2.14 Stalking

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	19	8	1	0
2024	40	16	2	1
2025	57	35	1	0

2.15 Hazing[9]

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	n/a	n/a	n/a	n/a
2024	n/a	n/a	n/a	n/a
2025	1	0	0	0

2.16 Arrests for Weapons Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	3	1	0	0
2025	4	1	0	0

2.17 Arrests for Drug Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	2	0	0	1
2024	5	1	0	0
2025	10	0	0	1

[9] Hazing statistics are presented for calendar year 2025 only. The federal requirement to include hazing statistics in the Annual Security Report was established by the Stop Campus Hazing Act and applies beginning with the 2025 reporting period. Accordingly, hazing statistics for calendar years 2023 and 2024 are not included in this report.

2.18 Arrests for Liquor Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	0	0	0	0
2024	0	0	0	0
2025	1	0	0	0

2.19 Referrals to Disciplinary Action for Weapons Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	3	1	0	0
2024	2	2	0	0
2025	2	2	0	0

2.20 Referrals to Disciplinary Action for Drug Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	125	102	0	0
2024	99	75	0	0
2025	213	175	3	0

2.21 Referrals to Disciplinary Action for Liquor Law Violations

Year	On Campus	Campus Residential	Noncampus	Public Property
2023	224	209	0	0
2024	177	156	0	1
2025	209	200	6	0

2.22 Unfounded Crimes

Year	Total
2023	1
2024	5
2025	1

2.23 Hate Crimes

2023

One (1) vandalism, On Campus, motivated by bias of Race.

2024

One (1) theft and one (1) vandalism, On Campus, motivated by bias of National Origin.
One (1) vandalism, On Campus, motivated by bias of Race.
One (1) vandalism, On Campus, motivated by bias of Religion.
One (1) vandalism, On Campus, motivated by bias of Religion.

2025
One (1) vandalism, On Campus, motivated by bias of Religion and National Origin.
One (1) vandalism, Campus Residential, motivated by bias of Religion and National Origin.
One (1) intimidation, On Campus, motivated by bias of Gender, Sexual Orientation, and Race.

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; and 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, noncampus buildings or property, and public property.

3.0 Procedures for Students and Others to Report Criminal Actions and Other Emergencies on Campus

UCSC strives to prevent threats and acts of violence through coordinated services for students, faculty, and staff, including through training, education, awareness, and reporting. Prevention of crime also includes physical security measures, including police patrol and response to reports of crimes in progress. When violence or threats of violence have occurred, the University will act promptly to protect victims, potential victims, witnesses, and the campus community from further threats or acts of violence. The University will work closely with reporters of alleged threats or acts of violence to address concerns of retaliation.

3.1 Reporting Information to the Police Department

UCSC strongly encourages accurate and prompt reporting of all crimes, emergencies, and/or suspicious, disturbing, or threatening behaviors to the UCSC Police Department through the dispatch center by dialing 9-1-1 or (831) 459-2231 ext. 1, including when the victim of a crime elects to or is unable to make such a report. Reports for crimes which

are occurring or have occurred in the City of Santa Cruz can also be made to the City of Santa Cruz Police Department by dialing 9-1-1 or (831) 471-1131, as the City of Santa Cruz Police Department has concurrent jurisdiction, along with the UCSC Police Department, for UCSC campus property and facilities.

Crimes occurring off campus should be reported to the appropriate law enforcement agency, depending on the location of the crime, including when the victim of a crime elects to or is unable to make such a report. Prompt and accurate reporting ensures an appropriate response, triggers the consideration of issuing a timely warning or an emergency notification to the larger campus community, and assists in properly gathering statistics. When calling in emergencies, be prepared to provide the police dispatcher with your name, telephone number, the nature of the emergency, and location, as well as any pertinent information regarding the emergency (such as suspect and vehicle description, direction of travel, nature of the medical emergency needing assistance, etc.). Always stay on the line until the dispatcher ends the call. In response to a report of criminal activity or another emergency occurring on campus, the UCSC Police Department will take the required action, either dispatching an officer or asking the victim to visit the UCSC Police Department for assistance in filing an incident report. In response to a report of a non-emergency occurring on campus, the UCSC Police Department will take the required action, either dispatching an officer or asking the victim to visit the UCSC Police Department for assistance in filing an incident report. Reports of emergencies or other criminal activity made directly to the UCSC Police Department will be handled by UCSC Police Department personnel, and if appropriate and applicable, may include assistance from an outside agency upon request.

The UCSC Police Department has implemented a text-to-911 service that enables an individual to text “911” for an emergency response. The text-to-911 service can accept Short Message Service (SMS) and Real-Time Text (RTT) messages. While this method of contacting 911 can be critical and can save lives when a voice call to 911 is not possible or may further endanger the caller, texting to 911 should only be used when the caller cannot make a voice call to 911.

3.1.1 How to Text 911 in an Emergency

- Enter the numbers “911” in the “To” field.
- The first text message to 911 should be brief and contain the location of the emergency and type of help needed (e.g., Stranded near Merrill Meadow).
- Push the “Send” button.
- Be prepared to answer questions and follow instructions from the 911 call-taker.

- Text in simple words. Do not use abbreviations.
- Keep text messages brief and concise.

3.1.2 Need-to-Know Information When Texting 911

- When texting 911, know that your exact location may not be traceable by the dispatcher.
- As with all text messages, 911 messages can take longer to receive, can get out of order, or may not be received.
- Text-to-911 is not available if the sender is roaming.
- A text or data plan is required to place a text to 911. If texting to 911 is not available in the sender's area or is temporarily unavailable, the sender will receive a message indicating that texting 911 is not available and to contact 911 by other means.
- At this time, photos and videos cannot be sent to 911 via text.
- Text to 911 cannot include more than one person. Do not include 911 in a group chat.
- Do not text and drive.

3.1.3 Reporting off-campus Incidents

Crimes or incidents occurring outside of the UCSC jurisdiction should be reported immediately to the agency with jurisdiction over the incident. The following are University off-site properties. If you are at any of the following sites and need to report an emergency, dial 9-1-1. The appropriate law enforcement agency will be contacted through its dispatch center. In the event you need to report a non-emergency, please call the number listed. It will direct you to the police agency with primary jurisdiction.

Location	**Law Enforcement Contact Information**
Año Nuevo Island Reserve	Tracy Area CHP: (209) 319-4300
Westside Research Park	UCSC PD: (831) 459-2231, Ext. 1
Coastal Science Campus	UCSC PD: (831) 459-2231, Ext. 1
Silicon Valley Campus	Santa Clara PD: (408) 615-5580
Scotts Valley Campus	Scotts Valley PD: (831) 440-5670
Institute of Arts and Sciences	UCSC PD: (831) 459-2231, Ext. 1

Location	Law Enforcement Contact Information
Fort Ord Natural Reserve	Marina PD: (831) 384-7575
MBEST Center	Marina PD: (831) 384-7575
University Town Center	UCSC PD: (831) 459-2231, Ext. 1
Mt. Hamilton (Lick Observatory)	Santa Clara County Sheriff: (408) 299-2311
Big Creek Reserve	Monterey County Sheriff: (831) 647-7911
Strathearn Ranch Natural Reserve	San Benito County Sheriff: (831) 636-4080

Criminal complaints and other investigations made directly to the UCSC Police Department will be handled by UCSC Police Department personnel and, if appropriate and applicable, may include assistance from an outside agency upon request from UCSC Police Department.

3.2 Reporting Information to Another Campus Security Authority

Members of the campus community are strongly encouraged to contact the UCSC Police Department when they have been the victim of, or have witnessed, criminal actions. In addition, members of the campus community may notify one of the other campus security authorities (CSAs) about a crime. The Clery Act requires certain individuals who are designated as CSAs to promptly report allegations of Clery Act reportable crimes that occur within a campus's Clery Geography. Reporting to a CSA will assist in determining whether the crime is included in the Annual Security Report (ASR) and trigger a review of whether a timely warning or emergency notification to the campus community is warranted.

The term CSA is a Clery Act-specific term encompassing four groups of individuals or organizations associated with an institution, including:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

- 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 proceedings. An official is defined as any person with the authority and the duty to take action or respond to particular issues on behalf of the institution.

At UCSC, in addition to our UCSC Police Department officers, CSAs include, but are not limited to, the Associate Vice Chancellor & Dean of Students, Associate Vice Chancellor for Colleges, Housing and Education Services, Resident Assistants (RAs) and Neighborhood Assistants (NAs) with Colleges, Housing and Education Services, Athletic Directors and Assistant Directors, Athletic Coaches and Assistant Directors, EEO Director, and the Title IX Director.

3.3 Voluntary Confidential Reporting

If victims or witnesses do not wish or are unable to file a police report, they, or others acting on their behalf, can report crimes informally and confidentially (no names or criminal investigation conducted) to a CSA for inclusion in the annual security portion of this report. Crimes may be reported confidentially to the UCSC Police Department at (831) 459-2231, ext. 1, or by calling 9-1-1. Victims/survivors can report on a voluntary, confidential basis by contacting the UCSC Police Department at (831) 459-2231 x1, or by calling 9-1-1, and requesting to anonymously report a crime. They may also call and leave a voice message on the Anonymous tip line (831) 459-3TIP (459-3847). Should a report be made confidentially, the department shall withhold information that may identify crime victims or other activity pursuant to Penal Code §293.

For reports taken by other CSAs, any request for confidentiality is honored to the extent permitted by law or for UCSC to meet regulatory obligations. It is the University's responsibility to weigh any request for confidentiality against its duty to provide a safe and nondiscriminatory environment for all members of the campus community.

All confidential sources (pastoral and professional counselors and Center for Advocacy, Resources & Empowerment (CARE) advocates acting within their confidential capacity) are encouraged to inform individuals they are counseling of all of their options (including confidential reporting) and support resources for reporting crimes on campus for administrative or criminal investigation and action. Pastoral and professional counselors who receive reports in their confidential capacity are exempt from reporting but may, if and when they deem it appropriate, inform persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the ASFSR. A CARE

advocate can assist individuals with deciding whether they want to report a crime, and if so, to whom they wish to report the crime.

All publicly available record-keeping will be maintained without including personally identifiable information about the victim. Crimes reported in this manner are counted and included in the annual disclosure of crime statistics.

3.4 California Education Code Section 67380(a)(6)(A)

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 noncampus location as defined by the Clery Act, may not disclose to the UCSC Police Department or local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after being informed of their right to have their personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

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

4.0 Disciplinary Proceeding Results for Violent Crimes or Non-Forcible Sex Offenses

UCSC 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 student conduct disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, UCSC will provide the results of the disciplinary hearing to the victim's next of kin, upon written request.

5.0 Timely Warning Policy

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

comply with the Timely Warning requirements of the Clery Act. As required by the Clery Act, UCSC will keep its community informed by providing a timely warning when appropriate.

Upon receipt of a CSA report of a Clery Crime on Clery Geography, a Timely Warning analysis shall be completed and documented by the Chief of Police (or Management Designee). The UCSC PD will not be required to complete and document a Timely Warning analysis for referrals to disciplinary action.

If it is determined that the report includes a Clery Crime on Clery Geography, the Chief of Police (or Management Designee) shall confer with the Clery Coordinator/Officer, if available, to analyze the known pertinent facts to determine whether they constitute a serious or continuing threat to the campus community. The unavailability of the Clery Coordinator/Officer shall not unduly delay the issuance of a Timely Warning.

If a CSA report includes the following, a Timely Warning as described in the definitions section of the Timely Warning policy shall be issued expeditiously:

1. A Clery Crime; that
2. occurred on Clery Geography and
3. poses a serious or continuing threat.

In the absence of any of these three elements, no Timely Warning shall be issued. The Chief of Police (or the Management Designee) shall have ultimate authority and responsibility for determining whether to issue a Timely Warning. Each reported incident must be analyzed on a case-by-case basis. All known factors shall be considered in the analysis to determine whether a Timely Warning should be issued. No single factor should govern the decision regarding the issuance of a Timely Warning. The UCSC Police Department is prohibited from circumventing a case-by-case analysis by issuing a blanket rule that Timely Warnings will be issued for all reports of any Clery Crime.

If it is determined by the Chief of Police or their Management Designee that issuing a Timely Warning would jeopardize a criminal investigation, certain information may be withheld from the Timely Warning until the criminal investigation is no longer likely to be jeopardized from the Timely Warning's release. A request from an outside law enforcement agency to refrain from issuing a Timely Warning is insufficient grounds for withholding information from or delaying the distribution of a Timely Warning. If the Chief of Police (or Management Designee) concurs that there is an identified risk that would compromise law enforcement effort of the outside agency to gather evidence or apprehend the suspect(s), UCSC may withhold certain information from the Timely

Warning, permitting law enforcement to gather evidence or make an arrest. This factor shall not delay or prevent the issuance of a Timely Warning. A Timely Warning shall never be altogether withheld for a CSA report meeting the criteria above.

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

1. The timing of the report: shortly after the occurrence of the crime vs. days or weeks after the occurrence of the crime, i.e., “a cold report”
2. Physical harm to the victim
3. Use of weapons
4. Forced entry used or tools used in commission of the crime
5. A suspect arrested or incapacitated by injury
6. A suspect that is identified or otherwise can be located by law enforcement
7. A suspect is out of the area
8. A victim who fears for their safety from the suspect
9. A clear modus operandi or pre-planning indicated
10. Multiple suspects involved
11. A pattern of similar crimes established
12. The possible risk of compromising law enforcement efforts

5.1 Contents of a Timely Warning

When a Timely Warning is issued, it shall be entitled “Timely Warning Crime Bulletin” and contain the following:

1. A statement reading, “This Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime.”
2. Identify the Clery Crime that occurred (i.e., rape, burglary, motor vehicle theft, arson, etc.)
3. The date, time, and location the crime occurred
4. The date the Timely Warning Bulletin is issued
5. Description of the suspect when deemed appropriate and if there is sufficient detail. Timely Warnings shall only include a description of the suspect when the descriptors provided by the reporting party could reasonably lead to conclusive identification of the perpetrator(s).
6. At least three preventative tips or points of information specifically related to the circumstances of the crime that could help others from becoming the victim of a similar crime

7. The phone number of the UCSC PD and a statement encouraging community members to report all information about crimes to the campus police department
8. If appropriate, the phone number(s) for support services

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

5.2 Methods of Distribution

Timely Warnings will be distributed as quickly as possible in a manner that will likely reach the entire campus community. Distribution methods include, but are not limited to, any of the following:

1. All employee and student email distribution
2. University website
3. Hard copies posted on campus building entrance doors
4. Press release

This list is not intended to be exhaustive or intended to prioritize the method of distribution. The campus Public Information Officer (PIO) is responsible for conferring with the Chief of Police (or Management Designee) and the Clery Coordinator/Office, if available, to draft the contents of the Timely Warning. The Chief of Police (or Management Designee) will confer with the Clery Coordinator/Office, if available, to determine the most appropriate method(s) to distribute a Timely Warning. In the absence of the Clery Coordinator/Office, the Chief of Police (or Management Designee) will determine the appropriate distribution method. The Chief of Police (or Management Designee) is responsible for sending the Timely Warning. UCSC is required to maintain a list of the methods of distribution for Timely Warnings and include said list in its annual security report(s).

The Clery Coordinator/Officer or designee shall notify the campus Chancellor, as soon as practicable, that a Timely Warning will be or has been issued.

The Chief of Police (or Management Designee) is responsible for collaborating with surrounding law enforcement agencies to encourage them to share information with the

PD about crimes reported to local law enforcement on UCSC's Clery Geography. Communication of this encouragement shall be documented and annual.

Nothing in this policy precludes UCSC from informing, re-publicizing, or sharing with the campus community other informational notices (e.g., traffic advisories, events, prevention information) the university deems may be of interest to the campus community.

6.0 Emergency Notification Policy

The Emergency Notification policy describes the procedures that UCSC will use to notify the campus community upon the confirmation of a significant/impending emergency or dangerous situation involving an immediate threat to the health or safety of students and/or employees occurring on the campus, as required by the Clery Act.

Any member of the campus community with information believed to constitute a significant Emergency or Dangerous Situation that poses an imminent or immediate threat is strongly encouraged to report the information to the UCSC Police Department by calling "911." Examples include, but are not limited to, the following types of incidents:

- Extreme weather warnings (e.g., flash flooding, tsunami, hurricane, etc.)
- Environmental emergency within or affecting an on-campus facility (e.g., hazardous chemical spill, gas leak, fire, earthquake, building collapse, explosion)
- Criminal activity with an imminent threat to the University community (e.g., active shooter, murder, fleeing suspect with a weapon, terrorist/bomb threat incident)
- Public health emergency (e.g., measles outbreak or another viral pandemic, etc.)
- Civil unrest or rioting

Although disruptive and inconvenient, power outages shall not be considered an emergency under this policy and shall not have a CruzAlert issued.

6.1 Emergency Notification Procedures

Once the UCSC Police Department receives a report, its Records and Communication Manager (or designee) will, without delay and taking into account the safety of the community, confer with any appropriate public safety official (e.g., a fire chief, Chief of Police) and any Campus Official(s) responsible for managing the On-Campus Emergency, if available, to confirm:

1. A legitimate Emergency or Dangerous Situation exists, impacting On-Campus Geography; and

2. The Emergency or Dangerous Situation poses an immediate or imminent threat to members of the On-Campus community.

This confirmation process may include, but is not limited to, the following actions that result in a determination of menacingly near disruption or harm: visual observation; police officer investigation; or corroboration from key campus administrators, local or campus first responders, or official government reporting through agencies such as the National Weather Service.

If both above factors are not met, no Emergency Notification is required. If it is determined that both above factors are met, then an Emergency Notification as described herein shall be issued. The Chief of Police (or Management Designee) will confer with the appropriate Campus Official, if available, to prepare the content of the notification and determine which members of the On-Campus community are likely to experience imminence of harm and need to be notified. Campus Officials include the Chancellor, Campus Provost and Executive Vice Chancellor (CPEVC), Vice Chancellor for Finance, Operations, and Administration, Vice Chancellor for Student Affairs and Success, Associate Vice Chancellor (AVC) for Risk and Safety Services, Fire Marshal, Certified Building Official with Physical Planning, Development & Operations, Emergency Manager, members of the Demonstration Operations Team (DOT), and sworn UCSC law enforcement personnel.

Once the notification is prepared, the Records and Communication Manager or the University Public Information Officer (PIO, in the event of Emergency Operations Center activation) or their designees will, without delay and considering the safety of the community, transmit the Emergency Notification using the campus Emergency Notification system. This will occur unless doing so would, in the professional judgement of the responsible authorities, delay the ability to mitigate or contain the Emergency or Dangerous Situation, including the ability to provide immediate, life-saving measures. If an Emergency Notification is issued, a Timely Warning shall not be issued for the same incident.

Upon confirmation of an off-campus Emergency or Dangerous Situation that is impending for the University's On-Campus Geography, the UCSC Police Department shall communicate with local police and first responders, as necessary, to ensure the coordination and response of evacuation, including the procedures herein to notify the On-Campus community immediately.

6.2 Contents of an Emergency Notification

To ensure minimal delays in time, UCSC Police Department Communications shall remain able to activate the University's mass notification system using template messages. Content within notifications shall be developed collaboratively between the UCSC Police Department and remaining offices within Risk and Safety Services using pre-approved standardized templates. Templates shall exist pre-written for a variety of Emergencies and Dangerous Situations, and content therein may be changed or adapted as deemed necessary by the appropriate Campus Official, Emergency Manager, or the Clery Coordinator/Officer based upon the given situation. The creation of templates is to remain a means of expediting the writing process. The content of messages shall be developed based on a careful but swift analysis of the most critical facts. Templates shall be reviewed annually or following an Emergency or Dangerous Situation where an After-Action Report/Improvement Plan (AAR/IP) noted needed improvements.

An Emergency Notification shall contain the following information:

1. Be labeled "CruzAlert;"
2. a statement as to what the Emergency Notification or Dangerous Situation is, in specific terms (e.g., chemical spill, active shooter, a building fire);
3. a statement providing direction as to what actions the receiver(s) of the message should take to ensure their own safety; and
4. a statement as to where or when additional information may be obtained.

The university preserves discretion to include any or all descriptors when determining what suspect information to include, if any, on a case-by-case basis based on the available information at the time the notification is written. Suspect descriptions may be omitted from an Emergency Notification if they are not likely to help distinguish a specific suspect from other Campus community members that share the same immediately perceivable traits (e.g., race and gender). However, if additional changeable and unchangeable traits are known when distributing the notification, and inclusion of such traits may help distinguish the suspect from others in the vicinity of the Campus, then the University shall consider including those traits in its Emergency Notification.

At the direction of the AVC for Risk and Safety Services, Chief of Police or Campus Emergency Manager, whichever is most appropriate given the incident, the Records and Communications Manager (or their designee) or PIO (or their designee) will subsequently issue an Emergency Notification follow-up message with pertinent updates or directions when new information becomes available. Updates will be

provided at regular intervals until the Emergency Notification or Dangerous Situation has been mitigated or no longer poses an imminent threat.

6.3 Methods of Distribution

Emergency Notifications will be distributed as quickly as possible to the entire Campus or segment(s) of the Campus community threatened by the Emergency or Dangerous Situation. Segmentation will be considered by the most appropriate Campus Official (see list above) by evaluating which persons are likely affected, the circumstances at the time, and the most effective delivery method. Segmentation shall not be considered if making this determination would delay issuing the Emergency Notification. If a segment of the Campus community is notified, Campus Officials (see list above) will continue assessing the situation and determine if additional Campus segments require notification. Such a determination will reactivate the protocols outlined in Section B of this policy.

Depending on the nature of the Emergency or Dangerous Situation, distribution methods, including to the larger community, may include:

- A campus mass notification system (i.e., CruzAlert), including but not limited to phone, campus email, or text messaging;
- Audible alarms/sirens;
- In-person or door-to-door notifications in a building and On-Campus housing areas;
- Local media;
- Social media; and
- Other means appropriate under the circumstances.

UCSC students, faculty, and staff cannot completely disenroll their participation in the mass notification program. They can opt-in to enroll their mobile and other contact information but are automatically enrolled and required to continue receiving CruzAlerts via their campus email account. Any combination of the available CruzAlert options and other methods of distribution that are listed above may be chosen based on the Emergency or Dangerous Situation and appropriateness to the given situation.

The larger community shall have the ability to enroll to receive emergency information. Emergency Notifications for members of the larger community who choose not to enroll shall receive information through the UCSC website. Communication, including updates, in this manner, may be simultaneous with or shortly after the original Emergency Notification. Individual units may re-post/redistribute official Emergency Notification

information to their own individual social media accounts. However, this method shall not be considered a regulated form of university communication.

Nothing in this policy precludes UCSC from informing, re-publicizing, or sharing with the Campus community other informational notices (e.g., traffic advisories, events, prevention information) the university deems may be of interest to the Campus community. Such notices must differ in appearance and assure readers that the notices are different from a CruzAlert required under the Clery Act and this policy. Members of the Campus community shall not be misled to believe such notices are Emergency Notifications.

7.0 Emergency Response and Evacuation Procedures Testing

The Campus Emergency Manager shall be responsible for coordinating and conducting the University's Emergency Notification, Response, and Evacuation Tests. Campus Officials and local first responders expected to mitigate or conclude a Campus Emergency or Dangerous Situation shall be invited to participate in the annual Test. Invited Campus Officials are expected to participate. The Test assesses and evaluates UCSC's emergency plans and capabilities, including the processes, procedures, and protocols established to ensure safe and orderly evacuations during emergencies. These exercises are essential for ensuring that all employees know their roles and responsibilities in an emergency and that the evacuation plan is effective and efficient. Each Test will include an activity that tests a single procedural operation. A Test scenario changes every year and is designed with clear, pre-determined, and measurable goals. A Test's components must be completed within 30 business days. The Campus Emergency Manager (or a designee in the event of their absence) shall produce an After-Action Report/Improvement Plan (AAR/IP) after a completed Test as a follow-through activity designed to review the Test.

Tests will be done at least annually and may be announced or unannounced. Each Test will be documented to include a description of the exercise, the date of the Test, the start and end times of the Test, and whether the Test was announced or unannounced. Each Test must include an Emergency Notification and an evacuation component for a significant portion of the campus. The notification, response, or evacuation of an actual Emergency or Dangerous Situation may not take the place of UCSC's annual Test requirement.

UCSC's emergency response and evacuation procedures will be publicized in conjunction with at least one Test per calendar year. Publication methods include those

that will attract attention to the information UCSC is attempting to distribute and shall include, but not be limited to, campus-wide emails. The Campus Emergency Manager shall confer with the Clery Coordinator/Officer, if available, and coordinate with the PIO to distribute a Test notice publication to all currently enrolled students and employees after a completed Test. The notice shall contain a summary of the Test's components and applicable evacuation procedures.

8.0 Security of and Access to Campus Facilities

UCSC is a public institution and, as such, academic and administrative buildings are open to the public, at a minimum, during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Access to buildings is controlled by key or card access, and all buildings have varied levels of access control. UCSC police officers patrol the academic buildings, administrative buildings, and on campus student housing and recreational facilities on a regular basis. Access control for a specific building is managed by a building manager, a department head, or based on university need.

Access control to on-campus student housing and recreational facilities is restricted to residents, their approved guests, and other approved members of the UCSC community. Residents gain entry by use of a key or card access. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their approved access method. Resident Advisors (RA), Coordinators of Residential Education (CRE), Residential Community Service Partners (RCSP) and other housing officials also enforce security measures in the facilities and work with residents to achieve a community respectful of individual and group rights and responsibilities.

Extended breaks or emergencies may necessitate changes or alterations to any access control schedules.

Members of the UCSC Police Department Physical Security Program Unit conduct security assessments for new construction, remodeling projects, areas identified as problematic and/or when requested to do so. These surveys examine security issues, inclusive of landscaping, lighting, tamper proof window screens, access control and CCTV.

9.0 Security Considerations for the Maintenance of Campus Facilities

Many parts of the campus are sparsely populated and students should exercise extra safety precautions while on campus, including requesting escorts from Safe Ride services.

The UCSC Police Department utilizes a multidisciplinary approach to deter criminal behavior and to create community-building efforts for a safer campus community. Crime Prevention Through Environmental Design (CPTED) is a key strategy relied upon to reduce behaviors that precede criminal activities.

When necessary, the UCSC Police Department makes recommendations concerning the maintenance of campus buildings as they relate to security issues. The recommendations could include, but are not limited to:

- Trimming ground cover, bushes, and trees to provide a greater visibility.
- Repairing and replacing inoperative or vandalized lighting fixtures, windows, doors, locks and security hardware and cameras.
- Increasing or improving lighting around entrances and exits of campus buildings.

In accordance with this strategy, facilities and landscape are maintained in a manner that minimizes hazardous conditions. Additionally, the UCSC Police Department regularly patrols the main campus and off-site facilities, and reports malfunctioning lights, security deficiencies, and other unsafe physical conditions to Physical Plant Services and/or the Housing Facilities department for correction. UCSC has a routine (planned) maintenance schedule for many buildings, which is available for the community to view at the Physical Plant website.

Other members of the University community are encouraged to report equipment problems or unsafe conditions to the UCSC Department or Physical Plant Services. For assistance with any non-urgent maintenance concerns relating to a residential area or residential building, please file a work order or login into CruzFix. For maintenance emergencies relating to a residential area or residential building that cannot wait until the next business day (i.e., active flooding, water intrusion, entry doors not securing or opening, etc.), call (831) 459-7043 Monday – Friday, 8 am – 5 pm, or call Police Dispatch at (831) 459-4861 after hours, weekends, and holidays.

For non-urgent concerns relating to an academic or office building, please contact Physical Plant Services at (831) 459-4444, wodesk@ucsc.edu or via CruzFix for PPDO.

If there is an urgent facility situation relating to an academic or office building (e.g., water leak, broken door, broken window glass, etc.), call the PPDO Work Order Desk at (831) 459-4444, Monday – Friday, 7:30 am – 5 pm, or call Police Dispatch at (831) 459-4861 after hours, weekends, and holidays.

10.0 Law Enforcement Authority, Jurisdiction, and Relationships

The UCSC Police Department is constituted under statutory authority granted by the State of California to The Regents of the University of California. UCSC Police Officers are duly sworn peace officers under Section 830.2 of the California Penal Code and have the same authority under the law as other State police officers, including the authority to make arrests. They enforce applicable local, state, and federal laws; arrest violators; investigate and suppress crime; investigate traffic and bicycle accidents; and provide a full range of police-related services, including immediate response to all medical and fire emergencies. The 911 UCSC Police Dispatch communication center operates 24 hours a day, 365 days a year, and can receive calls from TDD machines.

The UCSC Police Department has jurisdictional authority and operational responsibilities within the City of Santa Cruz. In addition, the City of Santa Cruz Police Department has concurrent jurisdiction, along with UCSC Police Department, for UCSC campus property and facilities.

The UCSC Police Department is located at 114 Carriage House Rd, Santa Cruz, CA 95064.

When taking a crime report, a UCSC police officer will take a statement from the victim and any witnesses regarding the incident. The officer will ask the victims and witnesses questions to ascertain a description of the assailants, crime scene, weapons used, and other relevant information for successful apprehension and prosecution of the case. Be advised that questioning can be difficult, and a victim may have a support person of their choice present during the interview. When a crime does not occur within the jurisdiction of UCSC, the UCSC Police Department may notify the appropriate authorities having jurisdiction on the victim's behalf, or the victim may contact the appropriate law enforcement agency directly.

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

The UCSC Police Department has a memorandum of understanding (MOU) with the City of Santa Cruz Police Department, Santa Cruz County Sheriff, Scotts Valley Police Department, and California Highway Patrol. These MOUs address the collaboration between the departments to enhance the reporting, investigation, and appropriate response to crimes in each jurisdiction. The MOUs outline the administrative responsibility, the geographic responsibility and the operational responsibility of the departments. Some key topics in the MOUs are emergency response to crimes, medical and fire response, alarm response, 911 response, explosive ordnance response, tactical operations, special events, ongoing communication, and informational exchanges in the form of reports and statistical data. These MOUs are currently in effect and enforced and are currently being revised with non-material updates.

11.0 Security Awareness Programs

The following programs are designed to inform students and employees about campus security procedures and practices, and to encourage them to be responsible for their own security and the security of others.

Campus Safety Overview

The Office of Emergency Management (OEM) hosts a campus safety training. The training covers a variety of topics, including campus safety and security issues, emergency response procedures, department emergency action planning, active shooter response, and campus safety resources. The training is held upon request. Interested persons can contact OEM at oem@ucsc.edu to request training. OEM also conducts outreach to students, staff and faculty at annual campus tabling events.

Department Emergency Action Plans

UCSC departments are required to comply with Cal OSHA 3220, which mandates the delivery of Emergency Action Plans (EAPs) to their employees. Currently, this requirement is satisfied by completing and distributing the Level I EAP template. Departments can access the template on the OEM website at any time and contact the campus Emergency Manager with any questions.

Good Neighborhood Initiative

The Good Neighbor Initiative was established in 2004 to foster positive relations between UCSC and the Santa Cruz Community. The Good Neighbor Initiative interns work closely with the Santa Cruz Neighbors throughout the year to better understand pertinent issues in the local community. With the Santa Cruz Neighbors, the interns attend monthly meetings, block parties, and local government meetings, working diligently with the UCSC Government & Community Relations Office to bridge communication between neighbors, students, the community, and the university. Student Interns interface with neighbors and are glad to field any suggestions, responses, or policy ideas to improve the university's relations.

Community Police Academy

The UCSC Police Department's Community Police Academy is a course offered each academic quarter that provides community members with an inside view of law enforcement practices, and specifically the operations of the UCSC Police Department. In line with the Department's community oriented policing objectives, participants can meet and build relationships with the members of the UCSC Police Department.

We Are Slugs! Prevention Programs

All incoming first-year and transfer undergraduate students are required to complete online education programs as part of the "We Are Slugs!" Program. "We Are Slugs!" includes programming to empower incoming UCSC students to be active in preventing sexual violence, relationship violence, and stalking in their communities. Students learn about affirmative consent, bystander intervention, dynamics of sexual and relationship violence, and how to support survivors. Students also learn about the support services UCSC offers with respect to alcohol, drugs, sexual health, and college/life balance with a harm reduction lens. These programs are intended to educate students to make well-informed decisions, promote a safe and healthy campus environment, and discuss the impacts of alcohol and drug use. "We Are Slugs!" content also includes specific information on how to prevent sexual violence and sexual harassment, concepts that will assist students in further understanding how inclusive practices foster a healthy and welcoming campus climate, and resources that support students' multiple intersectional identities, and therefore their growth as a student, as an engaged critical thinker and a dedicated member of their local and global communities.

Online Training

Faculty, staff, and students are assigned various online training through the UC Learning Center or Canvas at the time of hire, new assignment, or enrollment. Topics include injury and illness prevention, prevention of harassment and discrimination for both

supervisors and non-supervisors, UC Cyber Security, and Family Educational Rights and Privacy Act (FERPA) protection. All students must take SHAPE (Sexual Violence and Harassment, Anti-Discrimination, Prevention and Education) Training annually and pass a quiz with a score of 10/10 to register for classes.

In addition to the above online trainings, the Title IX Office provides mandatory in-person and online training to incoming graduate students in the fall and winter quarters. This training provides information on graduate student resources and reporting options related to sexual violence and sexual harassment. This is supplemented by an online live webinar during orientation for graduate students, typically held during graduate orientation. Similarly, all incoming undergraduate students participate in a live webinar involving CARE, SHOP, and Title IX; this live webinar takes place during fall and winter orientations and covers reportable misconduct, prevention methods, reporting, and resolution options.

Global Learning Health and Safety Orientations

Faculty leading students on study abroad programs through the Division of Global Engagement receive training, prior to travel, on reducing student health and safety risks while abroad, responding to student emergencies, supporting students in crisis, and information about health and safety concerns specific to their destination country, and receive and review a crisis response handbook during pre-travel meetings. Additionally, Faculty Leaders receive annual training in Campus Security Authority reporting obligations, Title IX definitions, Responsible Employee reporting obligations, and campus resources available to students who have experienced sexual assault or harassment. Students are required to attend a pre-travel orientation that provides health and safety information specific to their host country. This includes instructions about how to report incidents of sexual assault and sexual harassment, traveler's health, traveler safety information, gender-based safety concerns, especially for women and travelers identifying as LGBTQ+, and how to report and get help during emergencies.

12.0 Crime Prevention Programs

The following programs are designed to inform students and employees about crime prevention or to serve as a crime deterrent.

Safe Ride

Safe Ride is staffed by student operators and is available for student use overnight, seven days a week, when classes are in session during fall, winter and spring quarters. There may be exceptions for holidays and finals week. This program is not intended to

replace existing transportation services or discourage individuals from walking in groups. This service for students provides a safe and reliable means of transit from one location to another on campus and ensures the safety of students who feel endangered or unsafe during night hours. To request a Safe Ride, visit the Transportation & Parking Services website.

Crime Prevention Assessments

The UCSC Police Department provides consultation and crime prevention assessments. Upon request, the department may assist in developing department-specific emergency plans for evacuations, bomb threats, and criminal incidents. In addition, the department may provide recommendations on crime-prevention and physical security systems for the planning process of new buildings and landscaping design.

UCSC Police Department personnel are also available to deliver presentations or develop programs to address specific needs upon request. These presentations typically include crime prevention tips and UCSC crime statistics information.

Security Cameras

UCSC Police Department, Physical Planning, Development and Operations (PPDO), Information Technology, and Colleges, Housing and Educational Services have worked to install security cameras at key locations throughout the campus. The security cameras record events on campus, and the recording can be reviewed by police officers to enhance security efforts, prevent or detect crimes, disturbances, or suspicious events on campus.

13.0 Monitoring and Recording Crime Activity at Noncampus Locations of Student Organizations

Although no UCSC-recognized student organization owns any off-campus properties, student organizations can control properties on either a frequent or a repeated use. Criminal activity at these locations would typically be reported to the local law enforcement jurisdiction (i.e., Santa Cruz Police Department).

Typically, the Santa Cruz Police Department responds to calls within the Santa Cruz city limits. The Santa Cruz Police Department is not required to notify or involve the UCSC Police Department when responding to non-violent calls for service. When students or employees are identified as the victims or suspects of any Part 1 violent crime, sexual assault, or hate crime that occurs within a local law enforcement agency's jurisdiction,

and/or when a local law enforcement agency acts as first responder to an incident at a noncampus University affiliated property the UCSC Police Department is notified. The sharing of information allows the UCSC Police Department to determine whether the issuance of an Emergency Notification or Timely Warning is necessary. In addition, it allows for the compilation of statistical information.

In some situations, the Santa Cruz Police department shares information with the UCSC Police Department when a student, staff member or academic personnel are involved. Depending on the circumstances, the UCSC Police Department may also share information about student or employee criminal activity on campus or at non-campus locations to the relevant University Office for corrective action or the referral to appropriate resources.

14.0 Possession, Use, Sale, and Enforcement of Federal and State Alcohol and Drug Laws

UCSC complies with the Drug-Free Workplace Act of 1990 and the Higher Education Act, Section 120(a), which codifies the Drug-Free Schools and Campuses Act (DFSCA), and is committed to creating a safe and healthy learning/working/living environment for all members of the campus community. Alcohol and other drugs cannot be allowed to interfere with the mission of the University.

14.1 Prohibition and Legal Sanctions

UCSC prohibits the unlawful manufacture, distribution, dispensing, possession, use, or sale of alcohol or illicit drugs on university premises, at official university functions, or while on university business.

14.1.1 California State Laws Concerning Alcohol

The following are legal sanctions for alcohol violations commonly reported.

Minors in Possession of Alcohol

Under California Business and Professions Code 25662, any person under 21 years of age who possesses any alcoholic beverage on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor and shall be punished by a fine of two hundred fifty dollars ($250) or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed or is not attending school. A second or subsequent violation shall be punishable as a misdemeanor and the person shall be

fined not more than five hundred dollars ($500) or required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed or is not attending school, or a combination of fine and community service as the court deems just.

Furnishing Alcoholic Beverages to a Minor

Under California Business and Professions Code 25658, any person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor; any person under 21 years of age who purchases any alcoholic beverage, or any person under 21 years of age who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor; and shall be punished by a fine of two hundred fifty dollars ($250), no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. A second or subsequent violation shall be punished by a fine of not more than five hundred dollars ($500), or the person shall be required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court.

Underage Driving Under the Influence (DUI)

Under California Vehicle Code 23140 VC, 13352.6 VC, 42001.25 VC, and 23502 VC, it is unlawful for a person under the age of 21 years who has 0.05% or more, by weight, of alcohol in their blood to drive a vehicle. Depending on the circumstances surrounding the offense, the offense is punishable by immediate suspension of the driving privilege, successful completion of a driving-under-the-influence program; and a fine not exceeding one hundred dollars ($100) for a first conviction.

Driving Under the Influence (DUI)

Under California Vehicle Code 23152(a) VC and 23152(b) VC, it is unlawful for a person to drive under the influence of alcohol and unlawful to drive with a blood alcohol content (BAC) of .08% or greater.

Type of California DUI	Penalties
1st offense misdemeanor DUI	Up to 6 months in county jail; $390-1,000 in fines; driver's license suspension for 4 to 10 months (but the defendant may be able to drive immediately if they get an Ignition Interlock Device (IID) for 6 months); 3 or 9 months of DUI school
2nd offense misdemeanor DUI	96 hours to 1 year in county jail; $390-1000 in fines; driver's license suspension for 2 years (or instead the defendant can drive with an IID for 1 year); 18 or 30 months of DUI school
3rd offense misdemeanor DUI	120 days to 1 year in county jail; $390-1,000 in fines; driver's license suspension for 3 years (or instead the defendant can drive with an IID for 2 years); 30 months of DUI school
DUI with injury (misdemeanor)	5 days to 1 year in county jail; $390-5,000 in fines plus restitution to injured parties; driver's license suspension for 1 to 3 years (or instead the defendant can drive with an IID for 6 months); 3, 18 or 30 months of DUI school
1st offense DUI with injury (felony)	16 months to 16 years in state prison; $1,015-5,000 in fines plus restitution to injured parties; driver's license suspension for 1 year (or instead the defendant can drive with an IID for 1 year); 18 or 30 months of DUI school
Felony DUI	16 months, 2 years or 3 years in state prison; $390-1000 in fines; driver's license suspension for up to 5 years; 18 or 30 months of DUI school

Open Alcohol Container in a Vehicle

Under California Vehicle Code 23222(a) VC and 23224 VC, a person shall not have in their possession on their person, while driving a motor vehicle upon a highway or on lands, a bottle, can, or other receptacle, containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed; and no person under 21 years of age shall knowingly drive any motor vehicle carrying any alcoholic beverage, unless the person is accompanied by a parent, responsible adult relative, any other adult designated by the parent, or legal guardian for the purpose of transportation of an alcoholic beverage, or is employed by a licensee under the Alcoholic Beverage Control Act, and is driving the motor vehicle during regular hours and in the course of the person's employment. Any person convicted for a violation is

guilty of a misdemeanor and shall be punished upon conviction by a fine of not more than one thousand dollars ($1,000) or by imprisonment in the county jail for not more than six months, or by both that fine and imprisonment; and the vehicle may be impounded at the owner's expense for not less than one day nor more than 30 days for each violation.

14.1.2 Federal Laws Concerning Illicit Drugs

Summary of Drug Schedules

Controlled substances are classified into one of five numerical designation schedules in accordance with standards and procedures[10] under the federal Controlled Substances Act. The following provides a brief overview of the schedules[11] of controlled substances.

Schedule I

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.
- There is a lack of accepted safety for use of the drug or other substance under medical supervision.

Schedule II

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.

Schedule III

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

Schedule IV

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.

[10] 21 U.S.C. 811
[11] 21 U.S.C. 812

- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Schedule V

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.

14.1.3 Federal Penalties

The following tables are not representative of all possible penalties in all circumstances. Tables of federal trafficking penalties are derived from the 2024 Edition of the Drug Enforcement Administration Drugs of Abuse Resource Guide.[12]

Federal Penalties for Possession and Other Controlled Substance Related Violations

Offense	Penalties (Fine / Imprisonment)
Simple Possession[13]	First Offense: At least $1,000 / 1 year maximum Second Offense: At least $2,500 / Between 15 days and 2 years Third Offense: At least $5,000 / Between 90 days and 3 years
Use of Controlled Substance to Commit Crime of Violence[14]	$250,000 / 20 years maximum
Endangering Human Life While Illegally Manufacturing a Controlled Substance[15]	$250,000 / 10 years maximum

[12] See p.38-39 of the 2024 Edition of the Drug Enforcement Administration Drugs of Abuse Resource Guide
[13] 21 U.S.C. 844
[14] Crime of Violence as defined by 18 U.S.C 16
[15] 21 U.S.C. 858

Attempt and Conspiracy[16]	Same as penalties prescribed for the underlying offense
Robberies and Burglaries Involving Controlled Substances[17]	Robberies Involving Controlled Substances: Up to $250,000 / Up to any number of years or life
	Burglaries Involving Controlled Substances: Up to $250,000 / Up to any number of years or life
	Conspiracy to Commit Robbery or Burglary Involving Controlled Substances: Up to $250,000 / Up to 10 years

14.1.4 Federal Trafficking Penalties - Other Drugs

Substance / Quantity	Schedule	Penalty
Cocaine / 500 - 4999 grams mixture	II	First Offense: Not less than 5 years, and not more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual. Second Offense: Not less than 10 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.
Cocaine Base / 28 - 279 grams mixture	II	
Fentanyl / 40 - 399 grams mixture	II	
Fentanyl Analogue / 10 - 99 grams mixture	I	
Heroin / 100 - 999 grams mixture	I	
LSD / 1 - 9 grams mixture	I	
Methamphetamine / 5 - 49 grams pure or 50 - 499 grams mixture	II	
PCP / 10 - 99 grams pure or 100 - 999 grams mixture	II	

[16] 21 U.S.C. 846 and 21 U.S.C. 963
[17] 18 U.S.C. 2118

Substance / Quantity	Schedule	Penalty
Cocaine / 5 kilograms or more mixture	II	First Offense: Not less than 10 years and not more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual. Second Offense: Not less than 15 years, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.
Cocaine Base / 280 grams or more mixture	II	
Fentanyl / 400 grams or more mixture	II	
Fentanyl Analogue / 100 grams or more mixture	I	
Heroin / 1 kilogram or more mixture	I	
LSD / 10 grams or more mixture	I	
Methamphetamine / 50 grams or more pure or 500 grams or more mixture	II	
PCP / 100 grams or more pure or 1 kilogram or more mixture	II	

Substance / Quantity	Penalty
Other Schedule I & II Drugs / Any Amount	First Offense: Not more than 20 years. If death or serious injury, not less than 20 years, or more than life. Fine $1 million if an individual, $5 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Any Drug Product Containing Gamma Hydroxybutyric Acid / Any Amount	
Flunitrazepam (Schedule IV) / 1 gram	

Other Schedule III Drugs / Any Amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 years. Fine not more than $500,000 if an individual, $2.5 million if not an individual. Second Offense: Not more than 20 years. If death or serious injury, not more than 30 years. Fine not more than $1 million if an individual, $5 million if not an individual.
All Other Schedule IV Drugs / Any Amount	First Offense: Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual. Second Offense: Not more than 10 years. Fine not more than $500,000 if an individual, $2 million if other than an individual.
Flunitrazepam (Schedule IV) / Other than 1 gram or more	
All Schedule V Drugs / Any Amount	First Offense: Not more than 1 year. Fine not more than $100,000 if an individual, $250,000 if not an individual. Second Offense: Not more than 4 years. Fine not more than $200,000 if an individual, $500,000 if not an individual.

14.1.5 Federal Trafficking Penalties – Marijuana

Substance	Schedule	Quantity	First Offense Penalty	Second Offense Penalty[18]
Marijuana	I	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 years or more than life. If death or serious bodily injury, not less than 20 years, or more than life. Fine not more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.	Not less than 15 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.
Marijuana	I	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 years or more than 40 years. If death or serious bodily injury, not less than 20 years, or more than life. Fine not more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.	Not less than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $8 million if an individual, $50 million if other than an individual.
Marijuana	I	More than 10 kg hashish; 50 to 99 kg marijuana mixture More than 1 kg of	Not less than 20 years. If death or serious bodily injury, not less than 20 years, or more than life. Fine $1 million if an individual, $5 million if other than an individual.	Not less than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.

[18] The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is not less than 25 years imprisonment and a fine up to $20 million if an individual and $75 million if other than an individual.

		hashish oil; 50 to 99 marijuana plants		
Marijuana	I	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants;	Not more than 5 years. Fine not more than $250,000, $1 million if other than an individual.	Not more than 10 years. Fine $500,000 if an individual, $2 million if other than individual.
Hashish	I	10 kg or less	Not more than 5 years. Fine not more than $250,000, $1 million if other than an individual.	Not more than 10 years. Fine $500,000 if an individual, $2 million if other than individual.
Hashish Oil	I	1 kg or less	Not more than 5 years. Fine not more than $250,000, $1 million if other than an individual.	Not more than 10 years. Fine $500,000 if an individual, $2 million if other than individual

14.1.6 State of California Laws Concerning Illicit Drugs

The following are legal sanctions for illicit drug violations commonly reported.

Smoking or Ingesting Marijuana

Under California Health and Safety Code 11362.3, it is unlawful to smoke or ingest cannabis or cannabis products in a public place, except in accordance with Section 26200 of the Business and Professions Code, and to smoke cannabis or cannabis products in a location where smoking tobacco is prohibited. A violation of this law can result in the following penalties:

- A fine up to $250; and/or
- 4 hours of drug education/counseling; and/or
- Up to 20 hours of community service

Possession of Marijuana

Under California Health and Safety Code 11357, except as authorized by law, it is unlawful for adults 21 and over to possess over 28.5 grams of cannabis or 8 grams of concentrated cannabis. Defendants under the age of 18 who possess more than 28.5 grams of cannabis, or more than 8 grams of concentrated cannabis, will be charged with a California infraction and may be required to attend drug counseling and/or perform community service. It is also illegal under 11357 HSC for people under the age 21 to possess any amount of cannabis or concentrated cannabis other than in accordance with California's medical marijuana laws. Under Proposition 64, the penalties for people under 21 who possess marijuana or hashish are a fine of up to one hundred dollars ($100), for people 18 and over; four (4) hours of drug education or counseling and up to ten (10) hours of community service for first offenders who are under 18; and six (6) hours of drug education or counseling and up to twenty (20) hours of community service for offenders who are under 18 with a prior conviction.

It is illegal for any person to possess an open container/package of marijuana or marijuana products while driving, operating, or riding in the passenger seat/passenger compartment of a motor vehicle or other vehicle used for transportation. A violation of this law can result in the following penalties:

- A fine up to $250; and/or
- 4 hours of drug education/counseling; and/or
- Up to 20 hours of community service

Possession of Other Narcotics/Drugs (Methamphetamine, Psilocybin Mushrooms, Cocaine, Heroin, Ecstasy, GHB, Etc.)

It is illegal for any person to possess controlled substances for personal use. A violation of this law can result in the following penalties:

- Up to 1 year in County Jail; and/or
- A fine of up to $1,000; and/or
- 3 years of probation

14.2 Standards of Conduct

Students found in violation of UCSC alcohol and drug policies or federal or California law may be subject to disciplinary action, up to and including Dismissal, as set forth in

the Code of Student Conduct and in campus regulations; and may be required to participate in educational workshops and services.

Employees, including academic personnel and student employees, found in violation of UCSC alcohol and drug policies or federal or California law, may be subject to disciplinary actions, up to and including dismissal, under applicable university policies and labor contracts; or may be required, at the discretion of the university, to participate satisfactorily in an employee support program or treatment program.

Potential corrective actions that could be used for employee discipline or to separate an employee from their employment includes but is not limited to the following:

- Training
- Coaching/Counseling
- Letters of warning
- Staff suspension without pay
- Represented academic staff suspension without pay and benefits
- (For pre-six lecturers, academic student employees, and postdoctoral scholars) Not reappointing represented academic appointees for another term/quarter/ appointment
- Temporary or permanent reductions in pay within a class
- Demotion to a lower classification
- Temporary or permanent reductions in time
- Termination

14.3 Enforcement

The UCSC Police Department is responsible for enforcing the laws relating to alcoholic beverages, including the enforcement of California underage drinking laws, and federal and California laws related to illicit drugs on main campus.

The appropriate local law enforcement agency is responsible for enforcing California underage drinking laws and federal and California laws related to illicit drugs for Westside Research Park, Coastal Science Campus, Silicon Valley Campus, Scotts Valley Campus, MBEST, any hotel leased for student residence and the University Town Center.

14.4 Health Risks Associated with Substance Abuse

Substance abuse can cause very serious health and behavioral problems, including short-and long-term physiological and psychological effects, as well as impairment of learning ability, memory, and performance. Chronic health problems may arise from

long-term abuse, and acute, traumatic reactions may arise even from one-time or moderate use. In addition to the toxicity of specific drugs, mixing drugs can compound toxic effects. Illegal, “counterfeit” or “designer” drugs may be toxic, contaminated, or have impurities causing poisoning, and can be lethal.

Acute health problems may include heart attack, stroke, and sudden death (even first-time use of certain drugs). Long-term effects include heart and/or lung damage, high blood pressure, blood vessel leaks in brain, brain cell destruction, permanent memory loss, infertility, impotency, immune system impairment, kidney failure, and cirrhosis of the liver. Other health risks, injury, accidents, and violence can result from substance abuse. Using alcohol or other drugs while pregnant can cause fetal damage, birth defects, miscarriage and infant death. More information on the health risks of substance abuse can be found at: https://nida.nih.gov.

14.5 Drug and Alcohol Programs

14.5.1 Student Health Outreach and Promotion (SHOP)

Student Conduct Specialists refer students to SHOP for educational outcomes for violations of the campus alcohol and drug policies. SHOP supports the mission of Student Health Services by fostering healthier lifestyle choices to reduce health risk factors, improve overall wellness and maintain a productive, active and successful student body. It is the place for students to go to learn about health and wellness in a safe, non-judgmental environment. SHOP provides opportunities for students to explore and enhance their health and wellness as they pursue their academic goals. SHOP offers information, education, resources and support on issues related to alcohol and other drugs, sexual and reproductive health, overall wellness, and other health concerns relevant to college students.

SHOP coordinates alcohol and other education, prevention, and early intervention efforts on campus. SHOP staff collaborates with campus-community partners to develop and sustain environmental approaches to alcohol problems associated with off-campus parties.

14.5.2 Employee Assistance Program (EAP)

The University recognizes that problems of a personal nature may interfere with a faculty or staff member's well-being and ability to perform their job. The Employee Assistance Program (EAP) is established to help deal with these problems. Services are available under the Employee Assistance Program to help identify, counsel and refer employees experiencing trouble to professional resources. Up to (3) Assessment and

Referral sessions per Participant per problem per 6 months with our EAP provider are available at no charge.

The program is designed to deal with a broad range of human relations problems, such as alcohol or drug abuse, financial problems, emotional or behavioral disorders, family and marital discord, legal and other personal challenges. The program is available to all faculty and staff employees of UCSC, and their family members, including those who are on temporary layoff, furlough, leave of absence, and sabbatical.

Employees who have or suspect that they have an alcohol, chemical dependency, health or other personal problem and desire help to resolve it are encouraged to seek confidential assistance by voluntarily contacting an Employee Assistance Program counselor. Employee contact with and participation in this program is voluntary and will be kept strictly confidential. Information regarding an employee's utilization of program services can only be released with prior written consent of the employee.

15.0 Sexual Violence and Sexual Harassment

UCSC seeks to create and sustain a safe environment in which all members of the university community — students, employees, campus affiliates, program participants, and visitors — can live, learn, and work free of sexual harassment and sexual violence. The University prohibits all forms of sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other associated crimes.

UCSC is committed to the following goals:

- Providing clear and concise reporting procedures for persons to follow if they or someone they know has experienced sexual harassment, sexual assault, dating violence, domestic violence, stalking, or other prohibited conduct. Including a procedure for reporting to the UCSC Police Department.
- Assisting sexual violence complainants in obtaining necessary medical care, confidential support, and counseling, whether on or off-campus, in understanding available confidential resources and reporting options, and in preserving evidence.
- Providing effective prevention programs, including education about how to identify and respond to situations that involve sexual harassment and sexual violence.
- Educating and training all employees, including counselors, law enforcement officers, housing staff, and academic personnel, about how to recognize, and

where applicable, assist complainants of sexual harassment and sexual violence with trauma-informed support.
- Educating and training all Responsible Employees about their obligation to report appropriately.
- Ensuring that disciplinary procedures are implemented in a fair and consistent manner if the respondent is a UCSC affiliate.

The Title IX Director monitors compliance with systemwide policy across all UCSC properties, reviews the policy and attendant procedures annually, and makes recommendations when updates to policies and procedures, as well as prevention and education efforts, are necessary. In addition, the Title IX Director and staff will provide training and educational materials as needed to ensure full implementation of the policy.

15.1 Programs to Prevent Relationship/Intimate Partner Violence and Stalking

15.1.1 Primary Prevention Programs

To help prevent and address sexual harassment, sexual assault, dating violence, domestic violence, and stalking, all members of the UCSC community — students, staff, and academic personnel — are required to receive prevention and intervention training and education on an ongoing basis. The UC systemwide curriculum, tailored to each audience, educates our community about sexual harassment and sexual violence, how to prevent it, and the role of intervention and available local resources. While ongoing trainings may review and expand on initial programming content, programs for new students and employees include the following information:

UCSC must implement preventive education programs to promote the awareness of systemwide policies against Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence, and Stalking. Programs must include primary prevention and awareness programs: (1) for all new students and new employees; (2) refresher programs at least annually for all students; (3) twice a year for all students who serve as Advisors in residence halls; (4) annually for all student members of fraternities and sororities; (5) annually for all student athletes and coaches; and, (6) biennially for all faculty and staff.

UCSC assesses which student organizations participate in activities that may place students at risk and ensures that they receive annual supplemental training focused on situations the group's members may encounter.

Primary prevention programs include programming, initiatives, and strategies informed by research or assessed for value, effectiveness or outcome that are intended to stop sexual assault, dating or domestic violence, or stalking before they occur. This is accomplished by promoting positive, healthy behaviors that foster mutually respectful relationships and sexuality, encourage safe bystander intervention, and work to change behavior and social norms in healthy, safe directions.

Awareness programs include community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

These education and training programs include the following information:

- A statement that UCSC prohibits Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking.
- What constitutes Sexual Violence, Sexual Harassment, Acquaintance Rape, Dating and Domestic Violence, and Stalking as defined by UC SVSH Policy (see Appendix A).
- The definition of Affirmative Consent.
- A statement that Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking violate University policy and may also violate criminal law.
- Common facts and myths about the causes of Sexual Violence.
- Safe and positive options for bystander intervention that may be taken by an individual to prevent harm or intervene in risky situations involving these offenses.
- Methods of encouraging peer support for victims/survivors.
- Information regarding campus, criminal, and civil consequences of committing acts of Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking.
- A statement explaining that UCSC's primary concern is the safety of members of the campus community; that the use of alcohol or drugs never makes the victim/survivor at fault for Sexual Violence; that students or employees who experience or witness Sexual Violence should not be deterred from reporting incidents out of a concern that they might be disciplined for related violations of drug, alcohol, or other campus or systemwide policies; and that students or employees who experience or witness Sexual Violence shall not be subject to discipline for related violations of conduct policies at or near the time of the misconduct unless the violation is egregious (including actions that place the

health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty).

- A statement that "The University of California prohibits retaliation against someone for reporting possible sexual violence, sexual harassment, retaliation, and other prohibited behavior under systemwide policy or participating or not participating in a process under the systemwide policy. Retaliation includes threats, intimidation, harassment, discrimination and coercion."
- How to recognize warning signs of abusive behavior and how to avoid potential attacks.
- Information on risk reduction, including options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims/survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- What someone should do if they have experienced or witnessed Sexual Violence, Sexual Harassment, Dating or Domestic Violence, or Stalking.
- Individuals to whom incidents may be reported, along with information regarding what degree of confidentiality may be maintained by those individuals.
- The availability of, and contact information for, campus and community resources for victims/survivors of Sexual Misconduct, Dating or Domestic Violence, or Stalking.
- A description of campus and systemwide policies and disciplinary procedures available for addressing alleged violations and the consequences of violating these policies, including the fact that such proceedings shall:
    - Provide a prompt, fair, and impartial investigation and resolution; and,
    - Be conducted by officials who receive annual training on issues related to Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking, and how to conduct an investigation and hearing process that protects the safety of victims/survivors and promotes accountability.
- The fact that the complainant and the respondent will be afforded the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.
- The fact that both the complainant and the respondent shall be simultaneously informed in writing of:
    - The institution's procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking
    - The outcome of any disciplinary proceeding that arises from an allegation of Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking;

    - The University's procedures for the complainant and the respondent to appeal the results of the disciplinary proceeding;
    - Any change to the disciplinary results that occurs prior to the time such results become final; and
    - When disciplinary results become final.
- Possible sanctions or protective measures UCSC may impose following the final determination of a University disciplinary procedure regarding Sexual Violence, Sexual Harassment, Dating and Domestic Violence, and Stalking.
    - Protective measures may include:
        - Academic accommodations,
        - Housing accommodations,
        - or other safety and supportive measures, including but not limited to no contact directives, referrals to other resources, or referrals to other processes as requested by the impacted party.
- How UCSC will protect the confidentiality of victims/survivors, including how publicly available recordkeeping will be accomplished without the inclusion of identifying information about the victim/survivor, to the extent permissible by law.
- That persons who report being a victim/survivor of Sexual Violence, Dating or Domestic Violence, or Stalking must receive written notification of:
    - Existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims/survivors, 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/survivor chooses to report the incident to the UCSC Police Department or local law enforcement.
- Procedures victims/survivors and reporting parties should follow if Sexual Violence, Dating or Domestic Violence, or Stalking has occurred, as well as the fact that the following written information must be provided to victims/survivors:
    - The importance of preserving evidence as may be necessary to prove Sexual Violence, Dating or Domestic Violence, or Stalking, or to obtain a temporary restraining or other protective order;
    - The name and contact information of UCSC employee(s) to whom the alleged offense should be reported;
    - Reporting to law enforcement and campus authorities, including the option to: (a) notify law enforcement authorities, including on-campus and local police; (b) be assisted by campus authorities in notifying law

enforcement authorities if the victim/survivor so chooses; and (c) decline to notify such authorities;
    - Where applicable, the rights of victims/survivors and UCSC's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- Procedures the institution follows when a report of Sexual Violence, Dating or Domestic Violence, or Stalking is received including: procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding.

The above information is also available on the Title IX office website.

UCSC requires all incoming students to complete both a synchronous training session conducted by the Title IX Office and an asynchronous training developed by the University of California Office of the President and shared across the UC System.

- Live Training: The Title IX Office provides synchronous training for first-year students in collaboration with SHOP and CARE. The training is 2.0 hours long and covers State, Federal and UC Policy definitions of prohibited conduct (including the Federal definition of "Acquaintance Rape"), the State and UC Policy definition of consent, an overview of the Title IX process and resolution options, confidential resources, safety and supportive measures, pregnancy and parenting protections, and outcomes of reporting to Title IX.
- Online Training: SHAPE (Sexual Violence and Harassment, Anti-Discrimination, Prevention and Education) Training is mandatory for all students at UCSC. SHAPE Training was developed by the University of California Office of the President to fulfill the requirements established by of 2 CCR 11024, California Government Code 12950.1, AB 1825/2053, 34 CFR 668.46 Violence Against Women Act, and UC Policy on Sexual Violence and Sexual Harassment, Abusive Conduct, and Anti-Discrimination. SHAPE Training is required annually for all students and includes modules to prevent sexual violence, sexual harassment, discrimination and harassment with respect to all protected categories, and to promote awareness of resources and reporting options. All students, both incoming and continuing, are required to participate in the education and training program. All continuing students are required to complete SHAPE annually to register for classes. The training includes:
    - Introduction
    - Sexual Violence and Sexual Harassment Prevention Overview
    - Pre-Test

- Recognizing Prohibited Conduct under the UC Sexual Harassment and Sexual Violence Policy
    - Sexual Harassment
        - Quid Pro Quo
        - Hostile Environment
    - Sexual Violence
        - Sexual Assault
        - Relationship Violence
        - Stalking
        - Sexual Exploitation
    - Consent
    - Discrimination and Harassment on the basis of a protected category
    - Violence Against Women Act: Domestic Violence, Dating Violence, Sexual Assault, Stalking
    - Common Myths and Facts about sexual harassment and sexual violence
    - Other Prohibited Conduct: Invasions of Sexual Privacy, Sexual Intercourse with a person under 18, Exposing Genitals in public for the purpose of sexual gratification, failing to comply with terms of a no contact directive, retaliation
- Preventing harm
    - Healthy versus unhealthy behaviors
    - Biased language
    - Bystander Intervention
- Responding to Prohibited Conduct
    - Complainant and Respondent rights and resources
    - How to seek confidential resources
    - Ability to notify law enforcement
    - Right to seek counseling
    - Right to an advisor and support person
    - Right to be protected from retaliation
    - Right to supportive measures
    - How to report
    - Amnesty
    - Initial Assessment
    - Resolution
    - Remedy
    - Discipline

    - Resources
        - Confidential vs. Non-Confidential resources
        - Sexual Assault Forensic Exams
        - Campus-specific resources
    - Spotlight on UC's Systemwide Anti-Discrimination Policy and FAQs
    - Final Assessment

All incoming faculty and staff are required to complete the two-hour UC SHAPE (Sexual Violence and Harassment, Anti-Discrimination, Prevention and Education) training course within 90 days of hire and every two years thereafter. These online trainings fulfill AB 1825 requirements and provide participants with definitions of behaviors outlined in the UC SVSH Policy, information on reporting requirements, and links to University resources.

To ensure that all students receive the necessary information and training on Sexual Violence, Dating and Domestic Violence, and Stalking, UCSC imposes consequences, such as registration holds, on those students who do not participate in and complete such mandatory training.

These education and training programs include the following strategies:

- **Bystander Intervention** – means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Dating Violence, Domestic Violence, Sexual Assault, or Stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.[19] Based on a social science model that predicts most people are unlikely to help others in certain situations, a bystander is anyone who observes an emergency or a situation in which it appears someone could use help. The bystander must then decide whether they are comfortable stepping in to help. Research has found that people tend to struggle with whether helping out is their responsibility, and one of the major obstacles to intervention is the diffusion of responsibility, which means that if several people are present, an individual is much less likely to stop and help out because they believe someone else will. UCSC promotes a culture of community accountability in which bystanders are actively engaged in preventing violence without causing

[19] The preceding definition is provided by 34 C.F.R. § 668.46

further harm. A bystander may not always know what to do, even if they want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another, and it is not safe to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources for support in health, counseling, or with legal assistance.

Bystander intervention training is available as a workshop upon request from CARE. In this workshop, participants learn how to prevent different types of violence, such as bullying, sexual harassment, sexual assault, or intimate partner violence, by actively delegating, directing, and distracting as a bystander.

- **Risk Reduction** – means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.[20] With no intention to victim-blame and with recognition that only those who commit Sexual Misconduct are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act:
  - If you have limits, make them known as early as possible.
  - Tell a sexual aggressor “NO” clearly and firmly.
  - Try to remove yourself from the physical presence of a sexual aggressor.
  - Find someone nearby and ask for help.
  - Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.

[20] The preceding definition is provided by 34 C.F.R. § 668.46

- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
- In an emergency, call 9-1-1.
- Report acts of sexual violence to Title IX and/or UCSC Police Department to add to community awareness and safety.

Training on risk reduction is provided in a number of settings, including orientation and mandatory online training for all incoming students from the Center for Advocacy, Resources & Empowerment (CARE), Title IX, and Student Health Outreach and Promotion (SHOP). Throughout the year, SHOP additionally provides training on alcohol and drug education prevention, which covers the risk reduction topics mentioned above. Risk reduction education for travelers is provided by the Division of Global Engagement for students studying abroad during their pre-departure orientations, which includes destination-specific risk and safety information as well as campus-based resources for reporting and support.

15.1.2 Campus Awareness and On-going Information Campaigns

UCSC's ongoing prevention and awareness campaigns include programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and includes information shared in primary prevention programs.

CARE (Center for Advocacy, Resources & Empowerment) offers a range of trainings and interactive workshops to prevent sexual harassment and sexual violence and create a culture of respect and empowerment. CARE collaborates with organizations to develop specialized workshops and events, and offers a variety of trainings, including:

- CARE 101: WHO WE ARE AND WHAT WE DO
- COMMUNICATING CONSENT: This workshop is intended to engage you on the topic of affirmative consent and how to achieve that in your relationships.
- HEALTHY RELATIONSHIPS: In this workshop, you can learn about the complexities of interpersonal violence, in order to understand why it is hard to leave an abusive relationship. This stems from understanding: What is gas lighting? and to understanding methods of power and control used over a partner by their abuser.
- BYSTANDER INTERVENTION: Learn about what it means to be AND how to be an active bystander. In this workshop, you can learn how to prevent different types

of violence, such as bullying, sexual harassment, sexual assault, or intimate partner violence, by actively delegating, directing, and distracting as a bystander.
- SUPPORTING SURVIVORS: Sometimes it can be difficult to know how to help a friend who has experienced DV or SA. This workshop explores why survivors are so often questioned or disbelieved and examines the body's physiological responses to trauma. You will be given tips on how to become active listeners and demonstrate different ways you can support and advocate for survivors in your own life.
- EXPLORING GENDER & VIOLENCE: This workshop describes through an intersectional lens how gender inequalities affect people of different identities on a systemic and personal level.

The Title IX Office also provides specialized training and targeted presentations for a variety of groups. Ongoing training provided by the Title IX Office includes:

- Title IX Overview for all Colleges Housing and Educational Services (CHES) staff
- Preventing Harassment and Discrimination for Dining Services
- Resident Assistant training
- Athletics and Recreation training (for both coaches and athletes)
- Title IX and EEO training for academic departments (including faculty members and graduate students)
- Preventing & Responding to Sexual Violence for Registered Student Organizations, Club Sports, and Greek Life

Both CARE and Title IX have online forms that allow organizations to request tailored presentations and trainings.

15.2 Reporting Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Other Prohibited Conduct

Any complainant or witness, including students, has several options to report conduct that may constitute sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other prohibited conduct to any responsible employee, supervisor, the Title IX Officer, or a Campus Security Authority (CSA). Complainants and witnesses may also notify the proper law enforcement authorities, including the UCSC Police Department and other surrounding agencies. Under UC Policy, most employees on the University campus are considered “Responsible Employees” under Title IX and are thus required to report any incidents of which they have knowledge to the Title IX Officer. Confidential victim advocates from CARE are not “Responsible Employees” and will only report to the Title IX Office with written permission from the victim/survivor.

UCSC is committed to maintaining and providing a safe learning and working environment. As defined by the Clery Act, University policy prohibits crimes of:

- dating violence
- domestic violence
- sexual assault
- stalking

The employee receiving the report from the complainant or witness of a Violence Against Women Act (VAWA) offense will provide the individual with the Resources and Options Brochure (see Appendix G) and/or a Marsy's Card that contains information about reporting options, interim and safety measures, and support resources available to them, whether the offense occurred on or off campus. The brochure includes the following information about a student's or employee's rights and options:

- How and to whom the alleged offense should be reported, including options for reporting to local or campus law enforcement authorities, the Title IX Officer, and other campus authorities
- The right to be assisted by campus authorities in notifying law enforcement, if the complainant so chooses, and the right to decline to notify such authorities
- The rights of complainants regarding orders of protection, no contact directives, restraining orders, or similar lawful orders, issued by criminal or civil courts or by the university, and the university's enforcement responsibilities regarding such orders
- The importance of preserving evidence that may be necessary to prove criminal sexual assault, dating violence, domestic violence, or stalking, to obtain a protection order, or for campus based proceedings
- Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available both within the institution and in the community
- Options for, and how to request, available assistance to changes in academic, living, transportation, and working situations, and the University's responsibility to provide such accommodations, if reasonably available, regardless of whether the victim/survivor chooses to report the crime to university police or local law enforcement

The Reporting Options Handout can also be found on the Title IX website.

Reporting to the Title IX Office can be done through the Office's online portal, by emailing titleix@ucsc.edu, or by phone (831) 459-2462. Title IX will respond to reports by emailing the reporting party and/or impacted party within 1-2 business days.

If, in the course of their work, a non-supervisory employee becomes aware that a student has experienced sexual harassment, sexual assault, relationship violence, or stalking, they are instructed to promptly contact the UCSC Title IX Office using the online reporting link or by calling (831) 459-2462.

If, in the course of their work, a supervisor, manager, HR, or Academic Personnel employee receives a report of sexual harassment, sexual assault, relationship violence, or stalking, they are instructed to promptly contact the UCSC Title IX Office using the online reporting link or by calling (831) 459-2462.

If the situation involves any immediate danger to health or safety, employees are instructed to call 911.

Reports of sexual violence and sexual harassment can also be made, depending on the wishes of the complainant, to the UCSC Police Department (831) 459-2231 or the appropriate law enforcement agency, depending on where the crime was committed.

15.3 Non-Sex-Based Stalking

Non-sex-based stalking is addressed by University policies other than the Sexual Violence and Sexual Harassment Policy. Some University policies contain definitions of behavior that may meet the threshold for non-sex-based stalking.

For students, non-sex-based stalking is defined in UC PACAOS 100 as "behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonably determined by the university to seriously alarm, torment, or terrorize the person; and where the threat is additionally determined by the university to serve no legitimate purpose."

UC PACAOS 100, Appendix H describes the minimum procedural requirements for all campuses when conducting a formal hearing into alleged misconduct such as non-sex-based stalking. For campus adjudication procedures, see section 15.20 Student Disciplinary Action for non-SVSH non-Academic Integrity Incidents.

For employees, UC's Abusive Conduct in the Workplace Policy does not specifically define stalking of any kind, but it does describe behavior that may reach the threshold for Clery stalking, and it uses the same reasonable person standard as the Clery Act. Abusive Conduct is defined as harassing or threatening behavior that is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment, or other programs or activities of the University.

15.4 Past Abuse

Many individuals experience abuse and victimization and never tell anyone about it at the time of the incident. For those who were abused or victimized weeks or years ago, assistance is still available. Talking with someone now may help individuals cope with abuse or victimization from the past.

Anyone who has experienced past abuse and victimization has the right to:

- Speak with a confidential victim advocate about rights and options, including reporting and time-sensitive options regarding evidence collection and medical treatment. Survivors are not required to pursue any option in order to access support from an advocate.
- Center for Advocacy, Resources and Empowerment (CARE) provides free and confidential support and advocacy to UCSC students and employees, and can be reached at (831) 502-2273 during regular business hours.
- After regular business hours, Monarch Services provides free and confidential support to survivors. They can be reached 24/7 at (888) 900-4232.
- Report the incident to law enforcement and the UCSC Title IX Office, whether or not the assailant is affiliated with UCSC.
- Be provided support as needed in order to continue access to education or employment.
- Be protected from retaliation after reporting an incident.

Past incidents may still be reported to the appropriate law enforcement agency. Past incidents that occurred at a UCSC property may still be reported to the UCSC Police Department for documentation and investigative purposes and past incidents related to campus affiliates can be reported to the Title IX Office. In addition, resources are available through CARE, CAPS, Walnut Avenue Family and Women's Center, and Monarch Services.

15.5 Criminal Reporting

UCSC encourages any person who has experienced a sexual assault, dating violence, domestic violence, and stalking, or any student, staff, or academic personnel who has witnessed a crime, to immediately report the incident to the UCSC Police Department by calling 911 or (831) 459-2231 x 1. The University recognizes that it is a victim/survivor's choice to report a crime, and they may decline to report. If a victim/survivor chooses not to report the crime immediately, the report can be made at a later time. Tips can also be made anonymously to the UC Hotline at 800-403-4744.

The reasons for reporting to UCSC Police Department are:

- To take action that may prevent further victimization, including issuing a Timely Warning or Emergency Notification to the campus community
- To assist in the apprehension of a suspect
- To assist in the collection of evidence and proper documentation for criminal prosecution
- To provide access to Santa Cruz County District Attorney support services
- To have the incident recorded for purposes of reporting statistics about incidents that occur on campus

This information is used to compile statistics, to avoid duplicate or inaccurate statistical reporting, and to assign reports to appropriate Clery Act and FBI crime classifications. Statistical information obtained from these reports will be included as part of the Annual Campus Security and Fire Safety Report.

UCSC encourages confidential resources (including confidential victim advocates, professional counselors, and pastoral (religious) counselors) to inform victims/survivors they counsel, if and when they deem it appropriate, of these procedures for reporting crimes on a voluntary, confidential basis for inclusion in crime statistics.

Those who receive reports of sexual assault, dating violence, domestic violence, and stalking are required to share a handout with the victim/survivor called "Resources & Options" (see Appendix G) with anyone who discloses that they have been impacted by misconduct. This handout contains a description of resources available as well as appropriate off-campus resources. The same information is also available on the Title IX website.

15.6 Evidence Preservation

Evidence related to sexual assault incidents can be preserved with an evidentiary medical exam, commonly referred to as a Sexual Assault Forensic Exam "SAFE exam." Community members needing a forensic exam can receive this service locally at an in-county facility and receive more immediate care. SAFE exams are provided at no charge.

Victims/survivors of sexual assault, dating violence, domestic violence, or stalking are encouraged to preserve all physical evidence as well as other evidence, such as texts, emails, photos, direct messages, or other possible evidence, even if they are not sure about pursuing an investigation against an alleged suspect. This preserved evidence can assist in criminal prosecution, campus-based proceedings, and in obtaining a protection order. After a sexual assault, if the victim/survivor wishes to have a SAFE exam, whenever possible, a victim/survivor should not wash, use the toilet, or change clothing so that forensic evidence may be properly collected. Generally, it is best to collect forensic evidence within the first 24 hours following an assault, but in some instances, evidence may be collected up to two weeks after the incident. This may include a victim/survivor's clothing, sheets, etc.

A victim/survivor may arrange to have a SAFE exam through different avenues:

- Police Report: If the victim/survivor has made a report to the UCSC Police Department or other law enforcement agency, the department or agency can authorize a SAFE exam. The department or law enforcement agency will then transport the victim/survivor to the hospital for the exam.
- CARE-Facilitated Exam: A victim/survivor can contact CARE Monday through Friday 9:00 am - 5:00 pm at (831) 502-2273 to request that a CARE Advocate help facilitate and accompany them to a SAFE Exam.
- Monarch Services-Facilitated Exam: A victim/survivor can contact Monarch Services 24/7 at (888) 900-4232 to request that a CARE Advocate help facilitate and accompany them to a SAFE Exam.
- Call County Netcom directly at 831-471-1195 and Netcom dispatch will reach the SAFE team to arrange for a SAFE exam.
- Pursuant to California Penal Code 13823.95, patient-survivors are NOT required to report the crime, and they have the right to proceed with a SAFE exam and choose between a Non-Investigative Report or an Investigative Report. A Non-Investigative Report allows for a later decision on participating in a law enforcement investigation. The physical evidence is collected, preserved, and maintained in the event that they decide to file a police report on a later date. An Investigative Report prompts an immediate investigation.

Regardless of whether a police report has been made, after the evidence has been collected through a SAFE exam, the evidence kit will be stored by law enforcement for up to two years to allow the victim/survivor time to decide about participating in a criminal investigation and prosecution. The University encourages victims/survivors to contact a Confidential CARE (Center for Advocacy, Resources & Empowerment) Advocate at (831) 502-2273 for ongoing support, information and assistance with this process.

If a victim/survivor chooses not to have evidence collected with a SAFE exam, it is still important to get medical attention. A medical exam in this case should include treatment of any physical injuries and preventive measures for any sexually transmitted diseases and pregnancy. This non-emergency treatment can be arranged with a family doctor or with the Cowell Student Health Center. The Health Center is located on McLaughlin Drive, across the street from Colleges 9 & John R. Lewis and can be reached at (831)-459-2500.

15.7 Civil Restraining/Protective Orders

A victim/survivor may choose to obtain a civil restraining order, also known as a protective order. Restraining orders are civil court orders to protect victims/survivors who have experienced or are reasonably in fear of physical violence, sexual assault, or stalking by another individual. In California one may request a Domestic Violence Restraining Order, Civil Harassment Restraining Order, Workplace Violence Restraining Order, or an Elder or Dependent Adult Abuse Restraining Order. Workplace Violence Orders (WV-100) may be filed on behalf of the victim/survivor by UCSC.

More information about obtaining a restraining order can be found at this website. The University encourages victims/survivors to contact a Confidential CARE (Center for Advocacy, Resources & Empowerment) Advocate at (831) 502-2273 for information and assistance with this process. In addition, advocates at Monarch Services and Walnut Avenue Family and Women's Center can assist with preparing and filing Domestic Violence or Civil Harassment Restraining Orders.

15.8 Criminal Protective Orders

A Criminal Protective Order (CPO) may be issued by a judge after a defendant is arrested, charged or found guilty of certain crimes against the victim/survivor. The District Attorney requests CPOs on behalf of victims/survivors and the UCSC Police Department can enforce those orders as needed during the course of their regularly

assigned duties. Additionally, victims/survivors can contact the Office of the District Attorney Victim/Witness Program at (831) 454-2400 and the UCSC Police Department at (831) 459-2231 x 1 to discuss their options and safety needs.

15.9 UCSC Administrative Reporting

Any complainant has the right to report to the Title IX Officer under the UC Policy on Sexual Violence and Sexual Harassment (SVSH policy) (See Appendix A). Procedures to keep the Complainant informed are outlined in the implementing Appendices and Frameworks, as well as the UCSC Local Implementing Procedures pursuant to Section V.B. of the interim SVSH policy, which require the Title IX Officer to keep the Complainant informed at each step of the process. Effective January 1, 2026, status updates must be provided upon request of a Complainant or Respondent and every 30 days until the final outcome of a complaint is determined, unless a party notifies the Title IX Officer in writing that the party chooses to opt out of such updates. A confidential advocate or a support person of the complainant's choosing can assist a complainant with contacting the Title IX Office and filing an administrative complaint. The Title IX Office will act promptly in response to reports of sexual harassment, sexual assault, dating violence, domestic violence or stalking by any member of the UCSC community. Upon receipt of a report, the Title IX Office will reach out to the complainant with resources, options, and an invitation to meet. These resources are emailed to complainants in the first outreach email from Title IX and also reviewed in the Initial Assessment meeting with the representative from Title IX. Title IX will work with the complainant and/or appropriate University officials to provide supportive measures to the complainant and to address the allegations through supportive and preventive measures, an alternative resolution process, or a formal investigation process. The type of proceeding to use is based on the circumstances of the allegation, including if an investigation is likely to lead to a resolution, whether parties prefer an informal process, or the seriousness of the allegations.

15.10 Alternative Resolution

Upon request, the Title IX Director or designee may attempt to resolve reports of sexual harassment, sexual assault, dating violence, domestic violence and stalking by alternative resolution when such a report on its face would constitute a violation of the SVSH policy. Title IX conducts Alternative Resolutions, a voluntary agreement in accordance with University policy that is acceptable to both parties and to the University. The alternative resolution process shall be completed as promptly as possible, within 30-60 working days from the date the alternative resolution was initiated, but may be extended with good cause. If an Alternative Resolution is not an

appropriate response to the alleged offenses, is not mutually agreed upon, or the respondent violates the terms of the agreement, the Title IX Officer may initiate a formal investigation. Alternative Resolution is not available when the Complainant is a student or patient and the Respondent is an employee. Effective January 1, 2026, Alternative Resolution is also not available when an employee Respondent is alleged to have engaged in sexual violence as defined in the Sexual Violence and Sexual Harassment Policy (with the exception of Sexual Exploitation as defined in the Sexual Violence and Sexual Harassment Policy.) Additionally, effective January 1, 2026, Alternative Resolution agreements for sexual harassment complaints involving employee Respondents must be approved by the campus chief executive officer (i.e., Chancellor). The Chancellor may not delegate this responsibility.

15.11 Formal Investigations

When a report has been submitted that states an actionable complaint, a formal investigation may be initiated. The Title IX Officer or designee will conduct a fair, prompt and impartial investigation using trauma-informed practices and paying attention to issues of cultural diversity and inclusion. An investigation carried out by the Title IX Office is not a legal proceeding, but is an administrative investigation to determine whether University policy has been violated by a preponderance of the evidence. The investigation process shall be completed as promptly as possible, within 90 working days from the date the formal investigation was initiated, but may be extended with good cause. On occasion, the Title IX Officer will initiate a formal investigation when a threat to campus safety is identified, the allegations reported are severe, or because of multiple reports of alleged misconduct against the same respondent. Complainant(s) can choose to participate in a Title IX initiated investigation or not. The Complainant and Respondent may have an advisor present throughout the process, including, when they are interviewed and at meetings. Effective January 1, 2026, student Respondents will receive written notice of their right to select an advisor of their choice or to request that the University provide an advisor to the student. Parties may have other support persons present under other policies. Other witnesses may have an advisor present at the discretion of the Title IX Officer or as required by University policy or a collective bargaining agreement.

15.12 Amnesty Provision

To encourage reporting, the University will not discipline Complainants or witnesses for student conduct policy violations that occur around the time of alleged Prohibited Conduct unless the University determines the violation was egregious. Examples of

egregious violations include conduct that risked someone's health or safety, or involved plagiarism, cheating, or academic dishonesty.

Complainants may be particularly afraid to report Prohibited Conduct when alcohol, drugs, or other intoxicants were involved (for example, when there was underage drinking). This amnesty provision applies to alcohol- and drug-related student violations.

15.13 Safety and Supportive Measures

Supportive measures include both Mitigating Measures and Interim Measures. Mitigating Measures are those services, accommodations, or other measures put in place for a complainant who is not participating in a Resolution Process with the Title IX Office, but who needs such mitigating measures to provide support, restore or preserve access to a University program or activity, or deter prohibited conduct. Interim Measures are those services, accommodations, or other measures put in place temporarily after the Title IX Office receives a report of prohibited conduct to assist or protect the complainant, the respondent, or the University community, to restore or preserve a party's access to a University program or activity, or to deter prohibited conduct. Before or during an alternative resolution or formal investigation process, complainants may request changes to academic schedules and arrangements, living and working status, and transportation conditions, or other safety and supportive measures. The University may provide such measures if the complainant requests them and if they are reasonably available regardless of whether the victim/survivor chooses to report the crime to campus police or local law enforcement. For example, a complainant may request a University issued no-contact directive, a lawful directive issued by a University official that prohibits contact between two or more parties. The University is obligated to comply with a student's reasonable request for a living and/or class change following an allegation of sexual violence or sexual harassment. A no-contact directive is appropriate when there is reason to believe that future contact will result in property damage, disruption, harassment, intimidation or threatening conduct or physical abuse. A no–contact directive issued as an Interim Measure may be unilateral (prohibiting one party from contacting the other) or mutual (prohibiting both parties from contacting each other). However, the University will not prohibit the Complainant from contacting the Respondent unless the specific circumstances indicate the restriction is necessary or justifiable to protect the Respondent's safety or wellbeing, or to respond to interference with a Resolution Process.

A complainant who is a student can contact a CARE advocate at (831) 502-2273, a Student Conduct officer at deanofstudents@ucsc.edu or (831) 459-4446, or the Title IX Office at titleix@ucsc.edu or (831) 459-2462 for assistance with setting up safety and

supportive measures, including a no-contact directive. An employee who is a complainant can contact a CARE advocate at (831) 502-2273 or the Title IX Office at titleix@ucsc.edu or (831) 459-2462 for assistance with setting up safety and supportive measures, including a no-contact directive. Whenever possible, the University will keep any safety and supportive measures provided to the complainant private, to the extent that maintaining such privacy would not impair the ability of the institution to provide the requested safety and supportive measures.

15.14 Retaliation

In accordance with UC policy, retaliation against a person who reports an incident of sexual harassment or sexual violence, assists someone with a report of sexual harassment or sexual violence, or participates in any manner in an investigation or resolution of a sexual harassment or sexual violence report, is strictly prohibited. Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person. Such conduct by any UCSC community member will not be tolerated and the University reserves the right to investigate and bring additional disciplinary action against a person found alleged to have engaged in retaliation. Additionally, the University, an employee, or agent of the University may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their right or responsibilities to report sexual harassment, sexual assault, dating violence, domestic violence, or stalking. Retaliation may also be reported to the UCSC Police Department for potential criminal investigation.

15.15 Privacy

The University will protect the privacy of individuals involved in a report of sexual harassment or sexual violence to the extent permitted by law and by University policy and procedures. However, an investigation may involve interviews with a number of persons to inquire if they have relevant evidence, including extremely sensitive information. While such information is considered private, University policy may also require the limited disclosure of certain information during or following an investigation to need-to-know persons, such as the complainant/s and respondent/s participating in an investigation and those responsible for enforcing a no-contact directive or providing academic accommodations.

Any member of the University community who is found in violation of this policy is subject to disciplinary action up to and including suspension or dismissal in accordance with the applicable University disciplinary procedure.

For more information about these policies and administrative procedures, contact the Title IX Office by emailing titleix@ucsc.edu or calling (831) 459-2462.

15.16 Victim/Survivor Confidentiality

The University recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. However, reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the suspect, unless the report is subject to victim/survivor confidentiality per California Penal Code Section 293 and Government Code sections 6253 and 6254. Reports made to UCSC Police Department will be kept confidential and identifying information about the victim/survivor shall not be made public per California Penal Code Section 293. Information can be requested through the UCSC Police Department Records Unit, but some details may be redacted.

Reports subject to victim/survivor confidentiality made to CARE advocates, medical professionals, and licensed mental health counselors will not be shared with third parties except in cases of imminent danger to the victim/survivor or a third party. UCSC will not release personally identifiable information of the victim/survivor of a VAWA crime in publicly available recordkeeping, including Clery record keeping such as timely warnings, emergency notifications, the daily crime log, or the Annual Security and Fire Safety Report. The University will maintain as confidential any accommodations or protective measures provided to the survivor of sexual assault, dating violence, domestic violence, or stalking to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

A victim/survivor can file a confidential report with law enforcement in which they are NOT obligated to continue with legal proceedings or University investigation and adjudication procedures. The University encourages victims/survivors to contact a Confidential CARE (Center for Advocacy, Resources & Empowerment) Advocate at (831) 502-2273 for information and support. Victims/survivors reaching out to CARE for services is not a report and therefore, is not counted and disclosed in the annual crime statistics for the institution.

The CARE Advocate will provide victims/survivors with a handout on their reporting options and explore options in a confidential and supportive manner.

A confidential victim advocate's roles and responsibilities include:

- Explaining all of a victim's/survivor's rights and options,

- Providing support regardless of what reporting option a victim/survivor chooses
- Accompanying a victim/survivor during evidentiary examinations, law enforcement and Title IX interviews, phone calls, lineups, or any other proceedings that involve criminal or administrative reporting
- Assisting with academic, housing, transportation and employment concerns and accommodations

If a victim/survivor is in a situation without the advocate, they have the right to wait until the advocate is present. The UCSC Center for Advocacy, Resources & Empowerment (CARE) Advocates at (831) 502-CARE or 831-502-2273 are available to assist a victim/survivor during business hours. In addition, confidential advocates from Monarch Services at (888) 900-4232 and Walnut Avenue Family and Women's Center at (866) 2MY-ALLY or (866) 269-2559 are available 24 hours a day 7 days a week.

CARE Advocates are available for crisis response during business hours. Support for the following situations may require an in-person response from an advocate.

- Acute sexual assault or domestic violence incident (within 10 days)
- Medical concerns following an incident of violence
- Assistance in making a police report
- Physical safety concerns

Call CARE at (831) 502-2273 or Monarch Services at (888) 900-4232 and provide as much information as possible to determine the appropriate services. You may also email CARE at care@ucsc.edu for ongoing support service needs.

Monarch Services at (888) 900-4232 provides in-person advocacy services and a confidential hotline 24 hours a day, seven days a week. Monarch Services provides free individual and group counseling and assistance with restraining orders for survivors of sexual assault, dating violence, domestic violence, human trafficking, and stalking.

Walnut Avenue Family and Women's Center at (866) 269-2559 provides in person advocacy services, support groups, and a confidential hotline for survivors of domestic violence. They can also assist with domestic violence restraining orders. Services at both agencies are available to anyone who is a victim/survivor of these crimes, regardless of gender identity.

In instances when a victim/survivor would like a SAFE exam, but has elected not to file a police report, the victim/survivor can seek transportation assistance to the hospital

through other means, including contacting the CARE Office at (831) 502-CARE or (831) 502-2273 or Monarch Services at (888) 900-4232.

Students may also utilize UCSC's Counseling and Psychological Services (CAPS), which is located upstairs in the Cowell Student Health Center. CAPS can be reached at (831) 459-2628. Counselors can provide confidential support and inform victims/survivors and respondents of common emotional reactions and discuss coping methods that may assist them immediately following an assault and later. Talking about concerns with a counselor in a safe and supportive environment may help to sort through feelings and decide what to do. Students may be seen on an emergency walk-in basis or by appointment.

Assistance and support for dealing with personal and academic issues is also available from the Slug Support Program Team in the Dean of Students Office in Hahn Student Services, Room 245, at (831) 459-3456. This support is private, but not considered confidential.

15.17 Male Victims/Survivors and Non-Binary Victims/Survivors

While research indicates that a disproportionate number of sexual violence impacts female victims/survivors, non binary individuals, and especially trans female victims/survivors, sexual violence is also perpetrated against men. All victims/survivors at UCSC are eligible for the same services and staff will work with each individual respectfully and compassionately. Emotional support, counseling, information about rights and options, resources related to legal services and medical treatment are available through the CARE Office, CAPS, Walnut Avenue Family and Women's Center and Monarch Services.

15.18 Adjudication Procedures and Disciplinary Actions

Any member of the University community who, after a Title IX investigation, is found to have engaged in conduct that violates the University policies on sexual violence and sexual harassment is subject to disciplinary action up to and including suspension or dismissal in accordance with the applicable University disciplinary procedure.

For investigations involving faculty and staff respondents, either the Civil Rights Investigator, the Hearing Officer, or the Appeals Officer will make the final determination as to whether the policy has been violated.

As detailed further in the sections below, following a determination that a faculty or staff respondent has violated the University policy, the matter will be referred as follows:

- Faculty cases will be referred to the Academic Personnel Office
    - Matters involving Senate faculty respondents will be routed to the Academic Senate Charges Committee;
    - Matters involving academic respondents who are not Senate faculty (whether unrepresented or covered by a collective bargaining agreement) will be referred to the appropriate administrator (Dean or Campus Provost/Executive Vice Chancellor)
- Staff personnel cases will be referred to an appropriate administrator and Staff Human Resources.

For cases involving student respondents, at the end of the investigation, the Title IX Office makes a preliminary determination about whether the policy has been violated, and if either the complainant or the respondent does not accept that finding, a live hearing will be held to make a final determination. A Conduct Specialist in the Office of Student Conduct and Conflict Education (OSCCE) will make recommendations about appropriate sanctions, and a Hearing Officer will make the determination as to whether the policy was violated if a hearing occurs. The Conduct Specialist may meet separately with the complainant and respondent during the sanction proposal process. Either party may appeal the hearing findings.

All adjudication proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. These proceedings are conducted by officials who receive annual training on the issues related to sexual assault, sexual harassment, dating violence, domestic violence, and stalking. Additionally, the Title IX investigators and hearing officials are trained on how to conduct the investigation and hearing process in a manner that protects the safety of victims/survivors and promotes accountability. Both the complainant and respondent have the opportunity to be accompanied by an advisor (any individual who provides support, guidance, or advice) of their choice. Restrictions may be set regarding the extent to which the advisor may participate in the proceedings. Effective January 1, 2026, student Respondents will receive written notice of their right to select an advisor of their choice or to request that the University provide an advisor to the student.

The University will send simultaneous written notice to both parties with the hearing officer's determination on whether the UC SVSH Policy or any student conduct policies have been violated, and, if so, the Office of Student Conduct and Conflict Education's determination of any sanctions to be imposed. The notice will also include a statement

of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal.

All disciplinary proceedings will be completed within a reasonably prompt time frame, as designated by University guidelines, and allow for good cause extension of time frames with written notice to both the complainant and respondent of the delay and the reason for it. All proceedings are conducted in a manner that is transparent to the complainant and respondent and by officials who have no conflicts of interest or biases for or against a complainant or respondent. Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. The proceedings will include a timely notice for meetings at which one or both parties may be present and provide timely and equal access to the complainant, respondent, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.

In investigations that are adjudicated using the PACAOS Appendix E framework for non-Department of Education (DOE) covered conduct (see Appendix B), both the respondent and complainant may contest the investigator's preliminary determination and/or appeal the proposed sanction. If neither party contests or appeals, then the Office of Student Conduct and Conflict Education notifies the parties that there will be no hearing and the preliminary determination becomes final. In cases where the Office of Student Conduct and Conflict Education proposes suspension or dismissal, the Respondent is presumed to contest unless the Respondent provides the Office of Student Conduct and Conflict Education with a written acknowledgment that Respondent does not contest. If either party contests the preliminary determinations as to whether or not the policy was violated, there will be a factfinding hearing before a Hearing Officer to determine whether the SVSH Policy or other student conduct policies have been violated, after which the Office of Student Conduct and Conflict Education will determine sanctions.

In investigations that are adjudicated using the PACAOS Appendix F framework for Department of Education (DOE) covered conduct (see Appendix C), if both parties accept the investigator's preliminary determination, the Office of Student Conduct and Conflict Education notifies the parties that there will be no hearing and the preliminary determination becomes final. Unless both parties accept the preliminary determination, the Office of Student Conduct and Conflict Education will notify the parties that there will be a factfinding hearing before a Hearing Officer. The Hearing will determine

whether the SVSH Policy or other student conduct policies have been violated, after which the Office of Student Conduct and Conflict Education will determine sanctions.

15.19 Student Disciplinary Action for SVSH violations

See Appendix B, University of California SVSH Student Adjudication Framework for Non-DOE Covered Conduct (PACAOS - Appendix E), and Appendix C, University of California SVSH Student Adjudication Framework for DOE-Covered Conduct (PACAOS - Appendix F), which further detail the policy and procedures followed by UCSC for responding to reports of student violations of the UC SVSH Policy (See Appendix A). A student's responsibility for violating the Code of Conduct is determined on a preponderance of evidence standard. When a student is found responsible for violating the UC Sexual Violence and Sexual Harassment policy, outcomes imposed by the Office of Student Conduct and Conflict Education will include one or more of the following:

- Warning
- Disciplinary Probation
- Stayed (deferred) Suspension
- Suspension
- Stayed (deferred) Dismissal
- Dismissal
- Restriction from areas of the campus
- Restitution
- Administrative or Enrollment hold
- Fines
- Educational Project

15.20 Student Disciplinary Action for non-SVSH non-Academic Integrity Incidents

Violations of the University's Code of Conduct, as outlined in the UCSC Policies and Regulations Handbook sections 102.02-102.36, are investigated and adjudicated by the Office Student Conduct and Conflict Education under PACAOS Appendix H. Cases involving Suspension or Dismissal from the University are eligible for a formal hearing by a Campus Conduct Board. The Campus Conduct Board Members are composed of an appointed chair, and trained students and staff members. Students found responsible for violating the Code of Conduct may submit an appeal within five (5) business days of issuance of the decision. Staff reviewing appeals may be University staff or external contractors hired to review the appeal.

A student's responsibility for violating the Code of Conduct is determined on a preponderance of evidence standard. In addition to possible case by case educational sanctions, administrative outcomes imposed by the Office of Student Conduct and Conflict Education will include one or more of the following:

- Warning
- Disciplinary Probation
- Stayed (deferred) Suspension
- Suspension
- Stayed (deferred) Dismissal
- Dismissal
- Restriction from areas of the campus
- Restitution
- Administrative or Enrollment hold
- Fines
- Educational Project

15.21 Employee Disciplinary Action

15.21.1 Staff Disciplinary Action

See Appendix D, Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel, which further details the policy and procedures followed by UCSC for responding to reports of employee violations of the UC SVSH Policy (See Appendix A).

The University may take corrective action when an employee fails to meet acceptable conduct or work performance standards. Corrective actions may include a written warning, corrective salary decrease, suspension, demotion, and separation from University employment. As appropriate, any corrective action taken due to conduct or unsatisfactory work performance may be noted in the employee's performance appraisal.

Corrective action, if necessary, will adhere to the commonly accepted principles of progressive discipline. When determining the appropriate corrective action to use, supervisors should take into account the severity and circumstances of the situation, the employee's work history, and how similar infractions have been addressed in the past. Termination may be warranted in situations of serious misconduct or gross or long-standing failure to maintain acceptable work performance standards.

The University of California has professional relationships with 11 unions that represent more than 164,000 employees. Existing employment contracts with each of the 22 bargaining units, including provisions covering corrective action and discipline, are available at the UCNet website. Employees not represented by a union are covered under the University Personnel Policies for Staff Members (PPSM). Individual PPSM policies, including those governing corrective action and discipline, are available at the UCOP Presidential Policies website.

The types of potential corrective actions that could be used to discipline and/or separate an employee include:

- Training
- Coaching/Counseling
- Letters of warning
- Suspensions without pay (ranging from one day to 30 days) for staff
- Suspensions without pay and benefits (represented academic staff, ranging from one quarter to one year)
- Temporary or permanent reductions in pay within a class
- Demotion to a lower classification
- Temporary or permanent reductions in time
- Termination

15.21.2 Senate Faculty Disciplinary Action

See Appendix E, Investigation and Adjudication Framework for Senate and Non-Senate Faculty Respondents, which further details the policy and procedures followed by UCSC for responding to reports of employee violations of the UC SVSH Policy (See Appendix A).

The following disciplinary sanctions are authorized in the University Policy on Faculty Conduct and the Administration of Discipline (APM 016), and are listed in order of increasing severity: written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University. More than one disciplinary sanction may be imposed for a single act of misconduct. No disciplinary action may commence if more than three years have passed between the time when the Chancellor knew or should have known about the alleged violation of the Code and the delivery of the notice of proposed disciplinary action.

The Campus Academic Personnel Manual Section 002.015 further details UCSC disciplinary procedures for Senate Faculty. UCSC has a Charges Committee that also

serves as the Peer Review Committee under the UC Title IX Procedures. The Campus Provost may initiate involuntary leave with pay prior to the initiation of a disciplinary action if it is found that there is a strong risk that the respondent's continued assignment to regular duties or presence on campus will cause immediate and serious harm to the campus community or impede the investigation of his or her wrongdoing, or in situations where the respondent's conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency.

A letter of intent to discipline shall include a statement of the charges and the proposed disciplinary sanction. The respondent has 21 calendar days to respond to the letter in writing, either by informing the Campus Provost that they accept the proposed sanction, or by informing the Chair of Privilege and Tenure (CPT) that they waive the Senatorial right to a hearing. Absent any such written response, a formal hearing shall be conducted before the CPT as specified by Academic Senate Bylaw 336. Senate faculty have a right to a hearing before the CPT before any disciplinary sanctions can be imposed by the Chancellor.

The Committee on Privilege and Tenure (or properly constituted hearing panel subcommittee) will hear the case and will report its findings and recommendations to the Chancellor. In cases where the administration has proposed discipline for substantiated violations of the UC Policy on Sexual Violence and Sexual Harassment, the University must prove its case against the respondent using the preponderance of evidence as the standard of proof. In cases of misconduct other than those arising under the UC Policy on Sexual Violence and Sexual Harassment, the University must prove its case against the respondent using the clear and convincing evidence standard.

The Chancellor shall have final authority to determine which type(s) of disciplinary sanction to impose or recommend, if any, following review of the Committee on Privilege and Tenure's hearing report and recommendations. The final authority for dismissal of tenured faculty and denial or curtailment of emeritus status rests with the President or The Regents. In those cases, the Chancellor shall make a recommendation.

For more information about the disciplinary procedures for Academic Senate faculty go to the Academic Personnel website.

15.21.3 Non-Senate Instructional Faculty Disciplinary Action (for appointees covered by a collective bargaining agreement)

See Appendix E, Investigation and Adjudication Framework for Senate and Non-Senate Faculty Respondents, which further details the policy and procedures followed by UCSC for responding to reports of employee violations of the UC SVSH Policy (See Appendix A).

Non-Senate academic appointees are expected to maintain a standard of academic responsibility consistent with the objectives of the University. Non-Senate faculty appointees are also subject to the standards set forth in the Faculty Code of Conduct (APM 015).

Corrective action (written censure, suspension without pay, or reduction in pay) and dismissal are serious measures with specific procedural and notice requirements. Disciplinary action shall normally be taken in progressive steps, in accordance with the collective bargaining agreement governing the appointee's employment (See the Contracts between the University of California and the American Federation of Teachers for the Lecturers Unit (IX) (Article 30 - Discipline and Dismissal) and for Professional Librarians.

It may be necessary to place an appointee on immediate investigatory leave with pay prior to corrective action if the appointee's conduct requires immediate removal from University premises in the judgment of the supervisor, unit head, or dean. While on such leave, the appointee's return to University premises without written permission may create independent grounds for dismissal.

In addition to the corrective action measures described above, the appointee's immediate supervisor may institute a written warning. It shall describe a method for correcting the problem and state the probable consequence of continued misconduct.

Pursuant to the collective bargaining agreement governing these employees' employment, the dean or appropriate administrator must provide a written Notice of Intent to the appointee prior to initiating any of the following actions: written censure, suspension, reduction in salary, demotion, and dismissal.

The Notice shall state:

- The intended action, including reasons for the action and the proposed effective date

- The basis of the charges, including copies of pertinent materials supporting the charges
- The appointee's right to respond, either orally or in writing, within 14 calendar days of the date of issuance of the written Notice of Intent.

Prior to instituting the dismissal of a Non-Senate faculty member, the appointee should be apprised of the opportunity for a hearing before the Academic Senate Committee on Privilege and Tenure pursuant to S.O. 103.9. By selecting this hearing option, the appointee waives the right to grieve the dismissal action under APM 140 since the appointee is entitled to select only one grievance review mechanism. The appointee must make a written request to the dean for such a hearing within 14 calendar days of the date of issuance of the written Notice of Intent. For more information about disciplinary actions for Non-Senate Academic Appointees go to the Academic Personnel website.

15.21.4 Other Academic Employees (including Academic Student Employees)

The campus employs several other titles of academic employees, including represented and non-represented researchers, postdoctoral scholars (represented), Graduate Student Researchers (represented), and Academic Student Employees (represented student and non-student titles).

Represented academic employees (student and non-student) may be disciplined or dismissed in accordance with procedures established by the applicable collective bargaining agreement. The current collective bargaining agreements are available at the UCNet website (See the agreements for Academic Researchers, Academic Student Employees, Graduate Student Researchers, and Postdoctoral Scholars). Disciplinary action includes a written warning, suspension without pay, or dismissal. Additionally, these employees may be issued counseling memoranda and/or written records of discussion, which are not discipline.

Graduate Student Researchers and Academic Student Employees may be disciplined for or receive corrective action only for misconduct that they commit in the course and scope of their employment. Investigative findings and the resulting personnel actions may be shared with the Office of Student Conduct and Conflict Education for consideration under the Student Code of Conduct, as well as with the Graduate Division for review of the potential impact to the university's Funding Commitment to the student, if one exists.

Unrepresented academic employees are employed at will and, when misconduct is substantiated, may be separated or disciplined according to state and federal law in accordance with PPSM-64 Termination and Job Abandonment Policy, without regard to a collective bargaining agreement.

16.0 Registered Sex Offenders

California's sex offender registration laws require sex offenders to register with the police department in the jurisdiction in which they reside. This includes requiring sex offenders who are enrolled as a student, or is, with or without compensation, a full-time or part-time employee for the institution, or is carrying on a vocation with the institution for more than 14 days, or for more than 30 days in a calendar year to register with the campus police department within five working days of commencing enrollment or employment.

All public information available in California about registered sex offenders, to include the ability to look-up offenders by name, residence address, and zip code, is on the California Department of Justice Megan's law website.

17.0 Missing Residential Student Notification

UCSC will provide every student living in campus housing the opportunity and means to identify an individual, who the institution shall notify within 24 hours of the determination that the student is missing, through Cruz ID Manager. This contact is confidential and strictly used for missing person purposes only, and is a separate contact from their emergency contact, but may be the same person. A student's emergency contact information will be accessible only by authorized campus officials and law enforcement as appropriate in the furtherance of a missing person investigation. Every student who applies for University-sponsored housing is notified during the application process of the Missing Student Notification procedure, which is posted on the UCSC Police Department website.

If a member of the UCSC community has reason to believe that a student who resides in on-campus housing is missing, they should report the missing student immediately to the UCSC Police Department by calling (831) 459-2231 ext. 1. The UCSC Police Department will receive the report and give priority to its handling pursuant to California Penal Code section 14211(a). However, if a member of the University community is unable to report a suspected missing student to the UCSC Police Department, they may also make the report to Colleges, Housing and Education Services (CHES) Coordinators

for Residential Education (CREs) and other professional residential life staff and Resident or Neighborhood Assistants (RAs/NAs); student health staff; Athletics & Recreation directors, coaches, trainers and staff members; Global Travel Security Manager, or Dean of Students Office staff. Non-UCSC Police Department recipients of missing student reports should forward missing student information to campus police immediately. No waiting period exists before a campus sworn officer or the specified individuals will take a missing person report. At UCSC, a student is considered missing when their whereabouts are unknown and knowledgeable persons regard the disappearance as unusual, uncharacteristic, or does not conform to ordinary habits or behavior for the student in question. All reports of missing students should be made without delay.

The UCSC Police Department, in accordance with all applicable federal and California laws, shall investigate all reports of missing on-campus residential students in accordance with their department policy. If upon being reported to UCSC Police Department, the student is not located during the initial investigation, or if extenuating circumstances exist (e.g. the student is missing for a full 24 hours), the UCSC Police Department, or the Vice Chancellor of Student Affairs and Success (VCSAS) or designee will contact the student's designated missing person contact. If the student is under 18 years of age and not emancipated, the VCSAS or designee will notify the custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student. In all missing student situations, local and other relevant law enforcement agencies, as determined by the UCSC Police Department, will be notified by the UCSC Police Department of its determination that the student is missing within 24 hours.

18.0 Hazing

The State of California, the University of California, and UCSC have expressly and repeatedly asserted their opposition to hazing and pre-initiation activities, as detrimental to the positive development and welfare of members, associate members or prospective members of any organization. The Stop Campus Hazing Act requires institutions of higher education to define hazing, including providing procedures for reporting and investigating hazing, and provide research-informed prevention training and programming to campus constituents. The University prohibits hazing by any student, employee, or volunteer.

Campus hazing policies embody the University's concerns for protecting the safety and welfare of the campus community; these policies prohibit any method of initiation or

pre-initiation into a campus organization or other activity engaged in by the organization or its members that humiliates or degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate.

18.1 Hazing Definitions

18.1.1 Hazing Definition per the University of California and UCSC

According to the UCSC Student Policies and Regulations Handbook (102.12), the UC Policies Applying to Campus Activities, Organizations, and Students (102.12), and the UC Abusive Conduct in the Workplace policy (section II, p. 2), hazing is defined as:

> Participation in any intentional, knowing, or reckless act, activity, or method committed by a person (whether individually or in concert with other persons) against another person or persons, including current, former, or prospective students, regardless of the willingness of such other person or persons to participate, that is committed in the course of a preinitiation, an initiation into, an affiliation with, or the maintenance of membership in, an official or unofficial student organization or other student group that (I) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including personal degradation or disgrace, and/or (II) the person knew or should have known was likely to cause serious bodily injury.

18.1.2 Hazing Definition per the Jeanne Clery Campus Safety Act

Hazing is defined as “any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
    - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;

- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The term 'student organization' means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution."

18.1.3 Hazing Definition per California Penal Code [240-248]

"'Hazing' means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term 'hazing' does not include customary athletic events or school-sanctioned events."

18.1.4 Hazing Definition per California Education Code [66305-66309]

"'Hazing' means any method of initiation or preinitiation into an affiliated student organization or student body, which the initiator knows or should have known is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term 'hazing' does not include customary athletic events or school-sanctioned events."

18.2 Local, State, and Tribal Hazing Laws

18.2.1 California Penal Code §245.6

(a) It shall be unlawful to engage in hazing, as defined in this section.

(b) "Hazing" means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in the state. The term "hazing" does not include customary athletic events or school-sanctioned events.

(c) A violation of this section that does not result in serious bodily injury is a misdemeanor punishable by a fine of not less than one hundred dollars ($100), nor more than five thousand dollars ($5000), or imprisonment in the county jail for not more than one year, or both.

(d) Any person who personally engages in hazing that results in death or serious injury as defined in paragraph (4) of subdivision (f) of Section 243 of the Penal Code, is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment in the state.

(e) The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the hazing.

(f) Prosecution under this section shall not prohibit prosecution under any other provision of law.

18.2.2 California Education Code – Stop Campus Hazing Act - Sections 66305-66309

66305. This chapter shall be known, and may be cited, as the Stop Campus Hazing Act.

66306. Unless the context otherwise requires, for purposes of this chapter, the following definitions shall apply:

(a) “Affiliated” means currently recognized or sanctioned by the educational institution through its official student organization application process. For purposes of this chapter, an organization that had previously been recognized or sanctioned by

the educational institution but has subsequently had that recognition or sanction withdrawn or revoked by the educational institution shall not be considered affiliated.

(b) "Educational institution" means a public or private institution of higher education in the state. The term includes the officers, employees, or governing bodies of the institution, when acting in their official capacity.

(c) "Hazing" means any method of initiation or preinitiation into an affiliated student organization or student body, which the initiator knows or should have known is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.

66307. No person shall be subjected to hazing in any program or activity conducted by any educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid.

66308.

(a) Beginning January 1, 2026, a former, current, or prospective student, against whom hazing is directed and who has suffered injury as a result, may commence a civil action for damages. In addition to bringing an action against any participants in the hazing or the organization pursuant to subdivision (e) of Section 245.6 of the Penal Code, an action may be brought against any educational institution for the hazing practice of the organization involving one or more students if all of the following apply:

(1) The educational institution had direct involvement in the hazing practice of the organization, or knew or should have known of the hazing practice and failed to take reasonable steps to prevent the hazing practice of the organization.

(2) At the time of the alleged hazing incident, the organization involved in the hazing is affiliated with the educational institution.

(3) The alleged hazing incident occurred on or after January 1, 2026.

(b) For purposes of paragraph (1) of subdivision (a), there shall be a rebuttable presumption that an educational institution took reasonable steps to prevent the hazing practice of the organization if the educational institution has all of the following:

(1) (A) Rules and regulations governing student behavior that include a prohibition on hazing, anonymous reporting of hazing incidents, and disciplinary actions for the violation of the hazing prohibition.

(B) Procedures by which all students are informed of the rules and regulations, with applicable penalties, and any revisions to the rules and regulations.

(2) (A) Rules and regulations governing employee behavior that include a prohibition on hazing and disciplinary actions for the violation of the hazing prohibition.

(B) Procedures by which all employees are informed of the rules and regulations, with applicable penalties, and any revisions to the rules and regulations.

(3) (A) A comprehensive prevention and outreach program addressing hazing. The comprehensive prevention program shall include components on identifying hazing, hazing prevention, and bystander intervention strategies. An outreach program shall be provided to inform students of the educational institution's policy on the prohibition on hazing, and, at a minimum, include a process for contacting and informing the student body, athletic programs, and affiliated student organizations about the educational institution's overall prohibition on hazing policy. For purposes of this paragraph, "comprehensive prevention and outreach program" includes, but is not limited to, providing information to students about all of the following:

(i) Hazing awareness, prevention, and the educational institution's policy on the prohibition on hazing.

(ii) Campus policies and resources relating to hazing, including how to report hazing to the appropriate campus personnel, which includes anonymous reporting.

(iii) A focus on prevention and bystander intervention training as it relates to hazing.

(B) The comprehensive prevention and outreach program to address hazing shall be part of every incoming student's orientation and shall be offered annually to the following campus-affiliated organizations:

(i) Athletic teams.

(ii) Affiliated sororities and fraternities.

(c) Notwithstanding the provisions of this section, nothing in this section affects existing rights, obligations, and remedies under Section 245.6 of the Penal Code.

(d) The duties and obligations imposed by this chapter are cumulative with any other duties or obligations imposed under any other law and shall not be construed to relieve any party from any duties or obligations imposed under any other law, and do not limit any rights or remedies under existing law.

66309.

(a) On or before June 30, 2026, and on or before June 30 of each year thereafter, the Trustees of the California State University, the Regents of the University of California, and each independent institution of higher education that is a "qualifying institution," as defined in subdivision (l) of Section 69432.7, shall report to the appropriate policy committees of the Legislature the number of hazing incidents that constituted a violation of the institution of higher education's policy prohibiting hazing and whether the violation was affiliated with a student organization. The report shall be disaggregated by campus.

(b) Notwithstanding any other requirement of this section, a report required pursuant to this section shall comply with all applicable state and federal privacy laws, including, but not limited to, the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(c) As used in this section, the following definitions apply:

(1) "Hazing" means any method of initiation or preinitiation into an affiliated student organization or student body, which the initiator knows or should have known is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. "Hazing" does not include customary athletic events or school-sanctioned events.

(2) "Student organization" means either of the following:

(A) A conference-based competitive program at the institution of higher education.

(B) A sorority or fraternity that has officially met the formal chartering and recognition requirements at the institution of higher education where it operates and remains in good standing at the time of the alleged hazing incident.

There are no local or Tribal laws related to hazing that are applicable to UCSC.

18.3 Reporting Acts of Hazing

The following is a list of options to report acts of hazing:

18.3.1 UCSC Police Department

Please report situations that could be dangerous or involve the possibility of imminent harm immediately by calling 911. Calls placed to 911 via any campus phone or cellular phone located on campus will be routed to the UCSC Police Department. You can also

report in person at the UCSC police station (114 Carriage House Rd, Santa Cruz, CA 95064) or by calling the non-emergency phone line at (831) 459-2231.

18.3.2 Office of Student Conduct and Conflict Education

Make a report online by selecting “Policy Violation Report” from the drop-down menu on the reporting page. Reports can be made anonymously.

18.3.3 Athletics and Recreation Teams

Reach out to the Athletics and Recreation department at (831) 459-2531 or campusrec@ucsc.edu. You can also contact the relevant coach directly from the Staff Directory.

18.3.4 Student Organizations

Reach out to the SOAR (Student Organizations Advising and Resources) office at 831-459-2934 or soar@ucsc.edu. You can also contact your SOMeCA advisor directly. Consider referencing this list of currently recognized student organizations when reporting to verify the status of the organization(s) being reported.

18.3.5 University Employees

Individuals should report conduct believed to constitute Abusive Conduct (such as hazing) to their manager, any supervisor, or directly to the applicable University office. Applicable offices include, but are not limited to, Employee and/or Labor Relations, Academic Personnel, Office of Student Conduct and Conflict Education, and threat response teams. Complaints may be handled by multiple offices in accordance with local implementing procedures. Reports may also be made to the UC Whistleblower hotline via phone (800-403-4744) or the online form.

18.4 Investigation and Adjudication Process

18.4.1 Acts of Hazing Involving Student Respondents and Student Groups

Allegations of hazing by student(s) and student group(s), regardless of location, will be investigated through the student conduct process. See Student Conduct Investigation and Resolution Framework (July 1, 2026-Present).

Students and student organizations found responsible for hazing are subject to sanctions pursuant to Student Conduct Investigation and Resolution Framework (July 1, 2026-Present). Possible student conduct outcomes for student organizations include but are not are limited to: educational outcomes (e.g., training), probation, suspension of privileges (e.g., event registration, access to funding, etc.), or loss of recognition or

revocation (meaning the organization is no longer allowed to operate as a university-recognized student group). Possible student conduct outcomes for students found responsible for hazing includes Probation with the option to add Other University Actions, Suspension or Dismissal with the option to add Other University Actions.

18.4.2 Acts of Hazing Involving Employees, Unpaid Interns, and Third Parties

Allegations of hazing by employees, unpaid interns, and third parties will be investigated through the Abusive Conduct process. See UCSC Procedures Implementing the UC Abusive Conduct in the Workplace Policy.

Noncompliance with this policy may result in remediation, educational efforts, and/or employment consequences up to and including informal counseling, adverse performance evaluations, corrective action/discipline, and termination.

For policy-covered staff employees, corrective action/discipline is governed by Personnel Policies for Staff Members (PPSM) 62 (Corrective Action), 63 (Investigatory Leave), and 64 (Termination and Job Abandonment); PPSM-II 64 (Termination of Appointment), which applies to Senior Management Group (SMG) employees; and as applicable, other policies and procedures.

For academic appointees, formal corrective action/discipline is governed by APM-015 (The Faculty Code of Conduct), APM - 016 (University Policy on Faculty Conduct and the Administration of Discipline), APM - 150 (Non-Senate Academic Appointees/Corrective Action and Dismissal), and as applicable, other policies and procedures. This policy does not supplant disciplinary processes described in the APM or Academic Senate Bylaws or regulations.

For represented employees, formal corrective action/discipline is governed by collective bargaining agreements.

18.5 Programming Related to Hazing Prevention

Research-informed hazing prevention training is provided campus wide and is designed to reach students, staff, and faculty.

The training offered includes the following: Current policies relating to hazing, how to report incidents of such hazing, the process used to investigate such incidents of hazing, and information on applicable local, state, and tribal laws on hazing. Additionally, it includes primary prevention strategies intended to stop hazing before

hazing occurs, such as skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

18.5.1 For Students

UCSC is home to a diverse community of Banana Slugs, each bringing unique lived experiences to our shared campus. As part of our commitment to fostering a unified and inclusive environment, all incoming first-year and transfer students are required to complete We Are Slugs, a comprehensive prevention and education program offered through the Orientation Course.

This program includes four interactive, online courses that address critical topics such as alcohol use, relationship violence, sexual assault, stalking, hazing, and anti-discrimination. Additionally, students will complete a module focused on inclusive practices that support a welcoming and respectful campus climate.

These courses are designed to empower students to make informed decisions, engage across differences, and contribute to a safe and supportive UCSC community. The knowledge and tools gained will support students both personally and academically, laying the foundation for meaningful connections and shared responsibility as members of the campus community.

Additionally, the Hazing Awareness and Prevention website is accessible to all students and includes the aforementioned information and helpful resources.

18.5.2 For Staff and Faculty

All UCSC employees, including student employees, are required to complete mandatory training. This includes the UC Abusive Conduct in the Workplace training, which provides education on abusive conduct – including hazing.

Additionally, the Hazing Awareness and Prevention website is accessible to all staff and faculty and includes the aforementioned information and helpful resources.

18.6 Campus Hazing Transparency Report

Pursuant to Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)), UCSC publishes a hazing transparency report that summarizes findings concerning any student organization found to be in violation of the institution's standards of conduct

related to hazing. The report will be updated at least two times per year. The report includes:

- The name of the student organization, athletic team, or living group;
- The date the investigation began;
- A general description of the incident(s), including the date of the initial violation, the determination of responsibility, and the sanctions placed on the organization if applicable;
- The date the investigation ended;
- The date the organization was charged with a violation if applicable; and
- Details of the sanctions and the timeline for completion.

Please note that, due to differing criteria and requirements, data as presented in the Annual Security Report and information presented in the transparency report on this site will likely differ.

The UCSC Campus Hazing Transparency Report can be found on the Hazing Awareness and Prevention website.

19.0 Annual Fire Safety Report

19.1 UCSC Fire Safety and Prevention Services

The Fire Safety and Prevention unit is made up of the Campus Fire Marshal, who holds authority as the Lead Designated Campus Fire Marshal (DCFM), and two Deputy Fire Marshals. The DCFM's authority is established through a memorandum of understanding (MOU) between the California Office of the State Fire Marshal and the Regents of California. The Campus Fire Marshal administers the duties of the MOU that include Title 24 (Plan Review and Construction Inspections), Title 19 (Annual Existing Building Inspections), and compliance procedures for special events. Campus Fire Safety and Prevention programs are carried out in order to comply with all laws and regulations to maintain a safe environment for all students, faculty, staff, and guests at UCSC and its associated properties.

19.2 Fire Safety Systems and Evacuation Drills

Fire safety systems and activities for student housing facilities are summarized in the following table. All evacuation drills for 2025 were unannounced. Below are definitions of the various components of the Fire Safety Systems currently used at UCSC.

19.3 Student Housing Evacuation Procedures

Campus fire and evacuation procedures are discussed during new student orientation. Students living in campus housing facilities also receive additional training on their building's emergency and evacuation procedures during the move-in process. The UCSC Campus Fire Marshal and staff conduct evacuation drills during the first 10 days of each academic year for student housing facilities and also conducts evacuation drills for other buildings throughout the year. They also maintain an on-going schedule of inspections for all buildings to ensure that fire hazards are mitigated and also conduct plan reviews and inspections of building construction and renovation activities. The UCSC Physical Plant department tests and maintains fire protection systems including fire alarms and fire sprinkler systems to ensure that all systems function properly; and is regularly united by Fire Safety and Prevention.

Occupants are required to evacuate whenever a building fire alarm sounds and to proceed to the designated assembly location for further instructions. Fire alarm systems are monitored by the UCSC Police Department (UCPD) Dispatch Center and Santa Cruz Fire Department resources are dispatched to all alarm activations or other reports of fire. Students and employees who refuse to evacuate during an alarm may be subject to disciplinary action in accordance with University policies and campus implementing regulations.

Students and employees are trained to use stairwells instead of elevators during evacuations and this is reiterated during evacuation drills. All elevators are equipped with emergency phones that connect directly to the UCPD Dispatch Center for use in the event that an individual is trapped in an elevator and the Santa Cruz Fire Department is trained in elevator rescue techniques.

19.4 Building Fires Training Procedures

Before a disaster strikes, build your Personal Emergency kit. Building occupants are required by law to evacuate a building when the fire alarm sounds.

1. Inform people in the immediate area to evacuate.
2. If you witness a fire, activate the nearest building fire alarm and exit the building.
3. When safe, immediately call 911.
4. If the fire is small (wastebasket sized or smaller) and you have been trained to use a fire extinguisher, you may attempt to extinguish the fire. Make sure that you

have a safe exit from the fire area and use the buddy system. If you cannot put out the fire in 5 seconds, evacuate.

5. To use a fire extinguisher, remember the acronym PASS:
   Pull the pin.
   Aim the extinguisher at the base of the fire.
   Squeeze the handle.
   Sweep the extinguisher from side to side.
6. On your way out, warn others that are nearby.
7. Move away from fire and smoke. Close doors and windows behind you, if time permits.
8. Before opening a door, place the back of your hand on the door to check for heat. If cool, slowly check the door handle for heat and proceed to exit.
9. If the door is hot, do not open it. Find or create an alternative exit (windows). If no other exit is available and you only see smoke, open the door slowly, move to a crawling position, staying low, and quickly crawl to an exit.
10. If the door is hot and fire is present, keep the door shut. Place a wet cloth at the base to keep smoke from entering your room.
11. Exit using stairs. Do not use elevators during a fire.
12. Evacuate the building as soon as the alarm sounds and proceed to the designated emergency assembly area. Check in and report that you made it out safe.
13. Move well away from the building and go to your designated meeting point.
14. Do not re-enter the building or work area until you have been instructed to do so by the emergency responders.

19.5 Wildland Fire Response Procedures

While campus evacuations are rare, if one were to occur, the Office of Emergency Management requests your cooperation with the following procedures.

19.5.1 Pre-Planning

Pre-pack your emergency Ready-kit. See full Personal Emergency Kit above or consider this quick list for emergency evacuations.

- Phone & charger
- Medications & glasses
- Laptop & charger
- Family communication plan
- Cash and identification

- Water, 1 gal. per person, per day for at 3 three days
- Food, 3 day supply, non-perishable
- Flashlight and extra batteries
- First aid kit & manual
- Dust and smoke masks (N95)
- Moist towelettes, garbage bags and plastic ties for personal sanitation
- Local maps
- Hygiene supplies
- Sleeping bag or warm blanket
- Change of clothes, sturdy shoes

19.5.2 Alert Notification Systems

Prior to an emergency, register for local alert notification systems. Through these applications and campus staff, you may be directed to evacuate, shelter in place, relocate, receive all-clear messaging, or be advised of campus re-entry.

- CruzAlert notification system. Register your phone via the CruzID Manager
- Police or Fire
- Code Red. Register your phone number at Santa Cruz Regional 9-1-1
- Santa Cruz Police, Nixle. Register phone at Nixle
- Residential staff assigned to your college (visiting groups included)
- Building Emergency Coordinators
- Public address announcements (tv, radio, social media)
- FOLLOW DIRECTIONS PROVIDED THROUGH CAMPUS MESSAGING

Emergency messaging may provide the following:

- Identification or location of the hazard or threat
- The timeliness requested of your response so that you may achieve safety
- Recommended courses of action (e.g. evacuate, shelter in place, re-locate)
- Where to access emergency shuttle, disability transit pickup sites, or road closures
- Emergency assembly or shelter locations

19.5.3 When to Act

If you are not safe, DO NOT WAIT for an official evacuation order, flee from the threat immediately. When an evacuation order is given, respond immediately. Do not return to

your residence or office to pick up personal items. Stay tuned to the alert notification systems listed above. University officials, police, or fire will provide evacuation orders.

19.5.4 Methods to Achieving Safety

Emergency responders may direct you to evacuate, to shelter in place, or to move to another location of the campus. Your cooperation with these procedures will contribute to everyone's safety. Assembly locations will be provided in the alert notification.

Evacuate: When directed to evacuate, use any means possible to seek safety: flee by car, foot, bike, mass transit. Continue moving away from the threat until you are safe.

- Evacuate by personal vehicles when traffic is moving quickly enough to egress. Provide emergency carpooling to colleagues and friends.
- If you cannot access your car or if traffic is moving too slowly, abandon your car, off the roadway, and evacuate by foot.
- Shuttles and buses will only operate when it is safe for the drivers. Do not wait at bus stops. Continue moving away from the fire.
- If you have mobility needs, call Disability Services Vans for emergency pickup (831) 459-2829. Or call 911 for emergency rescue. When possible, move near a road for faster pickup.

Shelter in Place: If ordered to shelter in place, stay where you are. Remain calm. The building or open space that you are sent to will be chosen by first responders. If the direction of the hazard changes, respond as needed to seek safety.

Assembly Zones: You may be directed to an Emergency Assembly Zone, quickly move to the locations indicated.

Short Term Shelter: If you are directed to or transported to an off-campus shelter, register at the site to report that you are safe. If the campus must close due to fire, begin arrangements to return home.

Long Term Shelter: If directed or transported to a long-term shelter, check in and follow directions provided at the shelter. If the campus closes, begin arrangements to return home.

19.5.5 Campus Visitors

Campus visitors may opt-in to UCSC's emergency alerts by texting "SLUGSAFE" to 888777. You may also receive emergency directions from campus affiliates. When possible, evacuate with your visiting group. Once safe, account for all members of your party and contact your campus liaison to provide an update about your status.

19.5.6 Continue to Monitor Sources for Emergency Updates

- The UCSC webpage
- The 459-INFO information line (831) 459-4636
- CruzAlert campus notices
- AM 1080 radio
- Local news

Once you are safe, notify family and your campus contacts (Parents, Residential Assistants, Supervisor/Manager).

19.5.7 Wild Land Fire Incident Information

The California Department of Forestry and Fire Protection (CAL FIRE) maintains a log of all current and recent wild land fire incidents statewide. Major fires will usually have an incident-specific page created and linked to from this log.

Please note that updates by CAL FIRE may be delayed up to 24 hours depending on available incident information and resources. During times of major statewide fire activity, CAL FIRE may also move incident information to their main home page.

19.5.8 CAL FIRE Home Page

In addition, FireDispatch.com provides a free feed of all active fire and EMS incidents dispatched by NETCOM (the Santa Cruz Consolidated Emergency Communications Center). This includes all municipal responses within Santa Cruz County, but does not include the main UCSC campus or CAL FIRE responses unless municipal units are simultaneously dispatched.

19.6 Non-Residential Building Evacuation Procedures

The Office of Emergency Management (OEM) provides evacuation planning and training through its Building Emergency Coordinator Program. The UCSC Building Emergency Coordinator Program (BECP) was established to provide standardized processes for evacuation, sheltering, communication and reporting during hazardous or disruptive

events. Trained Building Emergency Coordinators (BEC) work collaboratively with the Office of Emergency Management, department Emergency Action Plans, Campus Police, and area first responders (e.g. Fire Department). BECs and department Floor Marshals (FM) will provide immediate evacuation or sheltering guidance as outlined in the BEC and FM training program. BECs will also provide rapid visual assessments and onsite reporting, services that are vital to managing a critical incident.

BEC procedures include receiving evacuation assistance requests for access and functional needs for individuals or persons with disabilities. The instructions to assist access and functional needs were developed using input and oversight by university authorities with designated roles in access, functional, emotional and psychological needs. These consultants included: Office of Emergency Management, UCSC Police Department, Disability Management Coordinator, Disability Resource Center, ADA Facilities Access Coordinator - Transportation and Parking Services, and the Student Health Center. Support and service animal evacuation procedures are also included in this BECP manual.

The BEC program is established pursuant to the University of California, Policy on Safeguards, Security and Emergency Management. That policy in summary states; “Programs to create and maintain safeguards, security and emergency management are essential to ensure that the University mitigates risks and is able to continue to perform its mission in the event of natural or man-made disasters or other extraordinary events that might disrupt normal operations. These readiness programs are vital in protecting the lives and health of University faculty, staff, students and associates; in minimizing damage to and loss of University property and assets; and in restoring normal University operations as rapidly as possible.”

19.7 Fire Safety Education and Training Programs

Office of Emergency Management representatives provide consultation and fire prevention assessments. Upon request, they may assist in developing department-specific emergency plans for evacuations, fires and other hazards such as Fire Safety in the Higher Education, Basic Fire Safety for Living On Campus, Basic Fire Safety for Living Off Campus and Wildfire Awareness. In addition, they conduct plan reviews and inspections of building construction and renovation activities and give other fire prevention and evacuation route recommendations for existing buildings.

Fire and evacuation procedures are posted in various locations. Building-specific evacuation placards are posted in buildings, and general procedures are also included as part of the Emergency Survival Guide poster which is posted in locations such as

dining halls, classrooms, conference rooms, break rooms, bus stops and other locations. This poster is available in both English and Spanish and is also available in an electronic format on the Emergency Management homepage at oes.ucsc.edu. More detailed emergency procedures are also posted on the homepage. In addition, individual campus departments may develop more specific emergency plans as needed for specific hazards or operations and Office of Emergency Management personnel provide guidance on the development of these plans.

Members of the Office of Emergency Management conduct fire prevention, emergency preparedness and other presentations when requested by various community groups. Students and employees of the University and residential life staff receive training on an annual basis. Staff from the Office of Environmental Health and Safety also conducts training on the use of portable fire extinguishers. Athletics & Recreation offers certification in bystander first aid, cardiopulmonary resuscitation (CPR) and the use of automatic external defibrillators (AEDs) and wilderness/ first aid; All of these training opportunities are available to both students and employees.

In addition, the Office of Emergency Management organizes and sets up fire prevention and emergency preparedness display tables staffed by Department personnel at various locations throughout the year. This activity provides an opportunity for Office of Emergency Management staff to distribute safety related information including but not limited to emergency procedures, what to do in case of a fire, wildfire awareness as well as to answer individual questions.

19.8 Fire Safety Improvement Plans

As part of the UCSC evaluation of fire and life safety improvements on campus; any modifications, changes, or upgrades to fire and life safety systems are identified, reviewed, inspected and approved by the Fire Safety and Prevention Division. Physical, Planning and Construction schedule fire safety system upgrades in alignment with renewal renovation projects that address overall deferred maintenance needs of each facility. No system upgrades are scheduled at this time, but fire and life safety equipment is inspected, tested, and replaced regularly. All new construction and renovation activities are conducted in compliance with the current California Fire Code and California Building Code requirements.

19.9 Rules on Portable Electrical Appliances, Smoking and Open Flames

Student housing facilities have prohibitions against the following:

- Use of halogen torchiere-style lamps.

- Use of candles of any type, oil lamps, or any other device producing an open flame.
- Open fires.
- Use of hookahs, lanterns, smoking devices or other hazardous items.
- Cooking in residence hall rooms using an open flame stove, wok, or hot plate or any other device that has heated coils.
- Storage of explosives or flammable materials (including fireworks).
- Parking or storage of vehicles with gas tanks within buildings.
- Parking of vehicles outside in close proximity to the buildings except in designated parking lots.
- Use of unapproved electrical wiring and extension cords. Only approved surge protectors with internal circuit breakers are allowed.
- Storage in hallways, entryways, stairwells, pathways or any location that restricts access to or from resident rooms or buildings.
- Use of BBQ grills, charcoal, lighter fluid or propane.
- Use of portable heaters.
- Smoking tobacco or marijuana of any kind.
- Use of self-heating meals in any residential room, kitchenette or other areas of the residential unit.

These restrictions are published in each residential college's handbook as well as in other locations such as websites.

Failure to comply with these restrictions and other fire safety rules can result in disciplinary action in accordance with University policies and campus implementing regulations. Residence staff and Residential Community Service Partners (RCSP) monitor compliance with these requirements and the Office of Emergency Management conducts annual inspections to identify fire safety issues.

19.10 Rules on Personal Micromobility Devices:

Student is permitted to store and charge up to one (1) personal micromobility device as follows:

1. A "personal micromobility device" means a device with both of the following characteristics:
    a. It is powered by the physical exertion of the rider or an electric motor.
    b. It is designed to transport one individual or one adult accompanied by up to three minors.
2. Student may store and charge up to one (1) personal micromobility device in their unit if it complies with the following safety standards:

a. For e-bikes, UL 2849, the Standard for Electrical Systems for E-bikes, as recognized by the United States Consumer Product Safety Commission, or EN 15194, the European Standard for electrically powered assisted cycles (EPAC Bicycles).
b. For e-scooters, UL 2272, the Standard for Electrical Systems for Personal E-Mobility Devices, as recognized by the United States Consumer Product Safety Commission, or EN 17128, the European Standard for personal light electric vehicles (PLEV).
c. The personal micromobility device is insured by the tenant under an insurance policy covering storage of the device within the tenant's dwelling unit.

3. Personal micromobility devices that do not meet the safety standards are prohibited from being charged in the unit.
4. Personal micromobility devices cannot be left unattended while charging.
5. Student must store their personal micromobility device in compliance with the applicable fire code and the Office of State Fire Marshal Information Bulletin 23-003 regarding lithium-ion battery safety, issued April 3, 2023, or any updated guidance issued by the Office of the State Fire Marshal regarding lithium-ion battery safety if such bulletin or guidance is provided to the tenant by the landlord. OSFM Information Bulletin 23-003 is attached as Addendum Lithium-Ion Battery Safety.
6. Personal micromobility devices may not be ridden in buildings and may be stored only in Student's room or designated areas (i.e., bicycle racks). Personal micromobility devices may not be stored in stairwells, lounges, lobbies, or hallways or attached to handrails.
7. Student is prohibited from performing repairs and/or maintenance on batteries and motors of personal micromobility devices within a dwelling unit.
8. Vendor-owned personal conveyance vehicles (e.g., ride-share scooters, bicycles, etc.) are prohibited from operation, charging, or storage in University Housing.
9. Subparagraphs 2 and 3 do not apply to circumstances in which a student requires the use of a personal micromobility device as an accommodation for a disability, and other requirements may be altered as appropriate in connection with a reasonable accommodation for a disability

19.11 Reporting Fires for Statistical Purposes

All fires and other emergencies should be immediately reported to 911. For the purposes of inclusion of statistics for the annual fire safety report and in compliance with California Fire Code requirements, all fires, even those that have already been extinguished, should be reported to the Campus Fire Marshal by calling (831) 459-2231.

For incidents that include a fire department response, fire department personnel will make this report. If evidence of a fire that is already extinguished is found and there is no active hazard requiring a fire department response, the person making the discovery should report the situation to Campus Fire Marshal by calling (831) 459-2231. If a campus employee receives such a report from a student or other person, they will contact the Campus Fire Marshal by calling (831) 459-2231. The Campus Fire Marshal is responsible to contact the OSFM Duty Officer to report all fires and explosions on state-owned, state-occupied facilities and properties to the California State Fire Marshal's Office per the requirements of the MOU described previously.

19.12 Definitions

Pursuant to 34 C.F.R. § 668.49(a) and the California Fire Code, the following definitions are to be used for reporting UCSC's institutional fire statistics and systems.

Cause of fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.

Fire-related death: Any instance in which a person— (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Full Automatic Sprinkler System: A full automatic sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designated in accordance with the fire protection engineering standards. The system includes a suitable water supply. The portion of the system above the ground is a network of specially sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area. A full automatic sprinkler system covers all portions of an entire building.

Partial Automatic Sprinkler System: A partial automatic sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designated in accordance with the fire protection engineering standards. The system includes a suitable water supply. The portion of the system above the ground is a network of specially sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from a fire and discharges water over the fire area. A partial sprinkler system covers only portions of the building, leaving some areas unprotected and do not meet the definition of a full automatic sprinkler system.

Value of property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

19.13 Fire Systems and Evacuation Drills

Residential Facility	Buildings	Address	Monitored Fire Alarm System	Partial Automatic Sprinkler System	Full Automatic Sprinkler System	Smoke Detection in Sleeping Rooms	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills Each Calendar Year
Stevenson College	Stevenson College House 1	532 Stevenson Service Road	x	-	x	x	x	x	2[21]
Stevenson College	Stevenson College House 2	534 Stevenson Service Road	x	-	x	x	x	x	2[21]
Stevenson College	Stevenson College House 3	536 Stevenson Service Road	x	-	x	x	x	x	2[21]
Stevenson College	Stevenson College House 4	538 Stevenson Service Road	x	-	x	x	x	x	2[21]
Stevenson College	Stevenson College House 5	541 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College House 6	543 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College House 7	545 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College House 8	547 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College Apartment 9	551 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College Apartment 10	553 Stevenson Service Road	x	-	x	x	x	x	1
Stevenson College	Stevenson College Apartment 11	555 Stevenson Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Apartment Building 1	501 Cowell Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Apartment Building 2	503 Cowell Service Road	x	-	x	x	x	x	1

[21] Summer housing provided during Summer Sessions 1 and 2; evacuation drills were conducted at those locations based on occupancy.

Cowell College	Cowell College Apartment Building 3	505 Cowell Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Beard House	511 Cowell Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Morison House	514 Cowell-Stevenson Road	x	-	x	x	x	x	1
Cowell College	Cowell College Parkman House	510 Cowell-Stevenson Road	x	-	x	x	x	x	1
Cowell College	Cowell College Parrington House	513 Cowell Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Prescott House	512 Cowell-Stevenson Road	x	-	x	x	x	x	1
Cowell College	Cowell College Turner House	517 Cowell Service Road	x	-	x	x	x	x	1
Cowell College	Cowell College Adams House	516 Cowell-Stevenson Road	x	-	x	x	x	x	1
Merrill College	Merrill College House A	660 Merrill Service Road	x	-	x	x	x	x	1
Merrill College	Merrill College House B	650 Merrill Service Road	x	-	x	x	x	x	1
Merrill College	Merrill College House C	634 Merrill Road	x	-	x	x	x	x	1
Merrill College	Merrill College House D	632 Merrill Road	x	-	x	x	x	x	1
Crown College	Crown College Descartes House	655 Crown Service Road	x	-	x	x	x	x	1
Crown College	Crown College Galen House	618 Crown Road	x	-	x	x	x	x	1
Crown College	Crown College Galileo House	675 Crown Service Road	x	-	x	x	x	x	1
Crown College	Crown College Gauss House	685 Crown Service Road	x	-	x	x	x	x	1
Crown College	Crown College Harvey House	625 Crown Service Road	x	-	x	x	x	x	1

Crown College	Crown College Leonardo House	605 Crown Service Road	x	-	x	x	x	x	1
Crown College	Crown College Maxwell House	615 Crown Service Road	x	-	x	x	x	x	1
Crown College	Crown College Rutherford House	665 Crown Service Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 1	702 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 2	706 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 3	708 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 4	712 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 5	722 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 6	710 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 8	724 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 9	750 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 10	740 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 11	742 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 12	752 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 13	732 East Road	x	-	x	x	x	x	1
Crown/Merrill Apartments	Crown-Merrill Housing Building 14	730 East Road	x	-	x	x	x	x	1
Porter College	Porter College House A	407 Porter-Kresge Road	x	-	x	x	x	x	1

Porter College	Porter College House B	409 Porter-Kresge Road	x	-	x	x	x	x	1
Porter College	Porter College Apartment Building E	410 Porter-Kresge Road	x	-	x	x	x	x	1
Porter College	Porter College Apartment Building F	414 Porter-Kresge Road	x	-	x	x	x	x	1
Porter College	Porter College Apartment Building G	412 Porter-Kresge Road	x	-	x	x	x	x	1
Porter College	Porter College Apartment Building H	416 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 01	506 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 02	514 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 03	518 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 04	532 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 05	536 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 06	538 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 07	540 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 08	534 Porter-Kresge Road	x	-	x	x	x	x	1

Kresge College	Kresge College House 09	526 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 10	520 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College House 11	512 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College Apartment Building J	417 Porter-Kresge Road	x	-	x	x	x	x	1
Kresge College	Kresge College Apartment Building K	419 Porter-Kresge Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 1	351 College Eight Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 2	353 College Eight Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 3	313 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 4	315 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 5	314 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Apartment Building 6	312 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm A-Garden	308 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm A-L-Building	306 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm B-Garden	302 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm B-L-Building	304 College Eight Service Road	x	-	x	x	x	x	1

Rachel Carson College	College Eight Dorm C-Garden	307 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm C-L-Building	305 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm D-Garden	301 College Eight Service Road	x	-	x	x	x	x	1
Rachel Carson College	College Eight Dorm D-L-Building	303 College Eight Service Road	x	-	x	x	x	x	1
College 9	College Nine Apartment Building 1	715 College Ten Road	x	-	x	x	x	x	1
College 9	College Nine Apartment Building 2	725 College Ten Road	x	-	x	x	x	x	1
College 9	College Nine Apartment Building 3	735 College Ten Road	x	-	x	x	x	x	1
College 9	College Nine Apartment Building 4	740 College Ten Road	x	-	x	x	x	x	1
College 9	College Nine Apartment Building 5	750 College Ten Road	x	-	x	x	x	x	1
College 9	College Nine Residence Hall 1	630 College Nine Road	x	-	x	x	x	x	1
College 9	College Nine Residence Hall 2	610 College Nine Road	x	-	x	x	x	x	1
College 9	College Nine Residence Hall 3	620 College Nine Road	x	-	x	x	x	x	1
John R. Lewis College	John R. Lewis Residence Hall 4	606 John R. Lewis College Road	x	-	x	x	x	x	1
John R. Lewis College	John R. LewisResidence Hall 5	602 John R. Lewis College Road	x	-	x	x	x	x	1
John R. Lewis College	John R. Lewis Residence Hall 6	604 John R. Lewis College Road	x	-	x	x	x	x	1
Oakes College	Oakes College Dorm E	210 Oakes Road	x	-	x	x	x	x	1

Oakes College	Oakes College Dorm F	214 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Dorm G	216 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Dorm H	212 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence A11-12	218 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence A13-15	220 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence A16-17	222 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence B11-15	230 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence B16-17	228 Oakes Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence C11-15	245 Oakes Field Service Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence D11-12	241 Oakes Field Service Road	x	-	x	x	x	x	1
Oakes College	Oakes College Residence D14-16	243 Oakes Field Service Road	x	-	x	x	x	x	1
The Village	Village Housing B1	216 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing B2	212 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing B3	214 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C1	222 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C2	224 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C3	226 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C4	230 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C5	228 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing C6	232 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing D1	241 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing D2	243 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing E1	245 Village Road	x	-	x	x	x	x	2[22]
The Village	Village Housing E2	251 Village Road	x	-	x	x	x	x	2[22]

[22] Summer housing provided during Summer Sessions 1 and 2; evacuation drills were conducted at those locations based on occupancy.

The Village	Village Housing E3	249 Village Road	x	-	x	x	x	x	2[23]
The Village	Village Housing E4	247 Village Road	x	-	x	x	x	x	2[23]
The Village	Village Housing F1	255 Village Road	x	-	x	x	x	x	2[23]
The Village	Village Housing F2	253 Village Road	x	-	x	x	x	x	2[23]
The Village	Village Housing F3	257 Village Road	x	-	x	x	x	x	2[23]
The Village	Village Housing F5	260 Village Road	x	-	x	x	x	x	2[23]
Redwood Grove Apartments	Redwood Grove Apartments Building 12	525 Heller Drive	x	-	x	x	x	x	1
Redwood Grove Apartments	Redwood Grove Apartments Building 13	535 Heller Drive	x	-	x	x	x	x	1
Redwood Grove Apartments	Redwood Grove Apartments Building 14	545 Heller Drive	x	-	x	x	x	x	1
Redwood Grove Apartments	Redwood Grove Apartments Building 15	555 Heller Drive	x	-	x	x	x	x	1
Redwood Grove Apartments	Redwood Grove Apartments Building 16	565 Heller Drive	x	-	x	x	x	x	1
Graduate Student Housing	Graduate Student Housing 1	615 Heller Drive	x	-	x	x	x	x	1
Graduate Student Housing	Graduate Student Housing 2	625 Heller Drive	x	-	x	x	x	x	1
Graduate Student Housing	Graduate Student Housing 3	635 Heller Drive	x	-	x	x	x	x	1
Graduate Student Housing	Graduate Student Housing 4	645 Heller Drive	x	-	x	x	x	x	1
Family Student Housing	Family Student Housing A 13-18	113 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing A 1-4	101 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing A 19-21	119 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing A 5-7	105 Koshland Way	x	x	-	x	x	x	1

[23] Summer housing provided during Summer Sessions 1 and 2; evacuation drills were conducted at those locations based on occupancy.

Family Student Housing	Family Student Housing A 8-12	108 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 10-12	210 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 1-2	201 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 13-19	213 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 20-23	220 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 24-28	224 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 3-6	203 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing B 7-9	207 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing C 1-5	301 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing C 17-23	317 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing C 6-7 and E 19	306 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing C 8-16	308 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing D 10-14	410 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing D 15-21	415 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing D 1-6	401 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing D 7-9	407 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing E 10-13	510 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing E 1-5	501 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing E 6-9	506 Koshland Way	x	x	-	x	x	x	1

Family Student Housing	Family Student Housing F 11-14	611 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 1-5	601 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 15-17	615 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 18-23	618 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 24-29	624 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 30-33	630 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing F 6-10	606 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 12-14	712 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 1-4	701 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 15-16	715 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 17-21	717 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 5-8	705 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing G 9-11	709 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing H 1-13	801 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing H 14-18	814 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing H 19-22	819 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing H 23-29	823 Koshland Way	x	x	-	x	x	x	1
Family Student Housing	Family Student Housing H 30-33	830 Koshland Way	x	x	-	x	x	x	1

University Town Center[24]	University Town Center	1101 Pacific Ave, Santa Cruz, CA 95060	x	-	x	x	x	x	1

[24] University Town Center serves as campus housing, however is not located on the main campus. This additional information is being provided on behalf of the University not required by CFR 668.49.

19.14 Fire Statistics

Building(s)	Address	Calendar Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Stevenson College House 1	532 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 2	534 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 3	536 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 4	538 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 5	541 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 6	543 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 7	545 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 8	547 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 9	551 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 10	553 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 11	555 Stevenson Service Road	2025	0	0	N/A	N/A	N/A	N/A
Stevenson College House 1	532 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 2	534 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A

Stevenson College House 3	536 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 4	538 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 5	541 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 6	543 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 7	545 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 8	547 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 9	551 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 10	553 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 11	555 Stevenson Service Road	2024	0	0	N/A	N/A	N/A	N/A
Stevenson College House 1	532 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 2	534 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 3	536 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 4	538 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 5	541 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 6	543 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 7	545 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College House 8	547 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 9	551 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A

Stevenson College Apartment 10	553 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Stevenson College Apartment 11	555 Stevenson Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 1	501 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 2	503 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 3	505 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Beard House	511 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Morison House	514 Cowell-Stevenson Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Parkman House	510 Cowell-Stevenson Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Parrington House	513 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Prescott House	512 Cowell-Stevenson Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Turner House	517 Cowell Service Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Adams House	516 Cowell-Stevenson Road	2025	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 1	501 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 2	503 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 3	505 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Beard House	511 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A

Cowell College Morison House	514 Cowell-Stevenson Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Parkman House	510 Cowell-Stevenson Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Parrington House	513 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Prescott House	512 Cowell-Stevenson Road	2024	1	1	A[25]	0	0	$50000-99999
Cowell College Turner House	517 Cowell Service Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Adams House	516 Cowell-Stevenson Road	2024	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 1	501 Cowell Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Apartment Building 2	503 Cowell Service Road	2023	1	1	A[25]	0	0	$100-999
Cowell College Apartment Building 3	505 Cowell Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Beard House	511 Cowell Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Morison House	514 Cowell-Stevenson Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Parkman House	510 Cowell-Stevenson Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Parrington House	513 Cowell Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Prescott House	512 Cowell-Stevenson Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Turner House	517 Cowell Service Road	2023	0	0	N/A	N/A	N/A	N/A
Cowell College Adams House	516 Cowell-Stevenson Road	2023	0	0	N/A	N/A	N/A	N/A

[25] Cause of Fire: Cooking (e.g., Grease fire on stove top or in oven or microwave)

Merrill College House A	660 Merrill Service Road	2025	0	0	N/A	N/A	N/A	N/A
Merrill College House B	650 Merrill Service Road	2025	0	0	N/A	N/A	N/A	N/A
Merrill College House C	634 Merrill Road	2025	0	0	N/A	N/A	N/A	N/A
Merrill College House D	632 Merrill Road	2025	0	0	N/A	N/A	N/A	N/A
Merrill College House A	660 Merrill Service Road	2024	0	0	N/A	N/A	N/A	N/A
Merrill College House B	650 Merrill Service Road	2024	0	0	N/A	N/A	N/A	N/A
Merrill College House C	634 Merrill Road	2024	0	0	N/A	N/A	N/A	N/A
Merrill College House D	632 Merrill Road	2024	0	0	N/A	N/A	N/A	N/A
Merrill College House A	660 Merrill Service Road	2023	0	0	N/A	N/A	N/A	N/A
Merrill College House B	650 Merrill Service Road	2023	0	0	N/A	N/A	N/A	N/A
Merrill College House C	634 Merrill Road	2023	0	0	N/A	N/A	N/A	N/A
Merrill College House D	632 Merrill Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Descartes House	655 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Galen House	618 Crown Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Galileo House	675 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Gauss House	685 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Harvey House	625 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Leonardo House	605 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A

Crown College Maxwell House	615 Crown Service Road	2025	0	0	N/A	N/A	N/A	N/A
Crown College Rutherford House	665 Crown Service Road	2025	1	1	B[26]	0	0	$0-99
Crown College Descartes House	655 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Galen House	618 Crown Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Galileo House	675 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Gauss House	685 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Harvey House	625 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Leonardo House	605 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Maxwell House	615 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Rutherford House	665 Crown Service Road	2024	0	0	N/A	N/A	N/A	N/A
Crown College Descartes House	655 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Galen House	618 Crown Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Galileo House	675 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Gauss House	685 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Harvey House	625 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Leonardo House	605 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A

[26] Cause of Fire: Smoking Materials (e.g., Discarded lit cigarette butt)

Crown College Maxwell House	615 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown College Rutherford House	665 Crown Service Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 1	702 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 2	706 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 3	708 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 4	712 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 5	722 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 6	710 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 8	724 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 9	750 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 10	740 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 11	742 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 12	752 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 13	732 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 14	730 East Road	2025	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 1	702 East Road	2024	0	0	N/A	N/A	N/A	N/A

Crown-Merrill Housing Building 2	706 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 3	708 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 4	712 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 5	722 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 6	710 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 8	724 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 9	750 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 10	740 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 11	742 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 12	752 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 13	732 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 14	730 East Road	2024	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 1	702 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 2	706 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 3	708 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 4	712 East Road	2023	0	0	N/A	N/A	N/A	N/A

Crown-Merrill Housing Building 5	722 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 6	710 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 8	724 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 9	750 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 10	740 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 11	742 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 12	752 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 13	732 East Road	2023	0	0	N/A	N/A	N/A	N/A
Crown-Merrill Housing Building 14	730 East Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College House A	407 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Porter College House B	409 Porter-Kresge Road	2025	1	1	G[27]	0	0	$1000-9999
Porter College Apartment Building E	410 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building F	414 Porter-Kresge Road	2025	1	1	E[28]	0	0	$1000-9999
Porter College Apartment Building G	412 Porter-Kresge Road	2025	1	1	A[29]	0	0	$0-99
Porter College Apartment Building H	416 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A

[27] Cause of Fire: Machinery/Industrial (e.g., Heat from friction, cutting and welding)
[28] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)
[29] Cause of Fire: Cooking (e.g., Grease fire on stove top or in oven or microwave)

Porter College House A	407 Porter-Kresge Road	2024	1	1	B[30]	0	0	$1000-9999
Porter College House B	409 Porter-Kresge Road	2024	1	1	E[31]	0	0	$100-999
Porter College Apartment Building E	410 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building F	414 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building G	412 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building H	416 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Porter College House A	407 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College House B	409 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building E	410 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building F	414 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building G	412 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Porter College Apartment Building H	416 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge A	527 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Kresge B	535 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Kresge C	541 Porter-Kresge Road	2025	1	1	A[32]	0	0	$0-99

[30] Cause of Fire: Smoking Materials (e.g., Discarded lit cigarette butt)
[31] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)
[32] Cause of Fire: Cooking (e.g., Grease fire on stove top or in oven or microwave)

Kresge College Apartment Building J	417 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Kresge College Apartment Building K	419 Porter-Kresge Road	2025	0	0	N/A	N/A	N/A	N/A
Kresge A	527 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Kresge B	535 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Kresge C	541 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Kresge College Apartment Building J	417 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Kresge College Apartment Building K	419 Porter-Kresge Road	2024	0	0	N/A	N/A	N/A	N/A
Kresge College House 01	506 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 02	514 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 03	518 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 04	532 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 05	536 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 06	538 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 07	540 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 08	534 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 09	526 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College House 10	520 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A

Kresge College House 11	512 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College Apartment Building J	417 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Kresge College Apartment Building K	419 Porter-Kresge Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 1	351 College Eight Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 2	353 College Eight Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 3	313 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 4	315 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 5	314 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 6	312 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-Garden	308 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-L-Building	306 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-Garden	302 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-L-Building	304 College Eight Service Road	2025	1	1	E[33]	N/A	N/A	$100-999
Rachel Carson Dorm C-Garden	307 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm C-L-Building	305 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm D-Garden	301 College Eight Service Road	2025	0	0	N/A	N/A	N/A	N/A

[33] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)

Rachel Carson Dorm D-L-Building	303 College Eight Service Road	2025	1	1	E[34]	N/A	N/A	$100-999
Rachel Carson Apartment Building 1	351 College Eight Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 2	353 College Eight Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 3	313 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 4	315 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 5	314 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 6	312 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-Garden	308 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-L-Building	306 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-Garden	302 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-L-Building	304 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm C-Garden	307 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm C-L-Building	305 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm D-Garden	301 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm D-L-Building	303 College Eight Service Road	2024	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 1	351 College Eight Road	2023	0	0	N/A	N/A	N/A	N/A

[34] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)

Rachel Carson Apartment Building 2	353 College Eight Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 3	313 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 4	315 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 5	314 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Apartment Building 6	312 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-Garden	308 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm A-L-Building	306 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-Garden	302 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm B-L-Building	304 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm C-Garden	307 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm C-L-Building	305 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm D-Garden	301 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
Rachel Carson Dorm D-L-Building	303 College Eight Service Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 1	715 College Ten Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 2	725 College Ten Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 3	735 College Ten Road	2025	0	0	N/A	N/A	N/A	N/A

College Nine Apartment Building 4	740 College Ten Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 5	750 College Ten Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 1	630 College Nine Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 2	610 College Nine Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 3	620 College Nine Road	2025	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 1	715 College Ten Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 2	725 College Ten Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 3	735 College Ten Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 4	740 College Ten Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 5	750 College Ten Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 1	630 College Nine Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 2	610 College Nine Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 3	620 College Nine Road	2024	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 1	715 College Ten Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 2	725 College Ten Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 3	735 College Ten Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Apartment Building 4	740 College Ten Road	2023	0	0	N/A	N/A	N/A	N/A

College Nine Apartment Building 5	750 College Ten Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 1	630 College Nine Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 2	610 College Nine Road	2023	0	0	N/A	N/A	N/A	N/A
College Nine Residence Hall 3	620 College Nine Road	2023	0	0	N/A	N/A	N/A	N/A
John R. Lewis Residence Hall 4	606 John R. Lewis College Road	2025	0	0	N/A	N/A	N/A	N/A
John R. LewisResidence Hall 5	602 John R. Lewis College Road	2025	0	0	N/A	N/A	N/A	N/A
John R. Lewis Residence Hall 6	604 John R. Lewis College Road	2025	0	0	N/A	N/A	N/A	N/A
John R. Lewis Residence Hall 4	606 John R. Lewis College Road	2024	0	0	N/A	N/A	N/A	N/A
John R. LewisResidence Hall 5	602 John R. Lewis College Road	2024	0	0	N/A	N/A	N/A	N/A
John R. Lewis Residence Hall 6	604 John R. Lewis College Road	2024	1	1	E[35]	0	0	$1000-9999
John R. Lewis Residence Hall 4	606 John R. Lewis College Road	2023	0	0	N/A	N/A	N/A	N/A
John R. LewisResidence Hall 5	602 John R. Lewis College Road	2023	0	0	N/A	N/A	N/A	N/A
John R. Lewis Residence Hall 6	604 John R. Lewis College Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm E	210 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm F	214 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm G	216 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A

[35] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)

Oakes College Dorm H	212 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A11-12	218 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A13-15	220 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A16-17	222 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence B11-15	230 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence B16-17	228 Oakes Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence C11-15	245 Oakes Field Service Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence D11-12	241 Oakes Field Service Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Residence D14-16	243 Oakes Field Service Road	2025	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm E	210 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm F	214 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm G	216 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm H	212 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A11-12	218 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A13-15	220 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A16-17	222 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A

Oakes College Residence B11-15	230 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence B16-17	228 Oakes Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence C11-15	245 Oakes Field Service Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence D11-12	241 Oakes Field Service Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Residence D14-16	243 Oakes Field Service Road	2024	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm E	210 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm F	214 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm G	216 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Dorm H	212 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A11-12	218 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A13-15	220 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence A16-17	222 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence B11-15	230 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence B16-17	228 Oakes Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence C11-15	245 Oakes Field Service Road	2023	0	0	N/A	N/A	N/A	N/A
Oakes College Residence D11-12	241 Oakes Field Service Road	2023	0	0	N/A	N/A	N/A	N/A

Oakes College Residence D14-16	243 Oakes Field Service Road	2023	1	1	A[36]	0	0	$10000-24999
Village Housing B1	216 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing B2	212 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing B3	214 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C1	222 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C2	224 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C3	226 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C4	230 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C5	228 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing C6	232 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing D1	241 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing D2	243 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing E1	245 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing E2	251 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing E3	249 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing E4	247 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing F1	255 Village Road	2025	0	0	N/A	N/A	N/A	N/A

[36] Cause of Fire: Cooking (e.g., Grease fire on stove top or in oven or microwave)

Village Housing F2	253 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing F3	257 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing F5	260 Village Road	2025	0	0	N/A	N/A	N/A	N/A
Village Housing B1	216 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing B2	212 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing B3	214 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C1	222 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C2	224 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C3	226 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C4	230 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C5	228 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing C6	232 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing D1	241 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing D2	243 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing E1	245 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing E2	251 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing E3	249 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing E4	247 Village Road	2024	0	0	N/A	N/A	N/A	N/A

Village Housing F1	255 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing F2	253 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing F3	257 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing F5	260 Village Road	2024	0	0	N/A	N/A	N/A	N/A
Village Housing B1	216 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing B2	212 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing B3	214 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C1	222 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C2	224 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C3	226 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C4	230 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C5	228 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing C6	232 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing D1	241 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing D2	243 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing E1	245 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing E2	251 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing E3	249 Village Road	2023	0	0	N/A	N/A	N/A	N/A

Village Housing E4	247 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing F1	255 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing F2	253 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing F3	257 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Village Housing F5	260 Village Road	2023	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 12	525 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 13	535 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 14	545 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 15	555 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 16	565 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 12	525 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 13	535 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 14	545 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 15	555 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 16	565 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 12	525 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A

Redwood Grove Apartments Building 13	535 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 14	545 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 15	555 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Redwood Grove Apartments Building 16	565 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 1	615 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 2	625 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 3	635 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 4	645 Heller Drive	2025	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 1	615 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 2	625 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 3	635 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 4	645 Heller Drive	2024	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 1	615 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 2	625 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 3	635 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Graduate Student Housing 4	645 Heller Drive	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 13-18	113 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A

Family Student Housing A 1-4	101 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 19-21	119 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 5-7	105 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 8-12	108 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 10-12	210 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 1-2	201 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 13-19	213 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 20-23	220 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 24-28	224 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 3-6	203 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 7-9	207 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 1-5	301 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 17-23	317 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 6-7 and E 19	306 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 8-16	308 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 10-14	410 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 15-21	415 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A

Family Student Housing D 1-6	401 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 7-9	407 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 10-13	510 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 1-5	501 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 6-9	506 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 11-14	611 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 1-5	601 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 15-17	615 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 18-23	618 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 24-29	624 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 30-33	630 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 6-10	606 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 12-14	712 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 1-4	701 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 15-16	715 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 17-21	717 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 5-8	705 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A

Family Student Housing G 9-11	709 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 1-13	801 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 14-18	814 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 19-22	819 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 23-29	823 Koshland Way	2025	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 30-33	830 Koshland Way	2025	1	1	E[37]	0	0	$100000-249999
Family Student Housing A 13-18	113 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 1-4	101 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 19-21	119 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 5-7	105 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 8-12	108 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 10-12	210 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 1-2	201 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 13-19	213 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 20-23	220 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 24-28	224 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A

[37] Cause of Fire: Electrical (e.g., Electrical arcing, overheated electrical motor)

Family Student Housing B 3-6	203 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 7-9	207 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 1-5	301 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 17-23	317 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 6-7 and E 19	306 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 8-16	308 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 10-14	410 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 15-21	415 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 1-6	401 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 7-9	407 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 10-13	510 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 1-5	501 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 6-9	506 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 11-14	611 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 1-5	601 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 15-17	615 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 18-23	618 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A

Family Student Housing F 24-29	624 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 30-33	630 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 6-10	606 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 12-14	712 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 1-4	701 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 15-16	715 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 17-21	717 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 5-8	705 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 9-11	709 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 1-13	801 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 14-18	814 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 19-22	819 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 23-29	823 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 30-33	830 Koshland Way	2024	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 13-18	113 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 1-4	101 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A

Family Student Housing A 19-21	119 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 5-7	105 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing A 8-12	108 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 10-12	210 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 1-2	201 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 13-19	213 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 20-23	220 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 24-28	224 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 3-6	203 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing B 7-9	207 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 1-5	301 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 17-23	317 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 6-7 and E 19	306 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing C 8-16	308 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 10-14	410 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 15-21	415 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing D 1-6	401 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A

Family Student Housing D 7-9	407 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 10-13	510 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 1-5	501 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing E 6-9	506 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 11-14	611 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 1-5	601 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 15-17	615 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 18-23	618 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 24-29	624 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 30-33	630 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing F 6-10	606 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 12-14	712 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 1-4	701 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 15-16	715 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 17-21	717 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 5-8	705 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing G 9-11	709 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A

Family Student Housing H 1-13	801 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 14-18	814 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 19-22	819 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 23-29	823 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
Family Student Housing H 30-33	830 Koshland Way	2023	0	0	N/A	N/A	N/A	N/A
RV Park was permanently closed and decanted in July 2024.	N/A	2025	0	0	N/A	N/A	N/A	N/A
RV Park[38]	701 Leonardo Lane Unit #1	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #2	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #3	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #4	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #5	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #6	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #7	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #8	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #9	2024	0	0	N/A	N/A	N/A	N/A

[38] Previous reports listed each unit as an aggregate to 701 Leonardo Lane. This year's table identifies each individual unit as it meets the requirements set by the Department of Education.

RV Park	701 Leonardo Lane Unit #10	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #11	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #12	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #13	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #14	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #15	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #16	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #17	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #18	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #19	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #20	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #21	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #22	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #23	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #24	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #25	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #26	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #27	2024	0	0	N/A	N/A	N/A	N/A

RV Park	701 Leonardo Lane Unit #28	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #29	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #30	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #31	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #32	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #33	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #34	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #35	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #36	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #37	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #38	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #39	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #40	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #41	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #42	2024	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #1	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #2	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #3	2023	0	0	N/A	N/A	N/A	N/A

RV Park	701 Leonardo Lane Unit #4	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #5	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #6	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #7	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #8	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #9	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #10	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #11	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #12	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #13	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #14	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #15	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #16	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #17	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #18	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #19	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #20	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #21	2023	0	0	N/A	N/A	N/A	N/A

RV Park	701 Leonardo Lane Unit #22	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #23	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #24	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #25	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #26	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #27	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #28	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #29	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #30	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #31	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #32	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #33	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #34	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #35	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #36	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #37	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #38	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #39	2023	0	0	N/A	N/A	N/A	N/A

RV Park	701 Leonardo Lane Unit #40	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #41	2023	0	0	N/A	N/A	N/A	N/A
RV Park	701 Leonardo Lane Unit #42	2023	0	0	N/A	N/A	N/A	N/A
University Town Center[39]	1101 Pacific Ave, Santa Cruz, CA 95060	2025	0	0	N/A	N/A	N/A	N/A
University Town Center[39]	1101 Pacific Ave, Santa Cruz, CA 95060	2024	0	0	N/A	N/A	N/A	N/A
University Town Center[39]	1101 Pacific Ave, Santa Cruz, CA 95060	2023	0	0	N/A	N/A	N/A	N/A

[39] University Town Center serves as campus housing, however is not located on the main campus. This additional information is being provided on behalf of the University not required by CFR 668.49.

Appendices

Appendix A: University of California Interim Policy on Sexual Violence and Sexual Harassment

Appendix B: University of California Sexual Violence and Sexual Harassment Student Invstigation and Adjudication Framework for Non-DOE-Covered Conduct (PACAOS - Appendix E)

Appendix C: University of California Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct (PACAOS - Appendix F)

Appendix D: University of California Sexual Violence and Sexual Harrassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel

Appendix E: University of California Sexual Violence and Sexual Harrassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty

Appendix F: Local Jurisdiction Definitions of VAWA Offenses and VAWA-Related Terms

Appendix G: Sexual Violence Support Services and Reporting Options Brochure

Appendix H: Clery Act Crime Definitions

Appendix A: University of California Interim Policy on Sexual Violence and Sexual Harassment

INTERIM POLICY

Sexual Violence and Sexual Harassment

Violencia sexual y acoso sexual

中文版本，請按這裡

Sekswal na Karahasan at Sekswal na Panliligalig

Responsible Officer:	Systemwide Title IX Director
Responsible Office:	Systemwide Title IX Office in the Systemwide Office of Civil Rights
Issuance Date:	12/22/2025
Effective Date:	1/1/2026
Scope:	This Sexual Harassment and Sexual Violence Policy ("Policy") applies to all University employees as well as undergraduate, graduate, and professional students ("students"), and third parties. The Policy applies at all University campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, Agriculture and Natural Resources, and to all University programs and activities.

For non-confidential help with sexual violence, sexual harassment, relationship violence, and stalking, contact your Title IX Officer. For confidential help, contact your local CARE Advocate. You can find information on local resources at Location Resources. Your options for reporting to agencies outside the University are in Section IV.E.

FOR QUESTIONS ABOUT THIS POLICY, PLEASE CONTACT:

Contact:	Nicoli Richardson
Title:	Systemwide Title IX Director
Email:	SystemwideTitleIX@ucop.edu
Phone:	(510) 987-9201

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I. POLICY SUMMARY

The University of California ("University") is committed to maintaining a community dedicated to the advancement, application and transmission of knowledge and creative endeavors through academic excellence, where all people who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation.

Sexual violence, sexual harassment, retaliation, and other behavior prohibited by this Policy interfere with those goals. The University will respond promptly and effectively to reports of such conduct. This includes action to stop, prevent, correct, and when necessary, discipline, behavior that violates this Policy.

This Policy addresses the University's responsibilities and procedures related to sexual violence, sexual harassment, retaliation, and other prohibited behavior as those terms are defined in this Policy (together, "Prohibited Conduct") in order to ensure an equitable and inclusive education and employment environment. The Policy defines Prohibited Conduct and explains the administrative procedures the University uses to resolve reports of Prohibited Conduct.

Note on Federal Regulations: The Title IX regulations issued by the U.S. Department of Education ("DOE") that went into effect August 14, 2020, require the University to follow a specific grievance process ("DOE Grievance Process") in response to conduct covered by the regulations ("DOE-Covered Conduct"). This Policy is more expansive than the regulations in both conduct prohibited (described in Section II) and its coverage (described in Section III.B). So, the University will apply the DOE Grievance Process only when required, in response to DOE-Covered Conduct. It will follow its existing processes for all other reports. Appendix IV describes how the University will determine whether it must apply the DOE Grievance Process.

II. DEFINITIONS

A. Consent

Consent is *affirmative, conscious, voluntary, and revocable*. Consent to sexual activity requires of each person an affirmative, conscious, and voluntary agreement to engage in sexual activity.

It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone, constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity.

The existence of a dating relationship or past sexual relations between the Complainant and Respondent will never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the factfinder will consider all of the facts and circumstances the Respondent knew, or reasonably should have known, at the time. In particular, the Respondent's belief is not a valid defense where:

1. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or
3. The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
   a. asleep or unconscious;
   b. unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
   c. unable to communicate due to a mental or physical condition.

Note: Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.

B. Prohibited Conduct

1. Sexual Violence:

a. Sexual Assault - Penetration: Without the consent of the Complainant, penetration, no matter how slight, of:

- the Complainant's mouth by a penis or other genitalia; or
- the Complainant's vagina or anus by any body part or object.

b. Sexual Assault - Contact: Without the consent of the Complainant, intentionally:

- touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks);
- making the Complainant touch another or themselves on any intimate body part; or
- touching the Complainant with one's intimate body part, whether the intimate body part is clothed or unclothed.

Note: This definition encompasses a broad spectrum of conduct, not all of which is sexual violence. So, the Title IX Officer must sometimes determine whether an allegation should be charged as sexual violence and/or sexual harassment. (See FAQ #4 for more information).

Conduct that meets the definition of both Sexual Assault—Contact and Sexual Assault—Penetration will be charged as Sexual Assault—Penetration.

Note: *Sexual Assault—Penetration* and *Sexual Assault—Contact* are aggravated when they include any of the following:

- Overcoming the will of Complainant by:
  - *force* (the use of physical force or inducing reasonable fear of immediate or future bodily injury);

- *violence* (the use of physical force to cause harm or injury);
- *menace* (a threat, statement, or act showing intent to injure);
- *duress* (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship (including a power imbalance), to do or submit to something that they would not otherwise do); or
- deliberately causing the Complainant to be incapacitated (for example, through drugs or alcohol);

- Deliberately taking advantage of the Complainant's incapacitation (including incapacitation that results from voluntary use of drugs or alcohol);
- Recording, photographing, transmitting, or distributing intimate or sexual images of Complainant without Complainant's prior knowledge and consent; or
- Engaging in the conduct during or in connection with a clinical encounter (as defined in Appendix V) in which the Complainant was a patient and the Respondent was a health care provider or health care worker.

c. Relationship Violence:

i. Relationship Violence is:

- physical violence toward the Complainant or a person who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative), or
- intentional or reckless physical or non-physical conduct toward the Complainant or someone who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative) that would make a reasonable person in the Complainant's position fear physical violence toward themselves or toward the person with whom they have the close relationship, that is by a person who is or has been in a spousal, romantic, or intimate relationship with the Complainant, or who shares a child with the Complainant.

ii. Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault. Where physical violence is reported, one incident may be sufficient; however, for incidents not involving physical violence, the conduct typically must be demonstrated to be part of a pattern of non-physical abusive behavior by the person toward the Complainant.

iii. Patterns of abusive behavior may consist of or include non-physical tactics (such as threats, isolation, property destruction, abuse of pets, economic control, displaying weapons, degradation, or exploitation of a power imbalance).

iv. The nature of the relationship between the Complainant and Respondent is determined by the length and type of relationship, and the frequency of

interaction between them. Relationship violence includes both "dating violence" and "domestic violence."

v. Conduct by a party in defense of self or another is not Relationship Violence under this Policy. If either party asserts that they acted in defense of self or another, the Title IX Officer will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

d. Stalking: Repeated conduct directed at a Complainant (for example, following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual, romantic or other sex-based nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking that is not sex-based is addressed by other University policies including but not limited to the *Policy on Student Conduct and Discipline* Section 102.10.

e. Sexual Exploitation:

i. Sexual Exploitation is taking sexual advantage of another, where the conduct is not otherwise addressed in this Policy, in the following circumstances:

a) The trafficking or prostituting of another without their consent: Inducing the Complainant to perform a commercial sex act through force, fraud, or coercion, or where the Complainant is under the age of 18;

b) Knowingly making a material false representation about sexually transmitted infection, birth control, or prophylactic status with the specific intent and effect of inducing the Complainant to participate in a specific sexual act or encounter;

c) Providing alcohol or drugs to the Complainant with the specific intent and effect of facilitating Prohibited Conduct; or

d) Actively facilitating or assisting another person in committing Prohibited Conduct.

ii. As used in the above definition of Sexual Exploitation:

a) Coercion is overcoming the will of Complainant through:

- credible threats of serious physical or non-physical harm to the Complainant or another person;
- a plan intended to make the Complainant believe that failure to perform an act would result in serious physical or non-physical harm to the Complainant or another person; or
- the abuse or credible threat of abuse of a legal or University policy process.

b) A commercial sex act is any sex act for which anything of value is given to or received by any person.

c) Force is physical conduct that would reasonably overcome the will of another.

d) Fraud is intentional deception that would reasonably overcome the will of another.

2. Sexual Harassment:

a. Sexual Harassment is when:

i. *Quid Pro Quo*: a person's submission to unwelcome sexual conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program or activity; or

ii. *Hostile Environment*: unwelcome sexual or other sex-based conduct is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs or activities of the University, and creates an environment that a reasonable person would find to be intimidating or offensive.

b. Sexual conduct includes sexual or romantic advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

c. Other sex-based conduct includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation.

d. Consideration is given to the totality of the circumstances in which the conduct occurred.

e. This Policy will be implemented in a manner that recognizes the importance of the rights to freedom of speech and expression and will not be interpreted to prohibit expressive conduct that is protected by the free speech and academic freedom principles discussed in Section III.F.

3. Other Prohibited Behavior:

a. Invasions of Sexual Privacy.

i. Without a person's consent, watching or enabling others to watch that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy;

ii. Without a person's consent, making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material, depicting that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy;

iii. Using depictions of nudity or sexual activity to extort something of value from a person; or

iv. Threatening to post or share depictions of nudity or sexual activity unless a person takes a particular action.

b. Sexual intercourse with a person under the age of 18.

c. Exposing one's genitals in a public place for the purpose of sexual gratification.

d. Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under this Policy.

e. Engaging in Retaliation. Retaliation is an adverse action against a person based on their report or other disclosure of alleged Prohibited Conduct to a University employee, or their participation in, refusal to participate in, or assistance with the investigation, reporting, remedial, or disciplinary processes provided for in this Policy.

   An adverse action is conduct that would discourage a reasonable person from reporting Prohibited Conduct or participating in a process provided for in this Policy, such as threats, intimidation, harassment, discrimination and coercion. Good faith actions lawfully pursued in response to a report of Prohibited Conduct (such as gathering evidence) are not, without more, retaliation.

Note One: To determine whether conduct is DOE-Covered Conduct the Title IX Officer will do the assessment and apply the definitions in Appendix IV. The definitions here are broader than and encompass all conduct included in the Appendix IV definitions.

Note Two: When Prohibited Conduct allegedly occurs in the context of patient care, the Title IX Officer will refer to Appendix V and, when indicated, apply the definitions in that Appendix.

C. Other Definitions:

4. **Complainant:** A person alleged, in a report to the Title IX Officer, to have experienced Prohibited Conduct.

5. **Confidential Resources:** The following employees who receive information about Prohibited Conduct in their confidential capacity:

   a. CARE;

   b. Ombuds;

   c. Licensed counselors in student counseling centers and in employee assistance programs;

   d. Any persons with a professional license requiring confidentiality (including health center employees but excluding campus legal counsel), or someone who is supervised by such a person; and

   e. Pastoral counselors (persons associated with a religious order or denomination, who are recognized by that religious order or denomination as someone who provides confidential counseling). Designation as a "Confidential Resource" under this Policy only exempts a person from reporting to the Title IX Officer. It does not affect other mandatory reporting obligations under *UC CANRA (Child Abuse and Neglect Reporting Act) Policy*, the Clery Act as a Campus Security Authority (CSA), and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

6. **Supportive and Remedial Measures.**

a. Supportive Measures include both Interim Measures and Mitigating Measures. The University provides Supportive Measures as appropriate and reasonably available, without fee or charge.

   i. **Interim Measures**: Services, accommodations, or other measures put in place temporarily after the Title IX Officer receives a report of Prohibited Conduct to assist or protect the Complainant, the Respondent, or the University community; restore or preserve a party's access to a University program or activity; or deter Prohibited Conduct. Interim measures may:

      - remain in place until the final outcome of a Resolution Process (see Section V.A.5) or a subsequent disciplinary or appeal process;
      - change or terminate depending on the parties' evolving needs, as assessed by the Title IX Officer; or
      - become permanent as part of the resolution of a report.

   ii. **Mitigating Measures**: Services, accommodations or other measures for a Complainant who is not in a Resolution Process (see Section V.A.5), including a Complainant who was previously in a Resolution Process that did not result in a finding of a policy violation. Mitigating measures may be implemented to provide support, restore or preserve access to a University program or activity, or deter Prohibited Conduct.

b. **Remedial Measures**: Services, accommodations, or other measures put in place as a result of a completed Resolution Process (see Section V.A.5).

Examples of services, accommodations, and other measures are in Appendix III. The Title IX Officer will consult with the Complainant and, when appropriate, the Respondent, to identify suitable services, accommodations and other measures.

In matters involving DOE-Covered Conduct, the Title IX Officer will ensure Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

Campuses may take other measures per other University policies.

7. **Location:** "Location" is any University campus, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.
8. **Preponderance of Evidence:** A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.
9. **Respondent:** A person alleged, in a report to the Title IX Officer, to have engaged in Prohibited Conduct.
10. **Responsible Employee:** Any University employee who is not a Confidential Resource acting within their confidential capacity. If a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct or that Prohibited Conduct may have occurred in the context of patient care, they must promptly notify the Title IX Officer or designee. This includes resident assistants, graduate teaching assistants, and all other student employees, when disclosures are made to them in their capacities as employees.

In addition, if any of the following people learn, in the course of employment, that any other person affiliated with the University may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee:

- Campus Police
- Human Resources Administrators, Academic Personnel Administrators, and Title IX Professionals
- Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units
- Faculty members

Despite the above, Responsible Employees need not report possible Prohibited Conduct they learn of while attending a public awareness event, such as "Take Back the Night" (see FAQ #9), or disclosed by someone while participating in human subjects research that has either been approved by an Institutional Review Board (IRB) or certified as exempt from IRB review (see FAQ #10).

III. POLICY TEXT

A. General

The University is committed to maintaining a community free of sexual harassment, sexual violence, retaliation, and other behavior prohibited by this Policy (together, "Prohibited Conduct"). Prohibited Conduct violates this Policy and may violate law. Any person can report conduct that may be Prohibited Conduct. The University will respond promptly and equitably to such reports. This includes appropriate action to stop, prevent, and remedy the Prohibited Conduct and, when necessary, to discipline the Respondent.

Discrimination based on sex (including gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation) violates law and other University policies even when it is not Prohibited Conduct. The University will respond promptly and equitably to reports of such behavior. Such conduct may contribute to the creation of a hostile work or academic environment based on sex. So, when determining whether a Complainant experienced a hostile environment as defined in this Policy, the Title IX Officer will consider other sex-based discrimination in combination with incidents of sexual harassment.

B. Policy Coverage

This Policy covers acts of Prohibited Conduct committed by University students (as defined in Section 14.00 of the Policies Applying to Campus Activities, Organizations, and Students, and including applicants who become students and former students, as described in Section 101.00 of the Policy on Student Conduct and Discipline), employees, and third parties (such as Regents, contractors, vendors, visitors, guests, patients and volunteers), and acts of Prohibited Conduct committed against students, employees and third parties, when the conduct occurs:

1. on University property;
2. in connection with University employment or in the context of a University program or activity (including, for example, University-sponsored study abroad, research, on-line courses, health services, or internship programs); or

3. off University property and outside the context of a University program or activity, but has continuing adverse effects on—or creates a hostile environment for students, employees or third parties while on—University property or in any University program or activity.

Consistent with Section 101.00 of the Policy on Student Conduct and Discipline, if and as specified in implementing campus regulations, this Policy may cover additional Prohibited Conduct by students that occurs off campus.

Not every report of Prohibited Conduct will result in a Resolution Process described in Section V.A.5, even if it is covered by this Policy. Rather, the Title IX Officer will close some reports after making an initial assessment (see Section V.A.4).

C. Conduct that Violates this Policy

This Policy prohibits sexual violence, sexual harassment, retaliation and other prohibited behavior as defined in Section II and Appendix V. Incidents that violate this Policy may occur between:

- any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, doctors, residents, interns, and third parties;
- people in hierarchical relationships and peers;
- people of any gender, gender identity, or sexual orientation; and
- strangers and non-strangers.

People may engage in Prohibited Conduct in person or through other means. This includes electronic media, such as the internet, social networks, cell phones, texts, and other devices or forms of contact.

D. Consensual Relationships

While romantic and sexual relationships between members of the University community may begin as consensual, Prohibited Conduct may occur within such relationships. So, the University will treat a report of Prohibited Conduct that occurs in the context of a consensual relationship as any other report.

Consensual romantic and sexual relationships between members of the University community may create conflicts of interest. So, such relationships between a student and a faculty member or other employee, or between employees, are also subject to other University policies, such as *The Faculty Code of Conduct*, APM-015.II.A.6 & 7 and local policies.

E. Protection of Complainants, Respondents, and Witnesses

1. **Amnesty:** To encourage reporting, the University will not discipline Complainants or witnesses for student conduct policy violations that occur around the time of alleged Prohibited Conduct unless the University determines the violation was egregious. Examples of egregious violations include conduct that risked someone's health or safety, or involved plagiarism, cheating, or academic dishonesty.

   Complainants may be particularly afraid to report Prohibited Conduct when alcohol, drugs, or other intoxicants were involved (for example, when there was underage

drinking). This amnesty provision applies to alcohol- and drug-related student violations.

2. **Retaliation:** The University prohibits Retaliation against someone for reporting possible Prohibited Conduct or participating or not participating in a process under this Policy. (See Section II.B.3.e).
3. **Privacy and Confidentiality:** The University must balance the privacy interests of people involved in a report of Prohibited Conduct against the need to gather information, ensure a fair process, and stop, prevent and remedy Prohibited Conduct. In this context, the University tries to protect people's privacy to the extent permitted by law and University policies. The University otherwise keeps confidential the identities of parties, witnesses and those who report Prohibited Conduct, except as required by law or permitted by FERPA, and protects the privacy of personally identifiable information per all applicable state and federal privacy laws, and University policies.

F. Free Speech and Academic Freedom

The faculty and other academic appointees, staff, and students of the University enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article 1 Section 2 of the California Constitution. This Policy is intended to protect members of the University community from discrimination, not to regulate protected speech. This Policy will be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.

The University also has a compelling interest in free inquiry and the collective search for knowledge and thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this Policy will be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. (See APM-010, 011 and 015).

However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or State anti-discrimination laws.

G. Confidential Resources

People who have experienced Prohibited Conduct may speak confidentially with a Confidential Resource (see Section II.C.2). Confidential Resources are not Responsible Employees and need not report information they receive while acting in their confidential capacity to the Title IX Officer. Disclosures to Confidential Resources while they are acting in their confidential capacity are not "reports" under this Policy and will not, alone, result in any formal University action. Confidential Resources will inform a person who discloses experiencing possible Prohibited Conduct of the discloser's right to report directly to the Title IX Officer and how to do so.

IV. COMPLIANCE/RESPONSIBILITIES

A. Policy Implementation

Executive Officers (the University President, Chancellor, Lawrence Berkeley National Laboratory Director, Vice President of Agriculture and Natural Resources or Executive

Vice President of UC Health) can develop supplementary information to support implementation of this Policy. The Systemwide Title IX Director will interpret this Policy consistently and in a way that does not substantively change the Policy.

The Executive Officer at each location must establish and implement local procedures consistent with this Policy. Exceptions to local procedures required by the Policy must be approved by the Executive Officer or designee.

B. Revisions to the Policy

The President approves this Policy and any revisions. The Systemwide Title IX Director may recommend revisions to the Policy consistent with approval authorities and applicable Bylaws, Standing Orders, and Policies of The Regents. The Systemwide Title IX Director will ensure that the Policy is reviewed regularly and updated in a manner that is consistent with other University policies.

C. Approval of Actions

Actions within the Policy must be approved according to local procedures.

D. Compliance with the Policy

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting policy compliance. The Senior Vice President – Chief Compliance and Audit Officer will periodically audit and monitor compliance with the Policy.

E. Additional Enforcement Information

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Department (CRD) investigate reports of unlawful harassment, including sexual violence, in employment. The U.S. Department of Education Office for Civil Rights (DOE-OCR) investigates complaints of sexual harassment, including sexual violence, of students and employees in University programs or activities. The U.S. Department of Health & Human Services Office for Civil Rights (HHS-OCR) investigates complaints of sexual harassment, including sexual violence, occurring in the context of clinical, health, research, education and employment programs. These agencies may serve as fact finders and attempt to facilitate the voluntary resolution of disputes. For more information, contact the nearest office of the EEOC, CRD, DOE-OCR, or HHS-OCR.

F. Noncompliance with the Policy

Consequences of engaging in Prohibited Conduct are governed by the *Policy on Student Conduct and Discipline*; Personnel Policies for Staff Members 62, 63, & 64 pertaining to discipline and separation matters; *The Faculty Code of Conduct* (APM - 015) and *University Policy on Faculty Conduct and the Administration of Discipline* (APM - 016); *Non-Senate Academic Appointees/Corrective Action and Dismissal* (APM-150); collective bargaining agreements; policies governing competence and conduct of health professionals and trainees; and other policies and procedures. See Section VI and Appendices I & II. Other non-compliance with this Policy may result in educational efforts, employment consequences, or educational consequences up to and including informal counseling, adverse performance evaluations, corrective actions, and termination.

V. PROCEDURES

A. Procedures for Reporting and Responding to Reports of Prohibited Conduct

This section provides an overview of the procedures the University uses to respond to reports of Prohibited Conduct. While the Title IX Officer has responsibility for oversight of the reporting and response processes, other offices at each location will be involved and consulted as necessary. The specific procedures for investigating and resolving complaints of Prohibited Conduct depend on the Respondent's identity and relationship to the University. The Complainant and the Respondent are sometimes referred to together in this section as "the parties."

- Where the Respondent is a student, the procedures are in *Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct* of the Policies Applying to Campus Activities, Organizations, and Students, and local implementing procedures, except that when the conduct is DOE-Covered Conduct the procedures are *Interim Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct*.
- Where the Respondent is a faculty member, the procedures are in the *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty*, and local implementing procedures.
- Where the Respondent is a staff member or non-faculty academic employee, including a post-MD resident, the procedures are in the Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel, and local implementing procedures.
- Where the Respondent is a physician or other health care provider credentialed and privileged by hospital medical staff, or a health professional training program student, resident or fellow, then in addition to the above frameworks they may be subject to investigation and adjudication of professional misconduct under other rules and policies (for example, medical staff bylaws and school-based policies), potentially resulting in corrective action or termination.
- Where the Respondent is a Regent, the procedures are in *Regents Policy 1112: Policy on Review of Allegations of Board Member Misconduct.*
- If there is a question about the predominant role of the Respondent, the Title IX Officer will determine which procedure applies based on the circumstances (such as which role predominates in the context of the Prohibited Conduct). Where a Respondent is both a student and an employee, the University will apply only one procedure to determine responsibility, but the Respondent may be subject to discipline applicable to both students and employees.
- Where the Respondent is a third party, the Title IX Officer will determine the appropriate manner of resolution consistent with the University's commitment to a prompt and equitable process and applicable law, federal guidance, and this Policy, which may be an Other Inquiry per Section V.A.5.d. The University's ability to take appropriate responsive action depends on its relationship and level of control over the third party, if any.

- Where there is no identifiable, individual Respondent (such as where the Complainant alleges Prohibited Conduct by an organization or a Respondent whose identity is unknown, or conduct by multiple people that rises to the level of Prohibited Conduct only when considered in the aggregate), the Title IX Officer may respond through an Other Inquiry per Section V.A.5.d.

1. Reporting

Any person can report Prohibited Conduct, including anonymously. They can report to the Title IX Officer, to any Responsible Employee, or to another appropriate office such as the Academic Personnel Office, Student Affairs, Office of the Provost, or Human Resources Office. The person or office that receives the report must forward it to the Title IX Officer. If the person to whom a report normally would be made is the Respondent, reports may be made to another Responsible Employee or office. Upon receipt of a report of Prohibited Conduct from a Responsible Employee, the Title IX Officer will attempt to contact the Complainant, if known, to inform them of their rights, options, and resources.

2. Timelines for Making Reports

There is no time limit for reporting, and people should report incidents even if significant time has passed. However, the sooner the University receives a report, the better able it is to respond, investigate, remedy, and impose discipline if appropriate.

3. Initial Assessment of a Report / Immediate Health and Safety

As soon as practicable after receiving a report, the Title IX Officer will make an initial assessment, including a limited factual inquiry when appropriate, to determine how to proceed.

The Title IX Officer will first assess the report to determine whether the alleged conduct is DOE-Covered Conduct and, if so, whether to begin a DOE Grievance Process or Alternative Resolution. This stage of the assessment is described in Appendix IV.

If the alleged conduct is not DOE-Covered Conduct, then the Title IX Officer will next determine:

- whether the report on its face alleges an act of Prohibited Conduct as defined in Section II; and Appendix V; and
- if so, whether the Prohibited Conduct is covered by this Policy, as described in Section III.B.

The Title IX Officer may consult with other offices as necessary. This may include Academic Personnel Offices for complaints involving faculty and other academic appointees, Student Affairs Offices for complaints involving students, Human Resources or Employee and Labor Relations Offices for complaints involving staff and health professionals for complaints stemming from a clinical encounter.

The Title IX Officer, in coordination with the Case Management Team (see Section V.B.5.), and in consultation with the Complainant when possible, will:

- make an immediate assessment of the health and safety of the Complainant and the campus community,

- determine and oversee Supportive Measures that are immediately necessary (including no–contact orders with the parameters described in Appendix III), and
- outreach to the Complainant per a template issued by the Systemwide Title IX Office that includes, for example, an explanation of rights and reporting options (including the right to report to the police), a request to meet with the Title IX Officer, and available campus and community resources.

Also see Appendix III and Location Responsibilities in Section V.B.11. The Title IX Officer will also inform the Complainant of the range of possible outcomes of the report, including Supportive and Remedial measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

4. Closure After Initial Assessment

Not all reports the Title IX Officer receives are reports of Prohibited Conduct that can be resolved through a Resolution Process described below. This includes reports for which the Title IX Officer determines that:

- even if true, the alleged conduct is not Prohibited Conduct (see Section II and Appendix IV);
- the conduct is not covered by this Policy (see Section III.B);
- there is not enough information to carry out a Resolution Process (for example, the identities of the people involved);
- a Complainant's request that no investigation occur can be honored (see Section IV.A.5.b); or
- there is not enough nexus between the conduct and the University to carry out a Resolution Process (for example, the conduct did not occur in the context of a University program or activity and involved only third parties).

The Title IX Officer will close such matters per written guidelines issued by the Systemwide Title IX Office. The Title IX Officer will still, when appropriate, take steps to stop the reported conduct, prevent its escalation or recurrence, and address its effects. Such steps may include, for example, offering resources and Mitigating Measures to the Complainant and providing targeted preventive education (including to the Respondent) and training programs.

When the reported conduct is not Prohibited Conduct (such as stalking or harassment that is not sex-based or comments of a sexual nature during a clinical encounter that do not rise to the level of a Hostile Environment), the Title IX Officer will, if appropriate, refer the matter to another office for review and resolution.

To determine whether there is enough nexus between the conduct and the University to carry out a Resolution Process, the Title IX Officer will consider factors such as:

- where and in what context the Prohibited Conduct allegedly occurred (meaning whether there is a connection between the conduct and University property or a University program or activity);

- whether the Complainant or Respondent were University community members when the Prohibited Conduct allegedly occurred;
- whether the Complainant or Respondent were University community members at the time of the report; and
- whether there is information indicating an ongoing threat to the University community.

5. Overview of Resolution Processes

Reports of Prohibited Conduct that are not closed after the Title IX Officer's initial assessment may be addressed through Alternative Resolution, Formal Investigation, a DOE Grievance Process, a separate employee grievance or complaint process, or Other Inquiry. Each of these is described below. Resolution Processes are non-adversarial proceedings. At the beginning of any Resolution Process, the Title IX Officer will inform parties of the University's rules of conduct during the process.

a. Alternative Resolution

Alternative Resolution is not available when the Complainant is a student or patient and the Respondent is an employee. Alternative Resolution is also not available when an employee Respondent is alleged to have engaged in sexual violence as defined in this Policy (with the exception of Sexual Exploitation). In other cases, after an initial assessment of the alleged facts, the Title IX Officer may—if the Complainant and Respondent agree in writing—begin an Alternative Resolution process. The Title IX Officer will, if appropriate, begin the process in consultation with other offices depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, student employees, or students. Alternative Resolution may include, among other responses:

- separating the parties;
- providing for safety;
- referring the parties to counseling;
- mediation (except in cases of sexual violence);
- referral for disciplinary action;
- an agreement between the parties;
- conducting targeted preventive educational and training programs; and
- conducting a follow-up review to ensure that the resolution has been carried out effectively.

Alternative Resolution may be especially useful when:

- an investigation is not likely to lead to a resolution;
- both parties prefer an informal process; or
- a case involves less serious allegations.

The Title IX Officer has discretion to determine whether the complaint is appropriate for Alternative Resolution, to determine the type of resolution to pursue, and to stop

the process at any time before its conclusion and move to or resume a Formal Investigation or (if it applies) DOE Grievance Process.

Participation in Alternative Resolution is voluntary, meaning both the Complainant and the Respondent must agree to participate. If Alternative Resolution is selected, the Title IX Officer will provide timely written notice to both parties that includes:

- the allegations;
- the Title IX Officer has begun the process;
- the process is voluntary and will end upon either party's request;
- termination may result in Formal Investigation or (if it applies) a DOE Grievance Process (see Section V.A.5.b);
- they may be accompanied by an advisor throughout the process;
- the Title IX Officer will notify both parties of the process's outcome; and
- the process is private but not confidential, the Title IX Officer will maintain a record of the process and may share information with others if needed to carry out the resolution, and information shared by parties may be considered in any subsequent Resolution Process.

The Title IX Officer will oversee the Alternative Resolution process and, if other campus officials are involved in the process, maintain an appropriate level of involvement. Alternative Resolution agreements for sexual harassment complaints involving employee Respondents must be approved by the campus chief executive officer (i.e., Chancellor). The Chancellor may not delegate this responsibility.

The Title IX Officer will complete the Alternative Resolution process promptly, typically within 30 to 60 business days of notifying the parties in writing of starting the process. However, the Title IX Officer may extend past 60 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required will depend on the specific circumstances, including the complexity of the allegations and the nature of the alleged conduct. The Title IX Officer will consider, approve, and communicate extensions per written guidelines from the Systemwide Title IX Office.

Once the parties have agreed to the terms of an Alternative Resolution, the University will not conduct a Formal Investigation or (if it applies) DOE Grievance Process unless the Title IX Officer determines that the Respondent failed to satisfy the terms of the Alternative Resolution, or that the Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence.

The Title IX Officer will keep records of all reports and conduct addressed through Alternative Resolution.

b. Formal Investigation or DOE Grievance Process

The Title IX Officer will begin a DOE Grievance Process when they determine it is necessary per Appendix IV. This may happen after an Alternative Resolution to address DOE-Covered Conduct that ends before the parties agree on terms. The DOE Grievance Process begins with an investigation.

The Title IX Officer will begin a Formal Investigation when they decide not to close a report after their initial assessment, the alleged conduct is not DOE-Covered Conduct, and either (i) Alternative Resolution and Other Inquiry are not appropriate, or (ii) the parties do not agree to participate in Alternative Resolution or it ends before they agree on terms. In both Formal Investigations and DOE Grievance Process investigations:

The Title IX Officer may coordinate the investigation with other offices, depending on the identities of the Complainant and Respondent (that is, faculty, other academic appointees, staff, or students).

If the Complainant does not want an investigation, the Title IX Officer will seriously consider this preference. However, the Title IX Officer may determine an investigation is necessary to mitigate a risk to the campus community. If the Title IX Officer decides to open an investigation despite the Complainant's request, the Title IX Officer will: tell the Complainant of the decision before beginning the investigation or otherwise notifying the Respondent of the Complainant's identity; tell the Respondent that the Complainant did not request an investigation but the Title IX Officer determined one was necessary; and provide the Complainant with all information required by this Policy unless the Complainant states in writing that they do not want it.

The Title IX Officer will update parties on the status of the investigation at the request of a Complainant or a Respondent and every 30 business days until the outcome of the complaint, unless a party communicates in writing to the Title IX Office that they choose to opt out of receiving such updates. Such updates will be provided to the extent permissible by state and federal law.

If the Title IX Officer does not begin an investigation, they will inform the Complainant that this limits possible remedies. The Title IX Officer will nonetheless provide Mitigating Measures as appropriate and consistent with Complainant's privacy and the absence of an investigation.

When the Title IX Officer begins an investigation, they will give the parties a written summary of the allegations, an explanation of their rights, the procedures that will be followed, available resources, and this Policy. While the parties have the right to identify evidence and witnesses, the University bears the burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility.

i. *Timeframe.*The Title IX Officer will complete the investigation promptly, typically within 60 to 90 business days of notifying the parties in writing of the charges. However, the Title IX Officer may extend the timeframe past 90 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required depends on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct. The Title IX Officer will consider, approve, and communicate extensions per written guidelines from the Systemwide Title IX Office.

   If the police are also investigating the alleged conduct, the Title IX Officer will coordinate with the police but must nonetheless act promptly without delaying the investigation until the end of the criminal investigation.

ii. *Disclosure of Information.* The investigation generally includes interviews with the parties and any witnesses, and a review of evidence. The Title IX Officer will share information with witnesses only as reasonably necessary to conduct a fair and thorough investigation. They will also counsel witnesses about keeping information learned through the investigation private to protect both the people involved and the integrity of the investigation. They will inform witnesses that directly related information they provide and their identities will likely be disclosed to the Complainant and Respondent.

iii. *Right to an Advisor.*The Complainant and Respondent may have an advisor present throughout the process, including, when they are interviewed and at meetings. Student Respondents will receive written notice of their right to select an advisor of their choice or to request that the University provide an advisor to the student. Parties may have other support persons present under other policies. Other witnesses may have an advisor present at the discretion of the Title IX Officer or as required by University policy or a collective bargaining agreement.

The right to an advisor under this Policy does not infringe upon the rights of parties under applicable laws or other policies related to collective bargaining agreements.

iv. *Academic Freedom/Merit.* When the investigation implicates academic merit or academic freedom, the Title IX Officer will consult with the appropriate academic officer for relevant academic judgment.

v. *Initiation of Investigation by University.* The Title IX Officer may choose to begin and conduct an investigation without a Complainant when there is, for example:

- information indicating an ongoing threat to the University community;
- a pattern of alleged sexually harassing conduct toward multiple people by the same Respondent that would, in the aggregate, create a hostile environment (as defined in this Policy) for a reasonable person; or
- allegations of Prohibited Conduct covered by this Policy in the public realm (such as reports in the news or social media).

vi. *Administrative Closure.* The Title IX Officer may close an investigation before completing it if they determine that a significant change in circumstances has so substantially impaired the investigation that they cannot reach reasonably reliable conclusions about whether the alleged conduct occurred. The Title IX Officer will still, when appropriate, take steps to stop the reported conduct, prevent its escalation or recurrence, and address its effects. They will also offer as appropriate resources to the parties and Mitigating Measures to the Complainant.

c. Grievance/Complaint Procedures for Employees

Instead of, or in addition to, reporting to the Title IX Officer or other Responsible Employee, a University employee may file a grievance or complaint. That grievance or complaint must meet all of the requirements, including time limits for filing, under

the applicable complaint resolution or grievance procedure listed in *Appendix I: University Complaint Resolution and Grievance Procedures*. Any such grievance or complaint will be forwarded to the Title IX Officer for processing under this Policy, and the grievance or complaint procedure will be held in abeyance pending resolution under this Policy, unless the applicable collective bargaining agreement provides otherwise. After completion of the process under this Policy, the grievance or complaint may be reactivated under the applicable grievance or complaint procedure.

d. Other Inquiry

When a report is not closed after initial assessment yet is not appropriate for Alternative Resolution, Formal Investigation or a DOE Grievance Process because there is no individual identifiable Respondent over whom the Title IX Officer has jurisdiction, the Title IX Officer will:

- conduct an inquiry to try to determine what occurred, and
- take prompt steps reasonably calculated to stop any substantiated conduct, prevent its recurrence, and, as appropriate, remedy its effects.

Such an inquiry may be appropriate when, for example, the Complainant alleges Prohibited Conduct by an organization, a person whose identity is unknown, or a third party, or alleges conduct by multiple people that rises to the level of Prohibited Conduct only when considered in the aggregate.

The extent of the inquiry and responsive steps will depend on the specific circumstances. This includes, for example:

- the nature and location of the alleged conduct,
- the University's relationship to the Complainant, and
- the University's relationship to and level of control over the organization or person alleged to have engaged in the conduct.

The Title IX Officer will complete the inquiry promptly (typically within 60 days, unless extended for good cause), and notify any known Complainant or Respondent of the outcome. The Title IX Officer will provide updates on the status of the Other Inquiry at the request of a Complainant or a Respondent and every 30 business days until the outcome of the Other Inquiry, unless a party communicates in writing to the Title IX Office that they choose to opt out of receiving such updates. Such updates will be provided to the extent permissible by state and federal law.

e. Notifications and Documentation

When engaging in a Resolution Process provided for in this Section V.A.5, the Title IX Officer will provide written notices to the parties and keep records per guidelines issued by the Systemwide Title IX Office. The guidelines will address, for example:

- information provided to the parties about their rights and options;
- notices provided to the parties at the beginning and end of a process;
- documentation of the parties' agreement to engage in Alternative Resolution;

- documentation of resolutions reached through Alternative Resolution, including documentation to be obtained from any other campus officials involved in the resolution; and
- the types of documentation to be kept at the end of a process.

6. The Investigation Report and Outcome

If either a Formal Investigation or DOE Grievance Process investigation is conducted, the Title IX Officer will prepare a written report that includes:

- the factual allegations and alleged policy violations;
- statements of the parties;
- a summary of the evidence;
- an explanation of why any proffered evidence was not relied upon;
- credibility determinations when appropriate;
- findings of fact; and
- an analysis of whether this Policy was violated.

The report will also include the Title IX Officer's determination of whether the Respondent violated this Policy. However, in a DOE Grievance Process, and any time the Respondent is a student, the determination is only preliminary. In determining whether this Policy was violated, the Title IX Officer will apply the preponderance of evidence standard.

At the end of the investigation, the Title IX Officer will simultaneously provide the parties the Investigation Report. The report may be redacted to protect privacy (see APM-160 and other University policies governing privacy). The Title IX Officer will also inform the parties in writing of the outcome of the investigation and its rationale, and of any available appeal rights.

In a DOE Grievance Process, and any time the Respondent is a student, the Title IX Officer will inform the parties of their right to contest or not accept the investigator's preliminary determination and have a hearing to determine whether this Policy was violated. If they do, the next stage of the DOE Grievance Process or Formal Investigation is a hearing. (See *Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct, Interim Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct; Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty*, and *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel*).

7. Remedy

a. If the University finds Prohibited Conduct, the University will take prompt and effective steps reasonably calculated to stop the violation, prevent its recurrence, and, as appropriate, remedy its effects. For examples of available remedial measures, see Appendix III.

b. If the remedy has not already been provided, the Title IX Officer will oversee its implementation in consultation with appropriate administrators. The Title IX Officer will consider whether any systemic remedies, such as enhanced training or improved security, are also appropriate.

8. Discipline

a. The Title IX Officer will forward the Investigation Report (with attachments) to the appropriate administrator responsible for possible further action, including discipline.

b. Any member of the University community who is found to have engaged in Prohibited Conduct may be subject to disciplinary action, up to and including dismissal per the applicable University disciplinary procedure (Appendix II: University Disciplinary Procedures) or other policy.

c. At the end of any disciplinary proceeding the Complainant and the Respondent will be contemporaneously informed in writing of:

- the outcome, including the final determination regarding the alleged offense, any discipline, and the rationale for the results;
- any available appeal rights and procedures; and
- any subsequent change to the results and when results become final.

The University tries to finalize disciplinary decisions reasonably promptly per applicable procedures, depending on the severity and extent of the Prohibited Conduct and the complexity of the matter. The parties will be notified in writing within five business days of the decision regarding any disciplinary action.

B. Location Responsibilities

Each Location must do the following:

1. Designate and provide adequate resources and independence to a Title IX Officer. The responsibilities of the Title IX Officer include, but may not be limited to, the following duties:

a. Coordinate compliance with this policy, including investigations, reports and remedies.

b. Coordinate with other responsible units to ensure that Supportive and Remedial measures determined necessary by the Title IX Officer are provided.

c. Coordinate with other responsible units to ensure that local sexual violence and sexual harassment prevention education and training programs are offered and provided, as required by the Policy.

d. Provide educational materials to promote compliance with the Policy and familiarity with local reporting procedures.

e. Ensure University employees and contractors responsible for reporting or responding to reports of Prohibited Conduct, including those with responsibility in the investigation, adjudication and appeal processes, have proper training. Provide and track training for employees who are investigators, other key members of the Title IX Officer's staff, and hearing officers and coordinators per

guidelines issued by the Systemwide Title IX Office. Ensure University training materials promote impartial investigations and adjudications. Make training materials publicly available on the campus website if required by law.

f. Implement measures to help ensure University employees and contractors who are responsible for investigating, resolving, and adjudicating reports of Prohibited Conduct do not have a conflict of interest or bias for or against any individual party, or for or against Complainants or Respondents generally.

g. Respond promptly and equitably to reports of Prohibited Conduct according to the Policy.

h. Keep records of reports of Prohibited Conduct, and any actions taken in response to reports, including records of decisions regarding Supportive and Remedial Measures, investigations, resolutions, and disciplinary action, per University records management policies and guidelines issued by the Systemwide Title IX Office.

i. Identify and address any patterns or systemic problems that arise during the review of Prohibited Conduct reports.

j. Post on the sexual violence website the names and contact information of the Title IX Officer and of additional designated, trained, sexual harassment or sexual violence advisors.

2. Designate persons who can offer confidential consultations, without reporting the incident to the Title IX Officer, to any member of the University community seeking information, or advice about making a report of Prohibited Conduct. Each location will post information about how and where to contact confidential resources on its web site.

   People who consult with such confidential resources will be advised that their discussions in these settings are not considered actual reports of Prohibited Conduct and that without additional action by the person, these discussions will not result in any formal action by the University to resolve their concerns.

3. Establish an independent, confidential Advocacy Office for addressing Sexual Violence called *CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct*.

4. Provide a “Respondent Services Coordinator” who facilitates fair and equitable services for the Respondent.

5. Establish a response team model consisting of two teams:

   a. A Case Management Team (CMT) which maintains consistent coordination of reported sexual violence cases, ensures all cases are addressed promptly and equitably, and ensures the response is trauma-informed; and

   b. A Coordinated Community Review Team (CCRT) responsible for a campus collaborative approach to preventing and addressing sexual violence. The CCRT serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention and response to sexual violence.

Note: The requirements of #3, 4, and 5 above are for locations with students only. However, ANR, UCOP, and LBNL should coordinate delivery of these services with associated campuses or affiliated organizations.

6. Provide mandatory annual training and education about Prohibited Conduct and how such conduct can be reported, to all students, faculty, other academic appointees, and staff per applicable State and federal law, and University policies.
7. Offer primary prevention programs and awareness campaigns to the University community to promote ongoing awareness of Sexual Violence. These campaigns will include, but are not limited to, education about the definition of consent, consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships while also encouraging a safe environment for bystanders to intervene in a potential case of Sexual Violence.
8. Follow University established and approved processes for investigation, adjudication, and discipline.
9. Provide comprehensive, regular training with a trauma-informed perspective for people responsible for responding to reports of Prohibited Conduct, including Advocacy and Respondent services, Alternative Resolution and Formal Investigation processes, and the hearing, remedy, discipline and appeal processes.
10. Publicize a location-specific process for reporting incidents of Prohibited Conduct.
11. Provide written explanation of rights and available options as outlined in this Policy including:
    a. How and to whom to report alleged violations.
    b. Options for notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement, if the Complainant so chooses; and the right to decline to notify such authorities.
    c. The rights of Complainants regarding orders of protection, no–contact orders, restraining orders, or similar orders issued by criminal, civil, or tribal courts, as well as the University's responsibilities to comply with such orders.
    d. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
    e. Counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within both the University and the community.
    f. Options for, and available assistance to change academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report alleged conduct to law enforcement.
    g. Applicable procedures for institutional disciplinary action.
    h. Distribute and post this Policy. Each location is required to distribute this Policy to students, faculty, other academic appointees, staff, volunteers who regularly interact with students, and contractors who provide services involving regular

interaction with students, by such means as websites, student information boards, student handbook, faculty handbook and staff websites and information boards and during training and student orientation.

VI. RELATED INFORMATION

A. University of California Standards of Ethical Conduct

B. University of California Statement of Ethical Values

Academic Personnel Manual

A. Academic Personnel Manual (APM) Section 015, The Faculty Code of Conduct

B. Academic Personnel Manual (APM) Section 016, University Policy on Faculty Conduct and the Administration of Discipline

C. Academic Personnel Manual (APM) Section 035, Affirmative Action and Nondiscrimination in Employment

D. Academic Personnel Manual (APM) Section 140, Non-Senate Academic Appointees/Grievances

E. Academic Personnel Manual (APM) Section 150, Non-Senate Academic Appointees/Corrective Action and Dismissal

F. Academic Personnel Manual (APM) Section 160, Academic Personnel Records/Maintenance of, Access to, and Opportunity to Request Amendment of

Presidential Policies and Guidelines

A. University of California Corrective Action PPSM 62

B. University of California Investigatory Leave PPSM 63

C. University of California Termination and Job Abandonment PPSM 64

D. University of California Termination Appointment PPSM II-64

E. University of California Complaint Resolution (Senior Managers) PPSM II-70

F. University of California Complaint Resolution (Staff Personnel) PPSM 70

G. University of California Anti-Discrimination Policy

H. Policy on Student Conduct and Discipline

I. University of California Policies Applying to Campus Activities, Organizations, and Students

J. Student-Related Policy Applying to Nondiscrimination on the Basis of Sex

K. Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters

L. Business and Finance Bulletin RMP-2: Records Retention and Disposition: Principles, Processes, and Guidelines

M. University of California Reporting Child Abuse and Neglect

N. University of California Clery Act Policy – Campus Safety and Security Reporting

Federal and State Regulations

A. Fair Employment and Housing Act, Gov't Code section 12952

B. Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e

C. Title IX of the Education Amendments Act of 1972, 20 U.S.C. section 1681

D. Violence Against Women Reauthorization Act (VAWA) of 2013

E. The Affordable Care Act, 18 U.S.C. section 18116

VII. FREQUENTLY ASKED QUESTIONS

1. Who can be considered an advisor as described in this Policy?

An advisor may be any person, except another party, who provides the Complainant or Respondent with support, guidance, or advice (including attorneys). The institution cannot limit the choice of an advisor but may restrict the extent and manner of the advisor's participation in the proceedings as long as the restrictions apply equally to Complainants and Respondents. At the beginning of any Resolution Process, the Title IX Officer will inform parties of the University's rules of conduct during the process, and potential consequences if an advisor does not meet those standards, including disqualification from further services as the advisor.

2. What is a "result" or "outcome" of a disciplinary proceeding?

A result or outcome includes a written description of any initial, temporary, and final decision made by any authorized person, which aims to resolve a disciplinary matter. The result must disclose any discipline imposed and the rationale for the result and the discipline.

3. How is "nudity" defined for the purposes of this Policy?

"Nudity" means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breasts at or below the areola.

4. Why might some conduct prohibited by this Policy be sexual harassment in some cases but sexual violence or other prohibited behavior in others?

This Policy prohibits a broad spectrum of conduct which may, depending on the circumstances, be appropriately charged as Sexual Harassment, Sexual Violence, or Other Prohibited Behavior. In deciding whether alleged conduct rises to the level of a Policy violation, and which Policy provision to charge, the Title IX Officer may consider both the specific conduct alleged and the surrounding circumstances, like:

- the severity of the conduct;
- where the conduct occurred (for example, a confined space or a public one);
- duration of the conduct;
- any contemporaneous statements or other behavior by the Respondent (for example lewd or threatening gestures, gender-based nonsexual conduct);
- whether contact occurred over or under clothing;

- the relationship between the parties (for example, whether there is a power imbalance);

and other relevant factors. For example, whether the Title IX Officer will charge a Respondent's alleged touching of a Complainant's buttocks as either Sexual Harassment or Sexual Assault – Contact will depend on the specific nature of the touching, and the context in which it occurred. Similarly, a Respondent's alleged publication of sexually explicit photos of a Complainant that is not an Invasion of Sexual Privacy as defined in this Policy might still, depending on the circumstances, be charged as Sexual Harassment.

5. Does Sexual Assault include "rape" and "sexual battery" as those terms are used in the criminal law context?

Yes. The types of conduct prohibited by this Policy include "rape" and "sexual battery" as defined in the California Penal Code. For additional questions about whether a specific type of conduct violates this Policy or the law, please contact your local CARE Advocate, UC Police, or Title IX Officer.

6. Can parties be asked not to discuss the allegations under investigation? Once the outcome of an investigation or disciplinary proceeding under this Policy is disclosed to the parties, can they be asked to keep this information confidential?

The Complainant and Respondent can be advised of the private and sensitive nature of the allegations, personnel and student discipline, and other matters that arise under this Policy but should not be restricted from discussing the allegations or gathering evidence (provided their conduct is not Retaliation as defined in Section II), or from further disclosing information about outcomes.

7. Does the University need to conduct a Title IX investigation if a criminal investigation is taking place?

A criminal investigation is intended to determine whether someone violated criminal law. At the end of the criminal process the person may be imprisoned or subject to criminal penalties. The University has a duty under Title IX to resolve complaints promptly and equitably and to provide a safe and nondiscriminatory environment for all community members.

Because the purposes and the standards for criminal and Title IX investigations are different, the termination of a criminal investigation without an arrest or conviction does not affect the University's Title IX obligations. Even if a criminal investigation is ongoing, the University must still conduct its own Title IX investigation.

The University should notify Complainants of the right to file a criminal complaint and should not dissuade Complainants from doing so. Title IX does not require the University to report alleged conduct to law enforcement, but the University may have reporting obligations under laws such as the Clery Act and the California Child Abuse and Neglect Reporting Act (CANRA), and may report alleged conduct per memoranda of understandings between the University and the police.

8. How should the University proceed when campus or local law enforcement agencies ("police") are conducting a criminal investigation while the University is conducting a parallel Title IX investigation?

If the Respondent's alleged conduct is also the subject of a criminal investigation, the Title IX Officer will coordinate its investigation with the police. The fact-finding portion of a Title IX investigation may be delayed temporarily during the evidence-gathering stage of the criminal investigation. During this delay, the University may put Interim Measures in place. The length of time for evidence gathering by criminal investigators will vary depending on the specific circumstances of each case.

9. Is the University required to investigate information regarding sexual violence incidents shared by survivors during public awareness events, such as "Take Back the Night"?

Responsible employees are not required to report incidents that they learn of while attending public awareness events, such as "Take Back the Night," and the University is not required to open investigations based on statements made during such events.

10. Are Responsible Employees required to report disclosures about Prohibited Conduct received in the course of conducting Institutional Review Board–approved or certified exempt human subjects research?

Responsible Employees are not required to report disclosures of Prohibited Conduct made by someone when participating in human subjects research that has either been approved by an Institutional Review Board (IRB) or certified as exempt from IRB review under one or more of the categories in 45 CFR 46.104. When conducting research that is designed, or likely, to elicit information about sexual violence or sexual harassment, researchers are strongly encouraged to provide information about University and community resources to research participants.

Disclosures of incidents of alleged Prohibited Conduct made during a person's participation as a subject in an IRB–approved or certified exempt human subjects research protocol will not be considered notice to the University for purposes of triggering its obligation to investigate. The reporting exemption that this section describes (for disclosures made by a person when participating in IRB-approved or certified exempt human subjects research) does NOT apply to disclosures made to research personnel outside of the course of the research protocol (for example, to faculty during office hours or while providing academic advising).

This reporting exemption does not affect mandatory reporting obligations under federal, state, or local laws, such as the Clery Act and the California Child Abuse and Neglect Reporting Act (CANRA), and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

11. I am covered by a collective bargaining agreement. Does this Policy apply to me?

Yes. However, please note that consequences of non-compliance with this Policy, and relevant complaint resolution, grievance and disciplinary procedures, for employees who are covered by a Memorandum of Understanding with an exclusive bargaining agent are governed by the appropriate collective bargaining agreement.

12. What is the significance of the Title IX regulations issued by the U.S. Department of Education in 2020?

The federal Title IX regulations that went into effect August 14, 2020 cover certain forms of sexual misconduct, if the conduct occurred in a University program or activity, while

the Complainant was in the United States. They require the University to follow a specific grievance process that includes a live hearing with direct questioning by parties' advisors before disciplining a Respondent for conduct covered by the regulations. Since compliance with the regulations is a condition of receiving federal funds such as Federal Pell Grants for students, the University will implement the DOE Grievance Process, but only when required (in response to DOE-Covered Conduct). To investigate conduct not covered by the regulations, the University will continue following the Formal Investigation process in place before the regulations were issued. The Formal Investigation process may include a live hearing, but only when the respondent is a student—and the hearing does not include direct questioning by advisors. Though administering two separate processes for similar conduct is more difficult, the University believes this provides the most protection for our community. Alternative Resolution is also available in some cases, even if they are covered by the regulations. More information about DOE-Covered Conduct is in Appendix IV.

13. Does this Policy's prohibition on sexual harassment include sex-based harassment, including on the basis of sex stereotypes, sex characteristics, sexual orientation, and gender identity?

Yes. Consistent with California law, this Policy defines sexual harassment to include sex-based conduct that creates a hostile environment. Sex-based conduct is defined in this Policy to include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation. These categories also would be interpreted to include conduct based on sex characteristics (a term that typically refers to physiological sex characteristics based on a person's anatomy, hormones, or chromosomes), trans identities, and those who identify as intersex. "Sexual orientation" is defined under California law to mean a person's physical, emotional, and romantic attraction to other people. Sexual orientation includes, but is not limited to, heterosexuality, homosexuality, bisexuality, asexuality, and pansexuality.

14. What are some examples of harassment based on gender identity that may be covered by this Policy?

Prohibited Conduct under this Policy may include intentional and repeated use of a name or pronoun inconsistent with the individual's gender identity (i.e., misgendering) in circumstances where the conduct is unwelcome, a reasonable person would find it intimidating or harassing, and the conduct otherwise meets the Policy's hostile environment harassment definition. For example, when a transgender man is intentionally and repeatedly called by his dead name (i.e., refers to a name that a transgender person was given at birth but that they no longer use), or intentionally and repeatedly referred to by "Miss" or "Ms.," by a professor in an intentionally mocking manner.

15. What are some examples of harassment based on sexual orientation that may be covered by this Policy?

Some examples of conduct that may be prohibited under this Policy include the use of derogatory names or slurs related to an individual's sexual orientation. For example, a student expresses that they are gay during a class session. Following that session, a classmate calls this student a derogatory term related to their sexual orientation, or

offensive terms related to a student's sexual orientation are written on their residence hall door. Or, alternatively, students laugh at a student for "acting gay" or spread rumors about how they spend their weekends, with sexual innuendo. A workplace example would be that, after a staff member discloses their sexual orientation to their coworkers, the coworkers are constantly making jokes and trying to recommend dates for the employee.

16. Who is entitled to request that the University provide an advisor to them pursuant to AB 1575?

Pursuant to California law (AB 1575), a student Respondent has the right to select an advisor of their choice or to request that the University provide an advisor. In matters where a student Respondent is entitled to a University-provided advisor, the Complainant likewise has the right to request a University-provided advisor, consistent with Title IX Regulations. Any advisor selected by a party or provided by the University pursuant to AB 1575 will have access to University-provided training on the applicable SVSH investigation and adjudication procedures.

The right to an advisor under AB 1575 does not infringe upon the rights of parties under applicable laws or other policies related to collective bargaining agreements. See also, section, V.A.5.b.iii., above.

VIII. REVISION HISTORY

August 24, 2026: The Frequently Asked Questions section was updated.

May 1, 2026: This Policy is formatted to meet Web Content Accessibility Guidelines (WCAG) 2.1 AA.

January 1, 2026: Technical updates and changes related to Assembly Bill (AB) 1905, AB 2987, AB 1575, and Senate Bill (SB) 1491. Addition of new FAQ #16.

August 29, 2024: Technical updates and addition of new FAQs (13-15).

January 1, 2022: This Policy was updated to comply with Senate Bill 493, which amended Section 66262.5 and added Section 66281.8 of the California Education Code. Provisions specifically addressing Prohibited Conduct in the clinical setting were also added.

August 14, 2020: This Policy was updated on an interim basis to comply with federal Title IX regulations effective August 14, 2020.

July 31, 2019: Revised version reflecting comprehensive, systemwide review issued

August 14, 2018: Addition of FAQ #10 regarding the obligations of Responsible Employees when conducting Institutional Review Board—approved or certified exempt human subject research.

June 5, 2018: Technical revision: updated contact information.

September 1, 2017: Technical revisions:

- updated the Policy responsible office and contact information
- added links of the Staff and Faculty Adjudication Frameworks to Appendix II: University Disciplinary Procedures.

This Policy was remediated to meet Web Accessibility Content Guidelines (WCAG) 2.2.

November 7, 2016: Deleted the rescinded PPSMs #65, #67 and #71 from the Policy document and updated the FAQs and the links on Appendix I under Academic and Staff Personnel.

January 1, 2016: This Policy updated the processes for reporting and responding to complaints and added a new definition of "responsible employees."

June 17, 2015: This Policy was updated on an Interim basis effective until December 31, 2015.

February 25, 2014: This Policy was reformatted into the standard University policy template.

As a result of the issuance of this Policy, the following documents are rescinded as of the effective date of this Policy and are no longer applicable:

- *University of California Policy on Sexual Harassment*, dated February 10, 2006
- *University of California Procedures for Responding to Reports of Sexual Harassment*, dated December 14, 2004
- *University of California Policy on Sexual Harassment and Complaint Resolution Procedures*, dated April 23, 1992
- *University of California Policy on Sexual Harassment and complaint Resolution Procedures*, dated March 10, 1986

Future revisions to this Policy will be circulated under standard procedures for Presidential Policies. The review will include circulation under the standard Academic Personnel Manual (APM) process, with final authority resting with the President.

IX. APPENDICES

Appendix I: Applicable Complaint Resolution and Grievance Policies

Academic Personnel:

Members of the Academic Senate	Senate Bylaw 335
Non-Senate Academic Appointees	APM - 140
Exclusively Represented Academic Appointees	Bargaining Units & Contracts

Students:

Policies Applying to Campus Activities, Organizations and Students, Section 110.00

Staff Personnel:

Complaint Resolution (Senior Managers)	PPSM II-70
Complaint Resolution (Staff Personnel)	PPSM 70
Exclusively Represented Staff Personnel	Bargaining Units & Contracts
Lawrence Berkeley National Laboratory Employees	Applicable Laboratory policy

All members of the University community:

The *University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities* (Whistleblower Policy) protects the reporting and investigation of violations of state or federal laws or regulations, including sexual harassment.

All University employees and applicants for employment:

The University's Whistleblower Protection Policy provides a complaint resolution process for employees and applicants for employment who have been subjected to retaliation as a result of having made a protected disclosure under the Whistleblower Policy or refused to obey an illegal order.

Appendix II: University Disciplinary Policies and Procedures

The following are the University's disciplinary policies and procedures:

A. *The Faculty Code of Conduct* (APM - 015) (as approved by the Assembly of the Academic Senate and by The Regents) Establishes the ethical and professional standards which University faculty are expected to observe.

Because the forms of unacceptable behavior listed in The Faculty Code of Conduct also apply to sexual violence or sexual harassment, a violation of the University's Policy on Sexual Harassment and Sexual Violence may be a violation of the Faculty Code of Conduct. The *University Policy on Faculty Conduct and the Administration of Discipline* (APM - 016), as approved by the Assembly of the Academic Senate and by The Regents, outlines sanctions and disciplinary procedures for faculty.

The *Sexual Violence and Sexual Harassment Senate and Non-Senate Faculty Adjudication Framework* sets forth the University's procedures for resolving complaints of sexual violence and sexual harassment where the Respondent is a member of the University faculty.

B. Provisions of the policy on *Non-Senate Academic Appointees/Corrective Action and Dismissal* (APM - 150) (non-exclusively represented academic appointees) and collective bargaining agreements (exclusively represented academic appointees) allow for corrective action, investigatory leave, or dismissal for conduct which violates University policy.

The *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel* sets forth the University's procedures for resolving complaints against non-Senate academic appointees subject to APM-150.

C. *Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct* and *Interim Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct* of the Policies Applying to Campus Activities, Organizations, and Students sets forth these procedures when DOE-Covered Conduct of the Policies Applying to Campus Activities, Organizations, and Students sets forth the University's procedures for resolving complaints of sexual violence and sexual harassment against students, including the discipline of students found in violation of University policy. See also, the policy on Student Conduct and Discipline.

D. Provisions of the *Personnel Policies for Staff Members*, and the Lawrence Berkeley National Laboratory personnel policies (applicable to non-exclusively represented staff employees), and collective bargaining agreements (applicable to exclusively represented staff employees) prohibit conduct that violates University policy for sexual violence or sexual harassment and provide for disciplinary action for violating University policy.

- PPSM-62: *Corrective Action*
- PPSM-63: *Investigatory Leave*
- PPSM-64: *Termination and Job Abandonment*
- PPSM II-64: *Termination of Appointment*

The *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel* sets forth the University's procedures for resolving complaints where the Respondent is University personnel other than faculty.

Appendix III: Supportive and Remedial Measures

When determining Supportive and Remedial Measures (as defined in Section II), the Title IX Officer will assess how much the University can protect the parties' privacy while also ensuring the measures are effective. The Title IX Officer will explain to the parties any limits on protecting their privacy.

In determining Supportive Measures, the Title IX Officer will tailor the measures to the circumstances of each case, minimize burdens on the parties, and avoid depriving the parties of educational and employment opportunities as much as practicable.

In matters involving DOE-Covered Conduct, the Title IX Officer will ensure Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

When determining limitations on parties' contact, the Title IX Officer will follow the parameters in paragraph vi (No-Contact Options) below.

In addition to Supportive and Remedial measures, the Title IX Officer may take other actions to stop reported conduct, prevent its escalation or recurrence, and address its effects.

Examples of services, accommodations, and other available measures include:

A. *Campus Services Generally:*

Academic, employment, and other support including tutoring, counseling, disability services, health and mental health services, family planning services, survivor advocacy, housing assistance, legal assistance, referral to employee assistance program, information about the right to report a crime to campus or local law enforcement, and written materials prepared by the Title IX Officer pursuant to V.B of the Policy.

B. *Measures Available to Employees, Including Academic, Staff and Student Employees:*

Change to a different workstation, schedule, work location, unit, department, or position for which the employee is qualified provided that, in the case of a Complainant the change is voluntary and equitable.

C. *Training and Education of the Respondent:*

The Respondent may be required to undergo training, including sexual harassment prevention training, anger management training, and periodic refresher classes.

D. *Campus Services Modified:*

- If a campus service is not generally available or a fee is imposed, access may be arranged or fees waived when appropriate.
- Comprehensive, holistic survivor services including additional medical, counseling and academic support services.
- Any other accommodations or Interim Measures that are reasonably available once a Complainant has requested them.

E. *Additional Educational Measures for Students:*

- Change advisors, composition of dissertation committee, class sections and similar schedule adjustments.
- Arrange extra time to complete academic requirements of a class or program, or to re-take a class or withdraw from a class, without an academic or financial penalty if the University delayed such accommodations after it reasonably should have known of the violation.
- Review any disciplinary actions taken against the Complainant subsequent to the alleged violation to determine whether there is a causal connection between the violation and the Complainant's misconduct.

F. *No-Contact Options:*

- Complainant and Respondent Options. The Title IX Officer will:
  - Ensure the parties have been notified of options to avoid contact;

- Assist the parties in changing, as appropriate, living, transportation, dining, and working situations, or academic and extracurricular activities;
- Assist the parties in requesting and understanding the terms, parameters and consequence of violating no--contact orders; and
- Arrange for escort services to ensure that the parties can move safely to work, classes, and activities

- Parameters for No-Contact Orders Between Parties:
  - A no-contact order restricting a party from contacting the other party maybe appropriate as a Supportive Measure (Interim or Mitigating) or a Remedial Measure (see Section II.C.3). No-contact orders may also be appropriate under other University policies.
  - A no-contact order issued as an Interim Measure may be unilateral (prohibiting one party from contacting the other) or mutual (prohibiting both parties from contacting each other). However, the University will not prohibit the Complainant from contacting the Respondent unless the specific circumstances indicate the restriction is necessary or justifiable to protect the Respondent's safety or well-being, or to respond to interference with a Resolution Process.
  - A no-contact order issued as a Remedial Measure will restrict only a party found in violation of University policy.
- A no-contact order issued as an Interim or Remedial Measure will include an explanation of its terms, including what conduct could violate it and result in corrective action. If the no-contact order is mutual, then the notice will also explain why it is mutual.
- Respondent's Restrictions:
  - Allowing the Complainant to take regular sections of courses while arranging for the Respondent to take the courses online or through independent study;
  - Moving the Respondent to a different residence hall or work space;
  - Forbidding the Respondent to participate in specific athletic or extracurricular events or social clubs (including fraternities or sororities);
  - Requiring that the Respondent observe no–contact orders from the Complainant for a period of time (up to the Complainant's graduation or other departure from the campus) via work scheduling or class changes;
  - Prohibiting the Respondent from attending classes for a period of time, transferring the Respondent to another campus, or putting the Respondent on investigatory leave; and
  - Excluding the Respondent from the campus or workplace.

G. *Other Measures Devised by the Title IX Officer or Other Administrator.*

Appendix IV: DOE-Covered Conduct

Summary: Per the federal Title IX regulations effective August 14, 2020 (DOE Regulations), the University cannot discipline a Respondent for DOE-Covered Conduct unless it follows the DOE Grievance Process. The DOE Grievance Process is triggered

only by a DOE Formal Complaint that alleges DOE-Covered Conduct. Only a qualified Complainant (Section A.1, below) or the Title IX Officer (Section A.4, below) can make a DOE Formal Complaint. Instead of a DOE Grievance Process, the Title IX Officer could in some cases potentially open an Alternative Resolution in response to such a complaint. The DOE Grievance Process and Alternative Resolution are described in Section V.A.5 of this Policy.

When allegations of DOE-Covered Conduct in a DOE Formal Complaint and allegations of other Prohibited Conduct or of violations of other University policies arise out of the same facts or circumstances, then the University will address all allegations together through either the DOE Grievance Process procedures or Alternative Resolution.

When allegations do not include DOE-Covered Conduct, then the Title IX Officer will determine whether to open a different Resolution Process per the Initial Assessment process in Section V.A.3 of the Policy.

To ensure the University provides a DOE Grievance Process when (and only when) required, and otherwise complies with the DOE Regulations, the Title IX Officer will follow the Initial Assessment process outlined in Section A upon receiving a report. The Title IX Officer will document their decision-making per written guidelines issued by the Systemwide Title IX Office.

Process:

A. Initial Assessment. The Title IX Officer will assess the report to determine whether to open a DOE Grievance Process, Alternative Resolution, or other Resolution Process.

1. *Formal Complaint from a Qualified Complainant*

   The Title IX Officer will first determine whether they received a DOE Formal Complaint from a qualified Complainant. To be such, the report must:

   - allege conduct that occurred on or after August 14, 2020;
   - be in writing;
   - be made by the person who allegedly experienced the harassment, and not by a third party;
   - be made by a person qualified to make it under the DOE Regulations, meaning someone participating or attempting to participate in a University program or activity;
   - be against an identified Respondent;
   - request an investigation; *and*
   - allege DOE Sex-Based Misconduct, as defined in Section B (***DOE-Covered Conduct***) below.

     Yes DOE Formal Complaint: If the report **is** a DOE Formal Complaint from a qualified Complainant, the Title IX Officer must next determine whether they are required to "dismiss" it (*Required Dismissal of Formal Complaint*, below).

     No DOE Formal Complaint: If the report **is not** a DOE Formal Complaint from a qualified Complainant, the Title IX Officer must still determine whether the alleged conduct is DOE-Covered Conduct (*DOE-Covered Conduct*, below); if it is, the Title

IX Officer may need to themselves "sign" a DOE Formal Complaint (*Decision to Open or Close*, below). Note: Before signing themselves, the Title IX Officer will inform a qualified Complainant of how to make a DOE Formal Complaint, and give them that opportunity.

2. *Required Dismissal of Formal Complaint*

   If the report is a DOE Formal Complaint from a qualified Complainant, the Title IX Officer will next determine whether they must "dismiss" the complaint or any of its allegations. They must "dismiss" the complaint if the conduct, even if true, is not DOE-Covered Conduct, as defined in Section B (*DOE-Covered Conduct*, below).

   This "dismissal" is required by the DOE regulations, and means the Title IX Officer will no longer consider the allegations DOE-Covered Conduct. It does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations, as explained in Section C, below.

   No Dismissal: If dismissal **is not** required, the Title IX Officer will begin either a DOE Grievance Process or Alternative Resolution.

   Yes Dismissal: If dismissal **is** required, the Title IX Officer will "dismiss" the complaint per Section C (*Required Dismissal of Formal Complaint*, below).

3. *DOE-Covered Conduct.*

   If the report is not a DOE Formal Complaint from a qualified Complainant, the Title IX Officer will determine whether the report is nonetheless of DOE-Covered Conduct, as defined in Section B (*DOE-Covered Conduct*, below).

   No DOE-Covered Conduct: If the conduct **is not** DOE-Covered Conduct, this is the end of the DOE process. The Title IX Officer will continue their assessment under Section V.A.3 of the Policy and decide whether to open a different Resolution Process.

   Yes DOE-Covered Conduct: If the conduct **is** DOE-Covered Conduct, the Title IX Officer will decide whether to close the matter or, instead, open a DOE Grievance Process, Alternative Resolution, or Other Inquiry (*Decision to Close or Open*, below).

4. *Decision to Close or Open*

   If the Title IX Officer did not receive a DOE Formal Complaint from a qualified Complainant, yet the alleged conduct is DOE-Covered Conduct, then they must either:

   - close the matter,
   - "sign" a DOE Formal Complaint themselves and open either a DOE Grievance Process or Alternative Resolution, *or*
   - open an Other Inquiry (if it applies).

     Decision to Close: The Title IX Officer may decide to close the matter when, for example, the Complainant does not want an investigation and the Title IX Officer determines one is not necessary.

     Decision to Sign: The Title IX Officer may decide to sign a DOE Formal Complaint themselves when, for example:

- the Complainant does not want an investigation, but the Title IX Officer determines one is necessary (see Section V.A.5.b)
- the Complainant does want an investigation, but is not qualified to make a DOE Formal Complaint themselves because they are not participating or attempting to participate in a University program or activity (for example, they are a former employee or student, or third party)
- the Complainant's identity is unknown (for example, when the Complainant reported anonymously or a third party report did not identify the Complainant)

Decision to Open Other Inquiry. The Title IX Officer may decide to open an Other Inquiry when the University cannot discipline the Respondent—for example, when the Respondent is not an employee or a student.

Complainant Rights. If the Title IX Officer signs the DOE Formal Complaint, they will notify the person who allegedly experienced the conduct, if known, who will be and have all rights of a Complainant in the Resolution Process.

B. DOE-Covered Conduct

Conduct is DOE-Covered Conduct if all of the below are true:

1. *Date:* The alleged conduct occurred on or after August 14, 2020.
2. *Territoriality.* The Complainant was in the United States when the conduct allegedly occurred.
3. *Program or Activity.* The conduct occurred in a University program or activity, meaning the location was either:
   - on-campus, *or*
   - off-campus, and the conduct occurred:
     - in the context of University operations;
     - at a location, event or circumstance over which the University exercised substantial control over the Respondent and the context in which the conduct occurred; or
     - at a building owned or controlled by a student organization that is officially recognized by the University.
4. *DOE Sex-Based Misconduct*

   The alleged conduct is DOE Sex-Based Misconduct, meaning it is any of the following:

   a. conduct by an employee that meets the definition of *Quid Pro Quo* Sexual Harassment in Section II of the Policy;

   b. unwelcome sexual or other sex-based conduct (as defined in Section II of the Policy) that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denied the Complainant equal access to the University's programs or activities;

   c. conduct that meets the definition of Sexual Assault-Penetration;

d. intentionally touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks) without the Complainant's consent (as defined in Section II of the Policy);

e. conduct that meets the definition of Relationship Violence in Section II of the Policy;

f. conduct that meets the definition of Stalking in Section II of the Policy;

g. sexual intercourse with a person under the age of 18; or

h. conduct that meets the definition of Invasion of Sexual Privacy in Section II of the Policy, and that a reasonable person would determine was so severe, pervasive, and objectively offensive that it effectively denied the Complainant equal access to the University's programs or activities.

C. Required Dismissal of Allegations

The Title IX Officer must "dismiss" allegations in a DOE Formal Complaint if:

- they determine during the Initial Assessment that the alleged conduct, even if true, is not DOE-Covered Conduct, as defined in Section B (DOE-Covered Conduct, below), or
- they determine during the investigation that the alleged conduct, even if true, did not occur in a University program or activity or that the Complainant was not in the United States at the time of the alleged conduct.

1. *Significance of Dismissal*

   As noted above, "dismissal" means the Title IX Officer will no longer consider the allegations DOE-Covered Conduct. It does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations.

   If as a result of dismissal there are no allegations of DOE-Covered Conduct, then any further investigation will be as Formal Investigation (see Section V.A.5 of this Policy).

   If after the dismissal there are still other allegations of DOE-Covered Conduct, then the Title IX Officer will continue following the procedures in the DOE Grievance Process for all allegations, per Section D.2 (*Consolidation of DOE-Covered Conduct Allegations with other Prohibited Conduct Allegations*); that is, the Title IX Officer will notify the parties that the dismissed allegations are not covered by the DOE Regulations, but will still process all allegations under the DOE Grievance Process for clarity and consistency.

   If the matter is in Alternative Resolution, the Title IX Officer may continue with that process, but will notify the parties which allegations were dismissed and which (if any) continue to be considered DOE-Covered Conduct.

2. *Notice of Dismissal*

   If the Title IX Officer is required to "dismiss" allegations from a DOE Formal Complaint, they will notify the parties in writing:

   a. of the allegations dismissed and the reasons;

b. whether they will continue resolution of the dismissed allegations and, if so, under what Resolution Process;

c. that the parties can appeal the dismissal on the grounds listed below;

d. that the parties will be notified in writing if the other party appeals;

e. that the parties will have equal rights during any appeal process, including the opportunity to submit a written statement in support of, or challenging, the dismissal;

f. that a written decision on the appeal and the rationale will be issued simultaneously to both parties;

g. contact information for the appeal officer; and

h. that this Policy prohibits Retaliation.

3. *Grounds for Appeal of Dismissal*

   The appeal should identify the reason the party is challenging the dismissal on one or more of the available grounds:

   a. there was procedural error that affected the decision to dismiss; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;

   b. there is new evidence that was not reasonably available at the time of the decision to dismiss that could affect the decision; or

   c. the Title IX Officer or investigator had a conflict of interest or bias that affected the decision.

4. *Commencing an Appeal of Dismissal*

   An appeal must be submitted to the appeal officer within five business days after notice of dismissal. The appeal must identify the grounds for appeal and contain specific arguments supporting each ground. The appeal officer will notify the other party of the appeal and that the other party can submit a written statement in response to the appeal, within three business days.

5. *Standards for Deliberation*

   The appeal officer will decide whether the appealing party has proven the asserted grounds for appeal. They will consider the notice of dismissal, the appeal statements of the parties, and any additional information from the Title IX Officer.

6. *Decision by Appeal Officer*

   The appeal officer may:

   a. uphold the dismissal;

   b. overturn the dismissal; or

   c. in appeals alleging new evidence, send the case back to the Title IX Officer with a request to determine whether the new evidence affects the dismissal and report back to the appeal officer.

7. *Notice of Decision*Within ten business days of receiving the appeal, the appeal officer will provide their written decision to the parties and the Title IX Officer, to include:
   a. a statement of the grounds identified on appeal;
   b. a summary of the information considered by the appeal officer; and
   c. the decision of the appeal officer and the rationale for the decision.

D. Case Consolidation

The following provisions apply when the University opens a DOE Grievance Process.

1. *Consolidation of DOE Formal Complaints.*

   The Title IX Officer may consolidate allegations of DOE-Covered Conduct against multiple respondents, by multiple Complainants, or by one party against the other party, when the allegations arise out of the same facts or circumstances.

2. *Consolidation of DOE-Covered Conduct Allegations with other Prohibited Conduct Allegations.*

   When allegations of DOE-Covered Conduct and allegations of other Prohibited Conduct or of violations of other University policies arise from the same facts or circumstances, the Title IX Officer will process all allegations under the DOE Grievance Process procedures for clarity and consistency. The Title IX Officer will clearly document and inform the parties of which allegations are and are not DOE-Covered Conduct.

Appendix V: Prohibited Conduct in the Context of Patient Care

There are many circumstances in which a health care provider or health care worker may touch or penetrate a patient's body as a legitimate part of the patient's health care. On the other hand, conduct that a health care provider or health care worker engages in with a sexual purpose is never a legitimate part of a patient's health care. So when Prohibited Conduct allegedly occurs in the context of patient care, the Title IX Officer will refer to this Appendix V and, when indicated, apply its definitions.

A. Application

The Title IX Officer will apply the definitions in Section B of this Appendix V to allegations of Prohibited Conduct if:

1. the alleged conduct occurred during or in connection with a clinical encounter in which the Complainant was a patient and the Respondent was a health care provider or health care worker; and
2. the allegation is that the Respondent, for a sexual purpose:
   - penetrated the Complainant's vagina or anus with either (a) any part of the Respondent's hand or (b) a medical device (Sexual Assault – Penetration);
   - touched the Complainant's intimate body part (Sexual Assault – Contact);
   - made the Complainant touch themselves on an intimate body part (Sexual Assault – Contact);
   - engaged in Sexual Harassment (Quid Pro Quo or Hostile Environment);

- watched or enabled others to watch Complainant's nudity or sexual acts (Invasion of Sexual Privacy); or
- made or attempted to make photographs (including videos) or audio recordings, or posted, transmitted or distributed such recorded material, depicting the Complainant's nudity or sexual acts (Invasion of Sexual Privacy).

For all other allegations (such as that Respondent penetrated Complainant's mouth with Respondent's genitalia, used depictions of Complainant's sexual activity to extort Complainant, or exposed their genitals), the Title IX Officer will apply the definitions in Section II (not this Appendix V).

B. Definitions

1. Prohibited Conduct

a. Sexual Assault – Penetration:

Penetration, no matter how slight, of the Complainant's vagina or anus by any part of the Respondent's hand or by a medical device, if the Respondent engaged in the conduct for a sexual purpose.

b. Sexual Assault – Contact:

Intentionally, and for a sexual purpose --

- touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks), or
- making the Complainant touch themselves on an intimate body part, whether the intimate body part is clothed or unclothed.

c. Invasions of Sexual Privacy:

For a sexual purpose:

- watching or enabling others to watch the Complainant's nudity or sexual acts; or
- making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material, depicting the Complainant's nudity or sexual acts.

d. Sexual Harassment:

Conduct that meets the definition of Pro Quo Sexual Harassment or Hostile Environment Sexual Harassment as defined in Section II of the SVSH Policy, if Respondent engaged in the conduct for a sexual purpose.

Note on Sexual Purpose: In determining whether the Respondent engaged in conduct for a sexual purpose, the Title IX Officer will consider all relevant facts and circumstances, such as whether the conduct was Clinically Indicated. Whether the conduct was Clinically Indicated is typically relevant to but not determinative of whether Respondent engaged in Prohibited Conduct. A Respondent has a "sexual purpose" if, for example, they engage in conduct with any sexual motivation, for sexual gratification, or as an expression of dominance.

2. **Clinical Encounter:** An inpatient visit, medical office visit, or ancillary service visit during which a patient has a direct interaction with a health care provider or worker, where a health care provider has responsibility for diagnosing, evaluating, or treating the patient's condition, or a health care worker is tasked with delivering a health care item or service (for example, a test or procedure) prescribed by a health care provider.
3. **Clinically Indicated:** Health care services are clinically indicated in either of the following circumstances.
    a. **Clinical Care:**
        - a health care provider, exercising prudent clinical judgment, would provide them to a patient for the purpose of preventing, evaluating, diagnosing, or treating an illness, injury, disease, condition, or its symptoms;
        - as performed, they meet the applicable Standard of Care (as defined below);
        - as performed, they are appropriate, in terms of type, frequency, extent, site, and duration; and
        - as performed, they are considered effective for the patient's illness, injury, disease, condition, or symptoms.
    b. **Research or Clinical Trial:** They are required for the performance of a clinical trial approved by an IRB with jurisdiction and are provided consistent with the IRB-approved protocol and with the IRB-approved consent process.

    Note on Informed Consent: "Informed consent" of a patient or the patient's legally authorized representative to an examination or procedure the health care provider knows or should know is not Clinically Indicated, or to the making or distribution of media involving an examination or procedure for purposes unrelated to Clinically Indicated patient care, or legitimate research or education activities, is not a defense to an allegation of Prohibited Conduct under the SVSH Policy.
4. **Standard of Care:** The reasonable degree of skill, knowledge and care, based on credible scientific evidence published in current peer-reviewed medical literature, and ordinarily possessed and exercised by members of a person's profession and specialty under similar circumstances. The Standard of Care encompasses whether and under what circumstances a procedure is performed; the way it is performed; and whether and if so in what manner informed consent should be obtained prior to performance (for example, whether consent must be obtained in writing, whether documentation of consent in the medical record is required, or whether it may be implied under the circumstances, and the required content of the consent discussion, form, or both.

Appendix B: University of California Sexual Violence and Sexual Harassment Student Invstigation and Adjudication Framework for Non-DOE-Covered Conduct (PACAOS - Appendix E)

PACAOS-Appendix-E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct

PACAOS-Anexo-E: Marco de investigación y resolución para estudiantes respecto de la violencia sexual y el acoso sexual

PACAOS-附錄-E：性暴力與性騷擾學生調 查及裁定架構

PACAOS-Apendiks-E: Imbestigasyon sa Seksuwal na Karahasan at Seksuwal na Panliligalig ng Estudyante at Balangkas ng Paghatol

Responsible Officer:	VP - Student Affairs
Responsible Office:	SA - Student Affairs
Issuance Date:	12/22/2025
Effective Date:	1/1/2026
Scope:	Consistent with PACAOS 12.00, these Policies and the campus regulations implementing them apply to all campuses and properties of the University and to functions administered by the University, unless in special circumstances the President directs otherwise.

Contact:	Eric Heng
Title:	Director, Student Policies & Governance
Email:	Eric.Heng@ucop.edu
Phone:	(510) 987-0239

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I. POLICY SUMMARY

Consistent with the University *Policy on Sexual Violence and Sexual Harassment* (*SVSH Policy*) (see Section V.A.5.b. ("Formal Investigation") and V.A.6. ("The Investigation Report and Outcome")), the following describes the University's procedures for resolving non-DOE-Covered Conduct, as defined by the *SVSH Policy* where the responding parties are students, including the sanctioning of students who are found in violation of the *SVSH Policy. Appendix F* describes the University's procedures for resolving Department of Education (DOE) Formal Complaints of DOE-Covered Conduct, as defined in the *SVSH Policy,* where the responding parties are students, including the sanctioning of students who are found responsible for DOE-Covered Conduct in violation of the *SVSH Policy*

Campuses will also apply these procedures to resolve reports of other violations of University policies that apply to students (herein, "student conduct policies") that occur in connection with violations of the *SVSH Policy*

II. DEFINITIONS

Applicable definitions for the *SVSH Policy* can be found at Section II of the SVSH Policy.

Applicable definitions for the *Policies Applying to Campus Activities, Organizations, and Students (PACAOS)*, and the campus implementing regulations adopted pursuant to them, are provided in Section 14.00.

III. POLICY TEXT

A. PREFACE

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of Sexual Violence, Sexual Harassment, and other conduct prohibited under the *SVSH Policy* (collectively, "Prohibited Conduct").

Consistent with its legal obligations, including those under Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013, and California Education Code section 67386, the University responds promptly and effectively to reports of Prohibited Conduct under the *SVSH Policy*, and takes appropriate action to stop, prevent, remedy, and when necessary, to discipline behavior that violates the *SVSH Policy*. The University's student disciplinary procedures emphasize education, personal growth, accountability, and ethical

behavior – upholding standards of responsible conduct to protect the welfare of the University community.

The procedures are designed to provide a prompt, fair, and impartial resolution of the matter.

The following describes the University's formal investigation and adjudication (together, "resolution") procedures for resolving complaints of non-DOE-Covered Conduct under the *SVSH Policy* or related student conduct policy violations where the responding parties ("Respondents" as defined in the *SVSH Policy*) are students, including the sanctioning of students where policy violations are determined to have occurred. Consistent with the *Policies Applying to Campus Activities, Organizations, and Students (PACAOS)* – 101.00, of the *Policy on Student Conduct and Discipline*, these procedures also apply to (1) applicants who become students, for offenses committed on campus and/or while participating in University-related events or activities that take place following a student's submittal of the application through their official enrollment; and (2) former students for offenses committed while a student.

B. RESOURCES RELATING TO SEXUAL VIOLENCE AND SEXUAL HARASSMENT (STAGE ONE)

The University has a Title IX office at each campus that is responsible for receiving and responding to reports of Prohibited Conduct under the *SVSH Policy*. Confidential Resources, as defined by the *SVSH Policy*, also are available at each campus both before and after a person communicates with the Title IX office about potential violations of the *SVSH Policy*. Confidential Resources are also available to a person who chooses not to communicate with the Title IX office. These Confidential Resources are not required to report Prohibited Conduct to the Title IX office.

C. REPORT OF AND RESPONSE TO PROHIBITED CONDUCT (STAGE ONE)

1. Consistent with the *SVSH Policy*, the University may consider any person who reportedly experienced Prohibited Conduct a "Complainant," whether or not they make a report or participate in the resolution process.
2. The University will strive to honor the stated wishes of the Complainant concerning whether to move forward with an investigation. In accordance with the *SVSH Policy*, if the Complainant requests that no investigation occur, the Title IX Officer will determine whether the allegations, nonetheless, require an investigation to mitigate a potential risk to the campus community. If the Title IX Office begins a Formal Investigation despite the Complainant's request, it will provide Complainant with all information required by this and the *SVSH Policy* unless Complainant states in writing that they do not want it.
3. Throughout this resolution process, the University will offer support services for Complainants (through the CARE Advocate) and Respondents (through the Respondent Services Coordinator).
4. The University will consider and implement interim measures throughout the process as appropriate to ensure the safety, well-being, and equal access to University programs and activities of its students. Interim measures include, but are not limited to: no contact orders; housing assistance; academic support and accommodations; and counseling. Consistent with PACAOS 107.00, the

University may take Interim Actions before a final determination of an alleged violation.

5. At all stages of this process, the Complainant and Respondent (also known as the parties) have the right to select an advisor of their choice or to request that the University provide an advisor to them. With the party's written permission, their advisor will receive updates along with the party throughout the process. The party's advisor will have access to training provided by the University regarding these procedures. The parties also have a right to a support person of their choosing during the process. The advisor and/or the support person may be any person (including an advocate, attorney, friend, or parent) who is not otherwise a party.

   The advisor's primary role is to provide guidance through the process. The support person's primary role is to provide emotional support. The advisor and/or the support person may not speak on behalf of a party or otherwise disrupt any meetings or proceedings in any manner. The University reserves the right to exclude an advisor and/or support person who does not abide by these procedures.

6. Neither the Complainant nor the Respondent is required to participate in the resolution process outlined in these procedures. The University will not draw any adverse inferences from a Complainant or Respondent's decision not to participate or to remain silent during the process. An investigator or hearing officer will reach findings and conclusions based on the information available. However, when a party selectively participates in the process – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – an investigator or hearing officer may consider the selective participation in evaluating the party's credibility. In doing so, they should try to discern reasonable non-adverse explanations for the selective participation, including from the parties' own explanations, and determine whether the information available supports those explanations.

7. In all cases, including where the Complainant chooses not to participate or where there is no Complainant as provided for in the *SVSH Policy* (II.C.1.) and this policy (III.A.), the University's role is neutral, and it will conduct any factfinding and sanctioning without taking the position of either party.

8. The campus Case Management Team (CMT) will track all stages of the resolution process under these procedures.

9. All University officials involved in this resolution process will be trained to carry out their roles in an impartial manner in keeping with trauma-informed practices.

10. The standard of proof for factfinding and determining whether a policy violation(s) occurred is Preponderance of Evidence, as defined by the *SVSH Policy*. A Respondent will not be found responsible for a violation of the *SVSH Policy* and/or other student conduct policies unless the evidence establishes it is more likely than not that they violated the *SVSH Policy* and/or other student conduct policies.

11. The Title IX Officer may extend any deadlines contained herein consistent with the *SVSH Policy* as applicable, and for good cause shown and documented. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

12. The Title IX Office will consider requests from parties and witnesses for disability-related accommodations.
13. The Title IX Office will consider requests from parties and witnesses for language interpretation.

D. FORMAL INVESTIGATION OF REPORT OF PROHIBITED CONDUCT (STAGE TWO)

1. Commencing a Formal Investigation

Upon receipt of information about alleged Prohibited Conduct, the Title IX Officer will determine, consistent with the University's *SVSH Policy*, whether to initiate a Formal Investigation (see *SVSH Policy,* Sections V.A.4 and 5 for the alternate paths that the Title IX Officer may instead determine to be appropriate).

2. Notice of Charges

If a Formal Investigation will be conducted, the Title IX Officer, after consulting with Student Conduct, will send written notice of the charges to the Complainant and Respondent. The written notice will include:

a. A summary of the reported conduct that potentially violated the *SVSH Policy* and, where applicable, other student conduct policy;
b. the identities of the parties involved;
c. the date, time, and location of the reported incident(s) (to the extent known);
d. the specific provisions of the *SVSH Policy* and/or any other student conduct policy potentially violated;
e. a statement that the investigative report, when issued, will make factual findings and a preliminary determination regarding whether there has been a violation of the *SVSH Policy* and/or other student conduct policy;
f. a statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;
g. a statement that the parties have the right to select an advisor of their choose or to request that the University provide an advisor to them. With the party's written permission, their advisor will receive updates along with the party throughout the process. The party's advisor will have access to training provided by the University regarding these procedures.
h. a statement that status updates will be provided upon request of a Complainant or Respondent and every 30 days until the final outcome of a complaint is determined, unless a party notifies the Title IX Officer in writing that they choose to opt out of such updates;
i. a statement that the factual findings and preliminary determination will be based on a Preponderance of Evidence standard;
j. a summary of the resolution process, including the possible hearing, and the expected timeline;
k. an admonition against Retaliation; and
l. a summary of rights and resources available to the Complainant and Respondent.

At any point during the investigation, the Title IX Officer may amend the notice to add additional charges identified during the investigation. Any amended notice should include all the information described above. If the additional charges identified during the investigation include DOE-Covered Conduct, as defined in the *SVSH Policy*, then the Title IX Officer will notify the parties that the case will now proceed per the University's procedures (*Appendix F*) for resolving DOE Formal Complaints of DOE-Covered Conduct, as defined in the *SVSH Policy.*

3. Investigation Process

The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. Absent an extension for good cause, the Title IX Office will typically complete its investigation within 60 to 90 business days from the date of the notice of charges.

a. During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit evidence, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing. The investigator has discretion to determine which witnesses to interview and what questions to ask, and must decline to ask questions that are, repetitive, irrelevant, or harassing.

b. The investigator will meet separately with the Complainant, Respondent, and witnesses, and will gather other available and relevant evidence. The investigator may follow up with the Complainant, the Respondent, and witnesses as needed to clarify any inconsistencies or evidence gathered during the course of the investigation.

c. The investigator will generally consider all evidence they determine to be relevant and reliable. The investigator may determine and weigh the relevance of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.

    i. The investigator will generally consider direct observations and reasonable inferences from the facts.

    ii. The investigator will generally not consider statements of personal opinion as to anyone's general reputation or any character trait.

    iii. The investigator may consider prior or subsequent conduct of the Respondent in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct or other conduct prohibited by student conduct policies by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of an *SVSH Policy* or other policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct or related student conduct policy violation under investigation.

    iv. The investigator will not, as a general rule, consider the sexual history of a Complainant or Respondent. However, in limited circumstances, sexual history may be directly relevant to the investigation.

        a) For example, while the investigator will never assume that a past sexual relationship between the parties means the Complainant

consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under investigation. Sexual history might also be relevant to explain an injury, show a pattern of behavior by Respondent in accordance with Section IV.C.3.c, or resolve another issue of importance in the investigation.

b) Sexual history evidence that is offered to show a party's reputation or character will never be considered for that purpose.

c) The investigator will consider proffered evidence of sexual history and provide it to the parties for review under Section IV.E. below, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

4. Coordination with Law Enforcement

When a law enforcement agency is conducting its own investigation, the investigator should coordinate their factfinding efforts with the law enforcement investigation in accordance with the *SVSH Policy* (See *SVSH Policy* Section V.A.5.b.i and *SVSH Policy* FAQs 7 and 8). A reasonable delay resulting from such coordination may be good cause for extending the timelines to complete the investigation. If so, the delay will be communicated and documented in accordance with the *SVSH Policy*.

5. Opportunity to Review and Respond

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond to the evidence that the investigator has deemed relevant, including relevant evidence that weighs against finding a policy violation(s). This is true regardless of whether a party has participated in the investigation. This review will also include a summary of relevant statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, will not exceed 5 business days.

6. Investigation Report

The investigator will prepare a written report that includes the factual allegations and alleged policy violations, statements of the parties and witnesses, a summary of the evidence the investigator considered, findings of fact, credibility determinations when appropriate, an analysis of whether a policy violation has occurred, and a preliminary determination regarding whether there are any policy violations. The investigator may consult with Student Conduct on the preliminary determinations regarding violations of student conduct policies other than the *SVSH Policy*. If credibility determinations were not necessary to reach the findings and preliminary policy determinations, the report will so note and explain why. If the Complainant or Respondent offered witnesses or other evidence that

was not considered by the investigator, the investigation report will include an explanation of why it was not considered. The investigation report should also indicate when and how the parties were given an opportunity to review the evidence (see Section E above). If the findings of fact indicate that DOE-Covered Conduct occurred, but was not charged as such in the notice of investigation, then the investigator will reach preliminary determinations regarding whether a policy violation occurred and the Title IX Officer will notify the parties that the case will now proceed per the University's procedures (*Appendix F*) for resolving DOE Formal Complaints of DOE-Covered Conduct, as defined in the *SVSH Policy.*

7. Issuance of Notice and Report

a. Upon completion of the Title IX Investigation, the Title IX Officer will provide to the Complainant and the Respondent (a) written notice of the factual findings and preliminary determinations, and (b) the investigation report. The investigation report may be redacted to protect privacy. The Title IX Officer will provide Student Conduct with the written notice and an unredacted copy of the investigation report.

b. The notice of the factual findings and preliminary determinations will include the following:

   i. A summary statement of the factual findings and preliminary determinations regarding whether the *SVSH Policy* or other student conduct policies have been violated;

   ii. In cases where the investigator preliminarily determines a policy violation(s) occurred, an explanation of how the proposed sanction will be determined, including that each party will have an opportunity to provide input on sanctions through a meeting with Student Conduct and/or written statement (see Section V);

   iii. A statement that if either party contests the investigator's preliminary determinations as to policy violation(s), or is presumed to contest, there will be a factfinding hearing to determine whether the *SVSH Policy* or other student conduct policies have been violated, after which Student Conduct will determine any sanctions;

   iv. An explanation of the procedures and timeline for contesting the preliminary determination (see Section VI);

   v. A statement that if neither party contests the preliminary determination, they still will have the right to appeal the sanction, if any;

   vi. An admonition against Retaliation; and

   vii. An explanation of any interim measures that will remain in place.

8. Access to Certain Investigation Records

After issuance of the investigator's written report, the investigation file, consisting of the investigation report and any evidence deemed relevant by the investigator (as documented in the investigation report), must be retained by the Title IX Officer and made available to the parties for inspection upon request. It may be redacted to protect privacy.

E. PROPOSED SANCTION (STAGE TWO) In cases where the investigator preliminarily determines a policy violation occurred:

1. Party Input

Either party may schedule a meeting with or submit a written statement to Student Conduct to provide input on sanctions. A party intending to do so will, within three days of receiving the notice of preliminary determination, either contact Student Conduct to schedule the meeting or submit the written statement to that office.

2. Student Conduct Proposal

Student Conduct will review the report, the evidence deemed relevant by the investigator as documented in the report, the preliminary determinations, Respondent's prior conduct record, any comment on sanctions from the parties (received either in person or in writing), and any other information relevant to the factors described in Section IX, and will determine a proposed sanction. Student Conduct will propose a sanction in all cases where there is a preliminary determination that the policy was violated, regardless of whether the preliminary determination is contested.

3. Notification

Student Conduct will notify the parties of the proposed sanction and supporting rationale within 15 business days of the notice of investigative findings and preliminary determination.

4. Student Conduct Meeting

When possible, a party's meeting with Student Conduct to provide input on sanctions will be combined with the meeting contemplated in Section VI.A.

F. OPPORTUNITY TO CONTEST THE PRELIMINARY DETERMINATION (STAGE THREE)

If either party contests the investigator's preliminary determinations as to whether or not the policy was violated, there will be a factfinding hearing to determine whether the *SVSH Policy* or other student conduct policies have been violated, after which Student Conduct will determine any sanctions.

1. Opportunity to Discuss Options

If either party wishes to discuss the possibility of contesting and the implications of contesting or not contesting the preliminary determination, including the hearing that will result if either party contests, they may discuss their options with Student Conduct (even if the investigator's preliminary determination was that no policy violation occurred). If either party wishes to meet with Student Conduct, they will contact Student Conduct within 3 business days of receiving the notice of preliminary determination to schedule the meeting.

2. Preliminary Determination that Policy Violation Occurred and Presumption that Respondent Contests in Certain Cases

When the investigator preliminarily determines that a policy violation(s) occurred:

a. Either party may contest the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination. If either party contests within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

b. In cases where Student Conduct proposes suspension or dismissal:

   i. Respondent is presumed to contest the preliminary determination unless Respondent provides Student Conduct with a written acknowledgment stating that Respondent does not contest, accepts the preliminary determination, and waives their right to a hearing.

   ii. If Respondent does not provide Student Conduct the written acknowledgment during the 20 business days, then the matter will proceed to a hearing to determine if a policy violation occurred.

   iii. If Respondent does provide the written acknowledgment, and Complainant does not contest during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and Student Conduct will impose the proposed sanction, and the parties will have the right to appeal the sanction. Student Conduct must notify the parties of the sanction within 5 business days of the preliminary determination becoming final.

   iv. If Respondent does provide the written acknowledgment, and Complainant contests during the 20 business days, then the matter will proceed to a hearing to determine if a policy violation occurred.

c. In cases where Student Conduct does not propose suspension or dismissal:

   i. If either party informs Student Conduct that they contest during the 20 business days, the matter will proceed to a hearing to determine if a policy violation occurred.

   ii. If neither party informs Student Conduct that they contest during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and Student Conduct will impose the proposed sanction, and the parties have the right to appeal the sanction. Student Conduct must notify the parties of the sanction within 5 business days of the preliminary determination becoming final.

d. A party wishing to affirmatively contest the preliminary determination must notify Student Conduct of their decision within the 20 business days, even if the other party has already contested or is presumed to contest.

3. Preliminary Determination that No Policy Violation Occurred

When the investigator does not preliminarily determine that there was a policy violation(s):

a. Either party may contest the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination. If either party informs Student Conduct that they contest during this time period, then the matter will proceed to a hearing to determine if a policy violation(s) occurred.

b. A party wishing to contest the preliminary determination must notify Student Conduct of their decision within the 20 business days, even if the other party has already contested.

c. If neither party informs Student Conduct that they contest during the 20 business days period, then the preliminary determination that no policy violation occurred becomes final.

4. Consideration of Consolidation of Related Cases

Where a case arises out of substantially the same set of factual allegations as another case in the student resolution process (for example, where multiple Complainants or Respondents are involved in the same incident), or where it involves the same Complainant and Respondent, the Title IX officer has discretion to coordinate or combine the investigation and/or adjudication of those cases.

5. Notice of Hearing or No Hearing

a. If any party contests the preliminary determination, Student Conduct will notify both parties within 5 business days that there will be a hearing. The other party will still have the remainder of the allotted 20 business days to also contest the determination (or, in a case where the presumption of a hearing applies, to indicate that they do not want a hearing). After the allotted 20 business days for contesting has elapsed, or each party has indicated their position on contesting, whichever comes first, Student Conduct will notify the parties that there will be a hearing. The notice of hearing will indicate each party's position on contesting and include a summary of the hearing procedures described in Section VII.

b. Alternatively, if no party contests or is presumed to contest the preliminary determination, Student Conduct will notify the parties that there will be no hearing. This notice will indicate that the Title IX office's preliminary determination as to policy violation(s) is final, and that Student Conduct is imposing the proposed sanction (if any); and that the parties have the right to appeal the sanction. This notification must occur within 5 business days of the preliminary determination becoming final.

G. HEARING TO DETERMINE POLICY VIOLATIONS (STAGE FOUR)

1. Factfinding Hearing

If either party contests, or is presumed to contest, the investigator's preliminary determinations, there will be a factfinding hearing before a single hearing officer. The hearing is to determine whether a violation of the *SVSH Policy* (and any non-*SVSH Policy* violations charged in conjunction with them) occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

2. Hearing Officer

a. The hearing officer may be a University employee or outside contractor. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

b. The hearing coordinator will inform the parties of the hearing officer's identity. Within 5 business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

   i. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.

ii. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.

iii. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

c. Student Conduct will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

3. Hearing Coordinator

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

4. Pre-Hearing Procedures

a. When a hearing is required under these procedures, the hearing officer and hearing coordinator will hold a separate meeting with each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

i. No later than 5 business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence, see Section VII.D.3 below.

ii. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.

iii. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.

iv. The hearing officer and/or coordinator will explain what to expect at the hearing, see Section VII.E. below.

v. The hearing officer and/or coordinator will also discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate.

vi. Any party contesting (or presumed to contest) the investigator's preliminary determination regarding policy violation(s) is required to participate in the pre- hearing meeting.

vii. If a contesting (or presumed to be contesting) party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have 2 business days to contact the hearing

coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the 2 business days, they will be presumed to no longer contest the investigator's preliminary determination. If the other party has not contested, there will be no hearing, and Student Conduct will notify the parties that the investigator's preliminary determination is final, and impose the proposed sanction (see Section V). If the other party has contested, the hearing will proceed but the non-appearing party will be presumed to agree with the definition of the scope of the hearing.

viii. The party who is not contesting is encouraged, but not required, to participate in the pre-hearing meeting.

b. Within 5 business days after concluding meetings with both parties (or determining that a non-contesting party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

   Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

   i. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements in Section IV.C.3;

   ii. Decide any procedural issues for the hearing; and/or

   iii. Make any other determinations necessary to promote an orderly, productive, and fair hearing.

c. Within 5 business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony, that they would like to present.

d. Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

e. The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Based on the hearing officer's determination, the hearing coordinatorwill request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing. The University cannot compel parties or witnesses to testify in the hearing and their decision not to testify will not be a reason to cancel or postpone a hearing.

f. At least 2 business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file and any other documents that will be considered; the names of expected witnesses and a summary of their

expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.

g. The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator before the hearing but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.

5. Hearing Procedures

a. The hearing will be conducted in a respectful manner that promotes fairness and accurate factfinding. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer may question witnesses and parties.

b. Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider all evidence they determine to be relevant and reliable. The hearing officer may determine and weigh the relevance of any witness testimony or other evidence to the findings. The hearing officer will also follow the evidentiary principles in Section IV.C.3. Throughout the hearing, the hearing officer will:

   i. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements in Section IV.C.3;

   ii. Decide any procedural issues for the hearing; and/or

   iii. Make any other determinations necessary to promote an orderly, productive, and fair hearing.

c. All witnesses other than the parties will attend the hearing only for their own testimony.

d. The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.

e. In cases where the credibility of a witness is not central to the determination of a particular disputed issue and the witness does not appear at the hearing, the hearing officer may determine what weight to give to their statements from the investigation report.

f. The Hearing Officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation -- such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – when assessing credibility. See Section III.F.

g. The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the participation of support persons in accordance with these procedures.

h. The hearing officer will allow the parties and/or witnesses to be visually or physically separated during the hearing. This may include, but is not limited to, the use of a physical partition, a separate physical location, videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

i. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing.

j. The parties have the right to hear (or, if deaf or hard of hearing, to access through auxiliary aids for services) testimony of all individuals who testify at the hearing and to propose questions to be asked of all individuals who testify at the hearing. The parties may propose questions at the hearing by submitting them to the hearing officer.

k. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

l. The hearing officer will determine the order of questioning. Unless they determine re-phrasing is necessary, the hearing officer will ask the questions as they are submitted by the parties and will not change them. The hearing officer may find it necessary to rephrase questions to, for example, prevent them from being harassing or for clarity. The hearing officer must exclude questions that are repetitive, irrelevant, or harassing. They may also exclude questions that are unduly time consuming. Whenever practical, the hearing officer will briefly state their reasons for excluding or rephrasing questions submitted by the parties.

m. Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record.

n. The University will audio record the hearing.

o. The parties may have their advisors and support persons present throughout the hearing. See Section III.E.

6. Determination of Policy Violation

a. *Standards for Deliberation.* The hearing officer will decide whether a violation of the *SVSH Policy* (or related non-*SVSH Policy* violation) occurred based on a Preponderance of Evidence standard.

b. *Information Considered.* The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. See also the principles in Section IV.C.3. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

7. Sanction

If the hearing officer decides that any policy violation has occurred, they will send their determination and findings to Student Conduct within 10 business days of the hearing. Based on the hearing officer's findings and determinations, and other information relevant to sanctioning (see Section IX.D.), Student Conduct will determine an appropriate sanction.

8. Notice of Determination and Sanction

Within 15 business days of the hearing, the hearing coordinator will send written notice to the Complainant and Respondent (with a copy to the Title IX Officer and Student Conduct) setting forth the hearing officer's determination on whether the *SVSH Policy* and/or other student conduct policies have been violated, and, if so, Student Conduct's determination of any sanctions to be imposed. The written notice will include the following:

a. The determinations of whether the *SVSH Policy* and/or other student conduct policies have been violated;

b. If so, a description of the sanctions;

c. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;

d. A summary of the facts found by the investigator that the parties did not dispute;

e. The rationale for the determination of each charge;

f. The rationale for any sanctions;

g. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal; and

h. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures.

9. **Documentation of Hearing.** Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination and any sanction has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

H. APPEAL PROCESS (STAGE FIVE)

1. Equal Opportunity to Appeal

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process, but is not a party and does not advocate for or against any appeal.

2. Grounds for Appeal

A party may appeal only on the grounds described in this section. The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the available grounds.

a. In cases where there was a hearing, the following grounds for appeal apply:

   i. There was procedural error in the hearing process that materially affected the outcome;

   ii. The determination regarding policy violation was unreasonable based on the evidence before the hearing officer; this ground is available only to a party who participated in the hearing; and

   iii. The sanctions were disproportionate to the hearing officer's findings.

b. In cases where there was no hearing, the parties may appeal on only one ground: that the sanctions were disproportionate to the investigator's preliminary determination regarding policy violations.

3. Commencing an Appeal

a. In cases where there was a hearing, an appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination and, if imposed, the disciplinary sanctions (see Section VII.H.). The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. Student Conduct will notify the other party of the appeal and, if the appeal includes the ground that the sanction is disproportionate, that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.

b. In cases where there was no hearing, an appeal must be submitted in writing to Student Conduct within 10 business days following Student Conduct's notice to the parties that the preliminary determination was final and that Student Conduct would impose the proposed sanction (see Section VI.E.2). Student Conduct will notify the other party of the appeal and, if the appeal is on the ground that the sanction is disproportionate, that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.

4. Appeal Decision

a. *Standards for Deliberation.* The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. In disproportionate sanction appeals, they may also consider any input parties provide in a meeting per Section VIII.D.2, below. They will not make their own factual findings, nor any witness credibility determinations.

b. *Disproportionate Sanction Appeals – Opportunity for Meeting*. In cases where a ground of appeal is disproportionate sanction, the parties may meet separately with the appeal officer for the limited purpose of providing input on their desired outcomes as to sanctions only.

c. *Decision by Appeal Officer*. The appeal officer may:

   i. Uphold the findings and sanctions;

   ii. Overturn the findings or sanctions;

   iii. Modify the findings or sanctions; or

iv. In appeals alleging material procedural error (ground (a) above), send the case back to the hearing officer for further factfinding if needed.

d. *Written Report.* The appeal officer will summarize their decision in a written report that includes the following:

i. A statement of the grounds identified on appeal;

ii. A summary of the information considered by the appeal officer; and

iii. The decision of the appeal officer and the rationale for the decision including, where the findings or sanctions are overturned or modified, an explanation of why the findings were not reasonable or the sanctions were disproportionate, or how the procedural error materially affected the outcome.

e. *Distribution of Written Decision.* Within 10 business days of receiving the appeal, the appeal officer will send their written decision to Complainant and Respondent (with copies sent to the Title IX Officer and Student Conduct).

i. Unless the appeal officer remands the matter, they will inform the Respondent and the Complainant that the matter is closed with no further right to appeal.

ii. If the appeal officer remands the matter, they will specify what further factfinding should occur or what additional information should be considered and request that the hearing officer report back to the appeal officer on their additional factfinding. After receiving the hearing officer's additional factual findings, the appeal officer will issue their decision within 10 business days. This decision will be final.

I. PRINCIPLES, OPTIONS, AND FACTORS IN STUDENT SANCTIONS

1. Introduction

These standards are intended to promote the consistent and proportionate application of disciplinary sanctions by the University in responding to conduct that violates the University's *Policy on Sexual Violence and Sexual Harassment* and the applicable portions of the University's *Policies Applying to Campus Activities, Organizations, and Students* (PACAOS) – Section 100.00 (*Policy on Student Conduct and Discipline*).[1] The following describes the University's principles, options, and factors to consider in assigning sanctions when the Respondent is a student.

2. Principles

a. The administration of student discipline will be consistent with the *Policy on Student Conduct and Discipline*.

b. When a student is found responsible for violating the University's *SVSH Policy* or other student conduct policies, the University will assign sanctions that are proportionate and appropriate to the violation, taking into consideration the context and seriousness of the violation. The University is

[1] This supplements the Policies Applying to Campus Activities, Organizations, and Students (PACAOS, 5/10/2012). In the event of any conflict this document takes precedence.

also committed to providing appropriate remedial measures to Complainant, as described in the *SVSH Policy*.

c. When a student is found not responsible for violating the University's *SVSH Policy* and other student conduct policies, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.

d. Sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Sanctions also serve the purpose of stopping Prohibited Conduct under the *SVSH Policy*, and preventing its recurrence.

e. The University recognizes that acts of Sexual Violence, Sexual Harassment and other forms of Prohibited Conduct are contrary to its goals of providing an educational environment that is safe and equal for all students.

f. University of California campuses are encouraged to inform other UC campuses of a student's disciplinary record for violating the University's *SVSH Policy* and other student conduct policies.

3. Sanctioning Options

a. University sanctions include, but are not limited to:

i. Dismissal from the University of California;

ii. Suspension from the University of California;

iii. Exclusion from areas of the campus and/or from official University functions;

iv. Loss of privileges and/or exclusion from activities;

v. Restitution;

vi. Probation;

vii. Censure/Warning; and/or

viii. Other actions as set forth in University policy and campus regulations.

b. The definitions of sanctions are found in *PACAOS* Section 105.00 (Types of Student Disciplinary Action) of the *Policy on Student Conduct and Discipline* and local campus regulations.

c. The posting of sanctions on academic transcripts will follow University policy as defined in *PACAOS*, Section 106.00 of the *Policy on Student Conduct and Discipline.*

4. Factors Considered In Determining Sanctions

a. In all cases, when determining the appropriate and proportionate sanction, the following factors will be taken into account when applicable:

i. Seriousness of violation: location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; use of authority to abuse trust or confidence; presence of weapons; use of force or violence; physical injury; menace; duress; deliberately causing or taking advantage of a person’s incapacitation; and recording, photographing,

transmitting, viewing, or distributing intimate or sexual images without consent.

ii. Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; planned or predatory conduct; hate or bias based on the Complainant's membership or perceived membership in a protected group as defined in *PACAOS* Section 104.90 of the *Policy on Student Conduct and Discipline*.

iii. Whether the conduct is aggravated, as defined in the *SVSH Policy.*

iv. Response following violation: voluntarily acknowledged wrongdoing at early stage of the process; failure to follow no contact order; attempt to influence witnesses; obstructed or disrupted the process.

v. Disciplinary history: unrelated prior violations; related prior violations.

vi. Impact on others: input from the Complainant; protection or safety of the Complainant or the community.

5. Sanctions for Certain Conduct

a. Sanctions will be assigned as follows:

i. Sexual Assault – Penetration or Sexual Assault – Contact that is aggravated as defined in the *SVSH Policy* will result in a minimum sanction of suspension for two calendar years.

ii. Sexual Assault – Penetration, Domestic or Dating Violence, or Stalking will result in a minimum sanction of suspension for two calendar years, unless there are exceptional circumstances.

iii. Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year, unless there are exceptional circumstances.

iv. Sexual Harassment and Other Prohibited Behavior, as defined by the *SVSH Policy*, will not result in any minimum sanction but will be sanctioned in accordance with the factors identified in Section D above.

b. Assigned sanctions for each case will be documented and reported to the Systemwide Title IX Director on a regular basis. The report is to ensure a reasonable level of consistency from campus to campus.

IV. COMPLIANCE/RESPONSIBILITIES

Chancellors will adopt campus implementing regulations consistent with these Policies. The University will publish these Policies and make them widely available, and Chancellors will do the same with respect to the implementing regulations for their campuses. This requirement may be satisfied through the online publication of these Policies and their respective campus implementing regulations. (See also Section 13.20 of these Policies.)

V. PROCEDURES

The President will consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and University wide advisory committees prior to amending these Policies. Chancellors will consult with faculty, students, and staff prior to submitting to the President any campus recommendations related to proposed amendments to these Policies. Amendments that are specifically mandated by law, however, do not require consultation with campus representatives or University wide advisory committees to the extent that legal requirements do not permit such consultation. (See also Section 13.10 of these Policies.)

Chancellors will consult with students (including student governments), faculty, and staff in the development or revision of campus implementing regulations except when the development or revision of such regulations results from changes to these Policies that have been specifically mandated by law. Campuses will specify procedures, including consultation processes, by which campus implementing regulations may be developed or revised. (See also Section 13.30 of these Policies.)

Prior to their adoption, all proposed campus implementing regulations, including all substantive modifications to existing such regulations, will be submitted to the Office of the President for review, in consultation with the Office of the General Counsel, for consistency with these Policies and the law. (See also Section 13.40 of these Policies.)

VI. RELATED INFORMATION

Sexual Harassment and Sexual Violence

Policies Applying to Campus Activities, Organizations, and Students (PACAOS)

VII. FREQUENTLY ASKED QUESTIONS

Not Applicable

VIII. REVISION HISTORY

May 1, 2026: This Policy is formatted to meet Web Content Accessibility Guidelines (WCAG) 2.1. AA

January 1, 2026: Revised for technical updates and to comply with California Assembly Bill (AB) 2987 and AB 1575.

January 1, 2022: Revised to comply with California Senate Bill (SB) 493.

August 14, 2020: Updated to reflect the issuance of PACAOS Appendix F: Sexual Violence and Sexual Harassment Student Adjudication for DOE-Covered Conduct in response to the U.S. Department of Education Title IX regulations issued on May 6, 2020.

July 31, 2019: Revised version incorporating a hearing into adjudication issued. This Policy was remediated to meet Web Content Accessibility Guidelines (WCAG) 2.0.

March 1, 2019: Interim revisions issued.

January 1, 2016: Initial issuance.Appendix

Appendix C: University of California Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct (PACAOS - Appendix F)

Interim PACAOS-Appendix-F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct

Provisional PACAOS-Anexo-F: Marco de investigación y resolución para el Estudiante sobre Violencia Sexual y Acoso Sexual por una Conducta Cubierta por el DOE

臨時PACAOS-附錄-F：針對教育部規定行為的性暴力和性騷擾學生調查和裁決框架

Pansamantalang PACAOS-Apendiks-F: Imbestigasyon sa Seksuwal na Karahasan at Seksuwal na Panliligalig ng Estudyante at Balangkas ng Paghatol para sa Asal na Saklaw ng DOE

Responsible Officer:	VP - Student Affairs
Responsible Office:	SA - Student Affairs
Issuance Date:	12/22/2025
Effective Date:	1/1/2026
Scope:	Consistent with PACAOS 12.00, these Policies and the campus regulations implementing them apply to all campuses and properties of the University and to functions administered by the University, unless in special circumstances the President directs otherwise.

Contact:	Eric Heng
Title:	Director, Student Policies & Governance
Email:	Eric.Heng@ucop.edu
Phone:	(510) 987-0239

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I. POLICY SUMMARY

Consistent with the University *Policy on Sexual Violence and Sexual Harassment (SVSH Policy*) (see Section V.A.5. ("Overview of Resolution Processes") and V.A.6. ("The Investigation Report and Outcome")), the following describes the University's procedures for resolving DOE Formal Complaints of DOE-Covered Conduct, as defined in the *SVSH Policy,* where the responding parties are students, including the sanctioning of students who are found responsible for DOE-Covered Conduct in violation of the *SVSH Policy. Appendix E* describes the University's procedures for resolving reports of other conduct prohibited by the *SVSH Policy*, where the responding parties are students.

Campuses will also apply these procedures to resolve reports of other violations of University policies that apply to students (herein, "student conduct policies") that occur in connection with alleged DOE-Covered Conduct in violation of the *SVSH Policy* (see Appendix IV).

II. DEFINITIONS

Applicable definitions for the *SVSH Policy* can be found at Section II of the *SVSH Policy*.

Applicable definitions for the Policies Applying to Campus Activities, Organizations, and Students (PACAOS), and the campus implementing regulations adopted pursuant to them, are provided in Section 14.00.

III. POLICY TEXT

A. PREFACE

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of Sexual Violence, Sexual Harassment, and other conduct prohibited under the *SVSH Policy* (collectively, "Prohibited Conduct"). Consistent with its legal obligations, including those under Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013, and California Education Code section 67386, the University responds promptly and effectively to reports of Prohibited Conduct under the *SVSH Policy*, and takes appropriate action to stop, prevent, remedy, and when necessary, to discipline behavior that violates the *SVSH Policy*. The University's student disciplinary

procedures emphasize education, personal growth, accountability, and ethical behavior – upholding standards of responsible conduct to protect the welfare of the University community. The procedures are designed to provide a prompt, fair, and impartial resolution of the matter.

The following describes the University's investigation and adjudication (together, "resolution") procedures for resolving Formal Complaints of DOE-Covered Conduct under the *SVSH Policy* or related student conduct policy violations where the responding parties ("Respondents" as defined in the *SVSH Policy*) are students, including the sanctioning of students where such policy violations are determined to have occurred. These procedures also apply to applicants who become students, for offenses committed on campus and/or while participating in University-related events or activities that take place following a student's submittal of the application through their official enrollment.

B. RESOURCES RELATING TO SEXUAL VIOLENCE AND SEXUAL HARASSMENT (STAGE ONE)

The University has a Title IX Office at each campus that is responsible for receiving and responding to reports of Prohibited Conduct under the *SVSH Policy*. Confidential Resources, as defined by the *SVSH Policy*, also are available at each campus both before and after a person communicates with the Title IX Office about potential violations of the *SVSH Policy*. Confidential Resources are also available to a person who chooses not to communicate with the Title IX Office. These Confidential Resources are not required to report Prohibited Conduct to the Title IX Office.

C. REPORT OF AND RESPONSE TO PROHIBITED CONDUCT (STAGE ONE)

1. Consistent with the *SVSH Policy*, the University may consider any person who reportedly experienced Prohibited Conduct a "Complainant," whether or not they make a report or participate in the resolution process.
2. The University will strive to honor the stated wishes of the Complainant concerning whether to move forward with an investigation. In accordance with the *SVSH Policy*, if the Complainant requests that no investigation occur, the Title IX Officer will determine whether the allegations, nonetheless, require an investigation to mitigate a potential risk to the campus community. See *SVSH Policy* Section V.A.5.b. If the Title IX Office begins an investigation despite the Complainant's request, it will provide Complainant with all information required by this and the *SVSH Policy* unless Complainant states in writing that they do not want it.
3. **University-Provided Support Services.** Throughout this resolution process, the University will offer support services for Complainants (through the CARE Advocate) and Respondents (through the Respondent Services Coordinator).
4. **Supportive Measures.** The University will consider and implement Supportive Measures, including Interim Measures, throughout the process as appropriate to protect the safety of the Complainant, the Respondent, or the University community; to restore or preserve a party's access to a University program or activity; or to deter Prohibited Conduct. See *SVSH Policy* II.C.3. and Appendix III. The Title IX Officer will ensure that Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

5. **Interim Actions.** Consistent with PACAOS 107.00, the University may take Interim Actions before a final determination of an alleged violation. For cases involving DOE-Covered Conduct, this standard shall apply instead: A student shall be restricted only to the minimum extent necessary when, based on an individualized safety and risk analysis, there is reasonable cause to believe that the Respondent's participation in University activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the physical health or safety of any person on University property or at official University functions.
6. **Advisors and Support Persons.** At all stages of this process, the Complainant and Respondent (also known as the parties) have the right to select an advisor of their choice or to request that the University provide an advisor to them. With the party's written permission, their advisor will receive updates along with the party throughout the process. The party's advisor will have access to training provided by the University regarding these procedures. The parties also have a right to a support person of their choosing during the process. The advisor and/or the support person may be any person (including an advocate, attorney, friend, or parent) who is not otherwise a party. The advisor's primary role is to provide guidance through the process, and, during the hearing, an advisor is required to ask a party's questions of the other party and witnesses in accordance with Section VII.E.5 below. The only instance in which an advisor may speak on behalf of a party is to ask the party's questions of the other party or witnesses during the hearing.
    a. If a party does not have an advisor available at any point during the hearing, the University will assign a person, without cost to the party, to fulfill the role of asking the party's questions for them. See Section III.D.2.i.
    b. The support person's primary role is to provide emotional support. Generally, the support person may not speak on behalf of a party.
    c. Advisors and support persons may not disrupt any meetings or proceedings in any manner. At all stages of the process, advisors and support persons must comply with the University's rules of conduct for participants in this process ("rules of conduct"). The University reserves the right to exclude an advisor and/or support person who does not abide by all these procedures.
7. **Party Participation.** Neither the Complainant nor the Respondent is required to participate in the resolution process outlined in these procedures. The University will not draw any adverse inferences from a Complainant or Respondent's decision not to participate or to remain silent during the process. An investigator or hearing officer, in the investigation or the hearing respectively, will reach findings and conclusions based on the information available.
8. **Selective Participation.** When a party selectively participates in the process – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – an investigator or hearing officer may consider the selective participation in evaluating the party's credibility. In doing so, they should try to discern reasonable non-adverse explanations for the selective participation,

including from the parties' own explanations, and determine whether the information available supports those explanations.

9. **University's Neutral Role.** In all cases, including where the Complainant chooses not to participate or where there is no Complainant as provided for in the *SVSH Policy* (II.C.1.) and this policy (III.A.), the University's role is neutral, and it will conduct any factfinding and sanctioning without taking the position of either party.
10. **Case Management Team.** The campus Case Management Team (CMT) will track all stages of the resolution process under these procedures.
11. **Training**. All University officials involved in this resolution process will be trained to carry out their roles in an impartial manner in keeping with trauma-informed practices.
12. **Standard of Proof.** The standard of proof for factfinding and determining whether a policy violation(s) occurred is Preponderance of Evidence, as defined by the *SVSH Policy*. A Respondent will not be found responsible for a violation of the *SVSH Policy* and/or other student conduct policies unless the evidence establishes it is more likely than not that they violated the *SVSH Policy* and/or other student conduct policies.
13. **Extension of Deadlines.** The Title IX Officer may extend any deadlines contained herein consistent with the *SVSH Policy* as applicable, and for good cause shown and documented. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.
14. **Disability-Related Accommodations**. The Title IX Office will consider requests from parties and witnesses for disability-related accommodations.
15. **Requests for Language Interpretation.** The Title IX Office will consider requests from parties and witnesses for language interpretation.
16. **Dismissal of DOE-Covered Conduct Charges.** If at any time during the investigation the Title IX Officer determines that the alleged conduct did not occur in the University's program or activity or that the Complainant was not in the United States at the time of the alleged conduct, the Title IX Officer must dismiss the DOE-Covered Conduct charges regarding that conduct from the DOE Grievance Process and proceed as set forth in the *SVSH Policy* Appendix IV.

D. INVESTIGATION OF FORMAL COMPLAINT OF DOE-COVERED CONDUCT (STAGE TWO)

1. Commencing a DOE Grievance Process

Upon receipt of information about alleged Prohibited Conduct, the Title IX Officer will determine, consistent with the University's *SVSH Policy*, whether to initiate a DOE Grievance Process (see *SVSH Policy,* Sections V.A.4 and 5 for the alternate paths that the Title IX Officer may instead determine to be appropriate). When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

2. Notice of Charges

If a DOE Grievance Process will be conducted, the Title IX Officer, after consulting with Student Conduct, will send written notice of the charges to the Complainant and Respondent. The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview. The notice will include:

a. A summary of the reported conduct that potentially violated the *SVSH Policy* and, where applicable, other student conduct policy;

b. the identities of the parties involved;

c. the date, time, and location of the reported incident(s) (to the extent known);

d. the specific provisions of the *SVSH Policy*, including the DOE- Covered Conduct and any other Prohibited Conduct, and/or any other student conduct policy potentially violated;

e. a statement that the investigative report, when issued, will make factual findings and a preliminary determination regarding whether there has been a violation of the *SVSH Policy* and/or other student conduct policy;

f. a statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;

g. a statement that it is a violation of University policy to furnish false information to the University, but that an investigative preliminary determination or a hearing officer's determination regarding responsibility that is inconsistent with the information that a party furnished does not, in and of itself, indicate that that information was false;

h. a statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related to whether a policy violation occurred;

i. a statement that the parties have the right to select an advisor of their choice or to request that the University provide an advisor to them who will, with the party's written permission, receive updates along with the party throughout the process;

j. a statement that the party's advisor will have access to training provided by the University regarding these procedures;

k. a statement that the parties have a right to a support person of their choosing during the process;

l. a statement that status updates will be provided upon request of a Complainant or Respondent and every 30 days until the final outcome of a complaint is determined, unless a party notifies the Title IX Officer in writing that the party chooses to opt out of such updates;

m. a statement that the factual findings and preliminary determination will be based on a Preponderance of Evidence standard;

n. a statement that a determination of whether a policy violation has occurred will

be made only after the process is complete and therefore there is, at the outset, no presumption that the Respondent is responsible for a policy violation;

o. when applicable, a statement that if it is preliminarily determined that a DOE-Covered Conduct violation did not occur, the investigator will still make a preliminary determination in the investigative report of whether other violations of the *SVSH Policy* occurred;

p. a summary of the resolution process, including the possible hearing, and the expected timeline;

q. an admonition against Retaliation; and

r. a summary of rights and resources available to the Complainant and Respondent.

At any point during the investigation, the Title IX Officer may amend the notice to add additional charges identified during the investigation. Any amended notice should include all the information described above.

3. **Investigation Process**

The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. The burden of gathering evidence sufficient to reach a preliminary determination regarding whether violation(s) of the *SVSH Policy* occurred rests with the investigator. Absent an extension for good cause, the Title IX Office will typically complete its investigation within 60 to 90 business days from the date of the notice of charges:

a. During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit evidence, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing. The investigator has discretion to determine which witnesses to interview based on the relevance of the evidence they allegedly would offer, and to determine what questions to ask, and will decline to ask questions that are not relevant or unduly repetitive, or that would violate the SVSH rules of conduct.

b. The investigator will meet separately with the Complainant, Respondent, and witnesses, and will gather other available and relevant evidence. The investigator may follow up with the Complainant, the Respondent, and witnesses as needed to clarify any inconsistencies or evidence gathered during the course of the investigation.

c. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.

i. The investigator will generally consider direct observations and reasonable

inferences from the facts.

ii. The investigator will generally not consider statements of personal opinion as to anyone's general reputation or any character trait.

iii. The investigator may consider prior or subsequent conduct of the Respondent in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct or other conduct prohibited by student conduct policies by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of an *SVSH Policy* or other policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct or related student conduct policy violation under investigation.

d. **Sexual History.** The investigator will not, as a general rule, consider the sexual history of a Complainant or Respondent. However, in limited circumstances, sexual history may be directly relevant to the investigation.

i. As to Complainants: While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under investigation. Further, evidence of specific past sexual encounters may be relevant to whether someone other than Respondent was the source of relevant physical evidence.

ii. As to Respondents: Sexual history of a Respondent might be relevant to show a pattern of behavior by Respondent in accordance with Section III.D.3.c.iii, or resolve another issue of importance in the investigation.

iii. Sexual history evidence that shows a party's reputation or character will never be considered relevant on its own.

iv. The investigator will consider proffered evidence of sexual history, and provide it to the parties for review under Section III.D.5. below, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

e. **Clinical Records.** During the investigation, the investigator will not access, review, consider, disclose, or otherwise use a Complainant's or Respondent's medical or behavioral health records that are made in connection with treatment without the party's voluntary written consent.

f. **Privileged Records.** During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege without the party's voluntary written consent.

g. **Expert Evidence.** The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred.

i. If a party wishes for expert evidence to be considered, they will make a written request to the Title IX Officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the person(s).

ii. The Title IX Officer will grant the request for the proposed expert to provide evidence if the proposed evidence is relevant and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.

iii. If the Title IX Officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX Office may also retain its own expert on any issue on which one or both parties will be presenting expert evidence; the Title IX Office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.

iv. As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence.

v. In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

4. **Coordination with Law Enforcement**

When a law enforcement agency is conducting its own investigation, the investigator should coordinate their factfinding efforts with the law enforcement investigation in accordance with the *SVSH Policy* (See *SVSH Policy* Section V.A.5.b.i and *SVSH Policy* FAQs 7 and 8). A reasonable delay resulting from such coordination may be good cause for extending the timelines to complete the investigation. If so, the delay will be communicated and documented in accordance with the *SVSH Policy*.

5. **Opportunity to Review and Respond**

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related – a standard broader than relevance – including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, of at least 10 business days.

6. **Investigation Report**

The investigator will prepare a written report that includes the factual allegations and alleged policy violations, statements of the parties and witnesses, a summary of the evidence the investigator considered, findings of fact, credibility determinations when appropriate, an analysis of whether a policy violation has occurred, and a preliminary determination regarding whether there are any policy violations. The investigator may consult with Student Conduct on the preliminary determinations regarding violations of student conduct policies other than the *SVSH Policy*. If credibility determinations were not necessary to reach the findings and preliminary policy determinations, the report will so note and explain why. If the Complainant or Respondent offered witnesses or other evidence that was not considered by the investigator, the investigation report will include an explanation of why it was not considered. The investigation report should also indicate when and how the parties were given an opportunity to review the evidence (see Section 5 above). The investigation report will include an analysis and preliminary determination of each charge included in the notice of charges.

7. **Issuance of Notice and Report**

a. Upon completion of the Title IX Investigation, the Title IX Officer will provide to the Complainant and the Respondent (a) written notice of the factual findings and preliminary determinations, and (b) the investigation report. The investigation report may be redacted to protect privacy. The Title IX Officer will provide Student Conduct with the written notice and an unredacted copy of the investigation report.

b. The notice of the factual findings and preliminary determinations will include the following:

i. A summary statement of the factual findings and preliminary determinations regarding whether the *SVSH Policy* or other student conduct policies have been violated;

v. In cases where the investigator preliminarily determines a policy violation(s) occurred, an explanation of how the proposed sanction will be determined, including that each party will have an opportunity to provide input on sanctions through a meeting with Student Conduct and/or written statement (see Section E);

vi. A statement that each party may provide a written response to the investigation report indicating whether they accept or do not accept the preliminary determination (see Section F);

vii. A statement that, unless both parties accept the preliminary determination as to policy violation(s), there will be a factfinding hearing to determine whether the *SVSH Policy* or other student conduct policies have been violated, after which Student Conduct will determine any sanctions;

viii. An explanation of the procedures and timeline for accepting the preliminary determination (see Section F);

ix. A statement that if both parties accept the preliminary determination, they still will have the right to appeal the sanction, if any;

x. An admonition against Retaliation; and

xi. An explanation of any Supportive Measures that will remain in place.

8. **Access to Certain Investigation Records**

After issuance of the investigator's written report, the investigation file, consisting of the investigation report and any evidence deemed directly related by the investigator (as documented in the investigation report), must be retained by the Title IX Officer and made available to the parties for inspection upon request. It may be redacted to protect privacy.

E. PROPOSED SANCTION (STAGE TWO) In cases where the investigator preliminarily determines a policy violation occurred:

1. **Party Input**

Either party may schedule a meeting with or submit a written statement to Student Conduct to provide input on sanctions. A party intending to do so will, within three days of receiving the notice of preliminary determination, either contact Student Conduct to schedule the meeting or submit the written statement to that office.

2. **Student Conduct Proposal**

Student Conduct will review the report, the evidence deemed relevant by the investigator as documented in the report, the preliminary determinations, Respondent's prior conduct record, any comment on sanctions from the parties (received either in person or in writing), and any other information relevant to the factors described in Section I, and will determine a proposed sanction. Student Conduct will propose a sanction in all cases where there is a preliminary determination that the policy was violated.

3. **Notification**

Student Conduct will notify the parties of the proposed sanction and supporting rationale within 15 business days of the notice of investigative findings and preliminary determination.

4. **Student Conduct Meeting**

When possible, a party's meeting with Student Conduct to provide input on sanctions will be combined with the meeting contemplated in Section III.F.1.

F. OPPORTUNITY TO ACCEPT THE PRELIMINARY DETERMINATION (STAGE THREE)

Unless both parties accept the investigator's preliminary determinations as to whether or not the policy was violated, there will be a factfinding hearing to determine whether the *SVSH Policy* or other student conduct policies have been violated, after which Student Conduct will determine any sanctions.

1. **Opportunity to Discuss Options**

   If either party wishes to discuss the possibility of accepting and the implications of accepting or not accepting the preliminary determination, including the hearing that will result if either party does not accept the preliminary determination, they may discuss their options with Student Conduct (even if the investigator's preliminary determination was that no policy violation occurred). If either party wishes to meet with Student Conduct, they will contact Student Conduct within 3 business days of receiving the notice of preliminary determination to schedule the meeting.

2. **Accepting the Preliminary Decision**

   a. Either party may accept the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

   b. A party may accept the preliminary determination by providing Student Conduct with a written response stating that the party accepts the preliminary determination and wishes not to proceed with a hearing. A party may also provide Student Conduct with a written response stating that the party does not accept the preliminary determination.

   c. If both parties provide a written response that they do not wish to proceed with a hearing during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and Student Conduct will impose the proposed sanction, and the parties will have the right to appeal the sanction.

3. **Consideration of Consolidation of Related Cases**

   Where a case arises out of substantially the same set of factual allegations as another case in the student resolution process (for example, where multiple Complainants or Respondents are involved in the same incident), or where it involves the same Complainant and Respondent, the Title IX Officer has discretion to coordinate or combine the investigation and/or adjudication of those cases.

4. **Notice of Hearing or No Hearing**

   a. Unless both parties accept the preliminary determination by the end of the 20 business days, Student Conduct will notify the parties that there will be a hearing. The notice of hearing will include a summary of the hearing procedures described in Section III.G.5.

   b. Alternatively, if both parties accept the preliminary determination, Student

Conduct will notify the parties that there will be no hearing. This notice will indicate that the preliminary determination as to policy violation(s) that the parties chose to accept is final, and that Student Conduct is imposing the proposed sanction (if any); and that the parties have the right to appeal the sanction. This notification, which includes the disciplinary decision, must occur within 5 business days of all parties accepting the preliminary determination.

G. HEARING TO DETERMINE POLICY VIOLATIONS (STAGE FOUR)

1. Factfinding Hearing

Unless both parties accept the investigator's preliminary determinations, there will be a factfinding hearing before a single hearing officer. The hearing is to determine whether a violation of the *SVSH Policy* (and any non-*SVSH Policy* violations charged in conjunction with them) occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

2. Hearing Officer

a. The hearing officer may be a University employee or outside contractor and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

b. The hearing coordinator will inform the parties of the hearing officer's identity. Within 5 business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

   i. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.

   ii. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.

   iii. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

c. Student Conduct will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

3. Hearing Coordinator

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

4. Pre-Hearing Procedures

a. When a hearing is required under these procedures, the hearing officer and hearing coordinator will hold a separate meeting (in person or remotely) with

each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

i. The hearing coordinator will provide written notice to each party of their prehearing meeting, including time, location (or if remote, call instructions), and purpose of the meeting, at least 10 business days before the pre-hearing meeting.

ii. No later than 5 business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence, see Section III.G.4.c. below.

iii. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.

iv. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.

v. The hearing officer and/or coordinator will explain what to expect at the hearing, see Section III.G.5. below.

vi. The hearing officer and/or coordinator will also discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate. These may include, for example, use of lived names and pronouns during the hearing, including in screen names; a party's right to have their support person available to them at all times during the hearing; a hearing participant's ability to request a break during the hearing, except when a question is pending.

vii. The hearing officer and/or coordinator will inform the parties that the hearing will be conducted remotely. If a party believes that they need a University-provided physical space or technological equipment or assistance to participate remotely – for example because of safety or privacy concerns, or a disability – they may request such resources of the hearing coordinator during the prehearing meeting. The hearing coordinator will respond to any such request in writing within 5 business days of the prehearing meeting.

viii. The parties and their advisors, if they have one at this stage of the process, are expected to participate in the pre-hearing meeting.

ix. If a party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have 2 business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the 2 business

days, the hearing will proceed but the non-participating party will be presumed to agree with the hearing officer's definition of the scope of the hearing.

b. Within 5 business days after concluding meetings with both parties (or determining that a party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses on the basis of relevance. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

   Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

   i. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements in Section III.D.3.c.;

   ii. Decide any procedural issues for the hearing; and/or

   iii. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

c. Within 5 business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony, that they would like to present.

d. Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

e. The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Testimony by the Title IX investigator may be appropriate to help resolve disputes about the authenticity of evidence summarized in the investigation report and at issue at the hearing, or whether the investigator accurately memorialized a party's or witness's statement in the investigation. The Title IX investigator should not be questioned about their assessment of party or witness credibility, nor the investigative process generally, nor their preliminary determination of whether policy violations occurred, because the hearing officer will make their own credibility determinations and determination of policy violation(s) so this information would not be relevant.

f. Based on the hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing. The University cannot compel parties or witnesses to testify in the hearing and their decision not to testify will not be a reason to cancel or postpone a hearing.

g. At least 2 business days prior to the hearing, the parties will receive the hearing

officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why that evidence was not relevant. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.

h. The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator and hearing officer before the hearing, but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.

i. At any point before the hearing, if a party anticipates that they will not have an advisor available at the hearing to ask their questions for them, they should let the hearing coordinator know, to allow the University to plan for assigning the party a person to ask the party's questions at the hearing ("Reader"). Even without notice or during a hearing in progress, however, the University will provide such a resource if a party does not have one. If any party does not have an advisor available at the hearing for the purpose of asking their questions for them, the hearing coordinator will assign a person to fulfill the sole and specific function of asking the party's questions (and not of serving as their advisor more generally), without cost to the party.

5. **Hearing Procedures**

a. The hearing will be conducted in a respectful manner that promotes fairness and accurate factfinding and that complies with the rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer and the parties' advisors (or Readers if they do not have advisors), consistent with paragraph e. below, may question witnesses and parties.

b. The hearing will be conducted remotely, with any modifications the hearing coordinator has made in response to a party's request for assistance, see Section III.G.4.vii. above.

c. Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider, that is rely on, all evidence they determine to be relevant and reliable. The hearing officer may determine the relevance and weigh the value of any witness testimony or other evidence to the findings, subject to paragraph g. below. The hearing officer will also follow the evidentiary principles in Section III.D.3.c. Throughout the hearing, the hearing officer will:

i. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and require rephrasing of questions that violate the rules of conduct, and implement the evidentiary principles and procedural requirements in Section III.D.3.c.

ii. Decide any procedural issues for the hearing, and/or

iii. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

d. Parties will be able to see and hear (or, if deaf or hard of hearing, to access through auxiliary aids for services) all questioning and testimony at the hearing, if they choose to. Witnesses (other than the parties) will attend the hearing only for their own testimony.

e. Questioning at the Hearing. The hearing officer may ask questions of all parties and witnesses that are relevant, including those that are relevant to assessing credibility. Each party's advisor may ask questions of the other party (not their party) and witnesses that are relevant, including those that are relevant to assessing credibility. As noted in Section III.G.4.i. above, the University will assign a person to ask a party's questions whenever a party does not have an advisor at the hearing. The evidentiary principles in Section III.D.3.c. will apply throughout.

i. The hearing officer will determine the order of questioning of the parties and witnesses. For each party or witness, the hearing officer will ask their own questions first.

ii. Each party will prepare their questions, including any follow up questions, for the other party and witnesses, and will provide them to their advisor. The advisor will ask the questions as the party has provided them and may not ask questions that the advisor themselves have developed without their party.

iii. If a party does not attend the hearing, the hearing will still proceed, and they may still have their advisor - or if they do not have one, a University-assigned Reader – ask the questions that they have prepared.

iv. When a party's advisor is asking questions of the other party or a witness, the hearing officer will determine whether each question is relevant before the party or witness answers it and will exclude any that are not relevant or unduly repetitive, and will require rephrasing of any questions that violate the rules of conduct. If the hearing officer determines that a question should be excluded as not relevant, they will explain their reasoning.

v. At any time, the hearing officer may ask follow up questions of the parties and witnesses.

vi. Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record.

vii. Any expert witnesses identified during the investigation, see Section III.D.3.f, will be subject to these same questioning procedures.

f. The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.

g. In cases where the credibility of a witness is not central to the determination of a particular disputed issue and the witness does not appear at the hearing, the hearing officer may determine what weight to give to their statements from the investigation report.

h. The principles in Sections III.C.7. and 8. shall apply.

i. The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the participation of support persons in accordance with these procedures.

j. The hearing officer will allow the parties and/or witnesses to be visually separated during the hearing except as noted in paragraph d. above. This may include, but is not limited to, videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

k. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing.

l. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

m. The University will audio record the hearing and make the recording available for the parties' review at their request.

n. The parties may have their advisors and support persons present throughout the hearing. See Section III.C.6.

6. **Determination of Policy Violation**

a. *Standards for Deliberation.* The hearing officer will decide whether a violation of the *SVSH Policy* (or related non-*SVSH Policy* violation) occurred based on a Preponderance of Evidence standard.

b. Information Considered. The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. The evidentiary principles in Section III.D.3.c. shall also apply. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

7. **Sanction**

If the hearing officer decides that any policy violation has occurred, they will send their determination and findings to Student Conduct within 10 business days of the hearing. Based on the hearing officer's findings and determinations, and other information relevant to sanctioning (see Section III.I.4.), Student Conduct will determine an appropriate sanction.

8. **Notice of Determination and Sanction**

   Within 15 business days of the hearing, the hearing coordinator will send simultaneous written notice to the Complainant and Respondent (with a copy to the Title IX Officer and Student Conduct) setting forth the hearing officer's determination on whether the *SVSH Policy* and/or other student conduct policies have been violated, and, if so, Student Conduct's determination of any sanctions to be imposed. The written notice will include the following:

   a. A summary of the allegations that would constitute DOE-Covered Conduct and other Prohibited Conduct under the *SVSH Policy*, and any other related student conduct violations;

   b. The determinations of whether the *SVSH Policy* and/or other student conduct policies have been violated;

   c. If so, a description of the sanctions;

   d. That the Title IX Officer will determine whether Complainant will be provided additional remedies, and will inform Complainant of that determination;

   e. A description of the procedural history of the complaint;

   f. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;

   g. A summary of the facts found by the investigator that the parties did not dispute;

   h. The rationale for the determination of each charge;

   i. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of whether other charged conduct, including other *SVSH Policy* violations, occurred;

   j. The rationale for any sanctions;

   k. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal; and

   l. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures.

9. **Documentation of Hearing**

   Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination and any sanction has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

H. APPEAL PROCESS (STAGE FIVE)

1. **Equal Opportunity to Appeal**

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process but is not a party and does not advocate for or against any appeal.

2. **Grounds for Appeal**

   A party may appeal only on the grounds described in this section. The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the available grounds.

   a. In cases where there was a hearing, the following grounds for appeal apply:

      i. There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;

      ii. There is new evidence that was not reasonably available at the time of the hearing and that could have materially affected the outcome;

      iii. The hearing officer had a conflict of interest or bias that affected the outcome;

      iv. The determination regarding policy violation was unreasonable based on the evidence before the hearing officer; this ground is available only to a party who participated in the hearing; and

      v. The sanctions were disproportionate to the hearing officer's findings.

   b. In cases where there was no hearing because the parties both decided to accept the preliminary determination (see Section F.), the parties may appeal on only one ground: that the sanctions were disproportionate to the preliminary determination regarding policy violations that was accepted.

3. **Commencing an Appeal**

   a. In cases where there was a hearing, an appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination and, if imposed, the disciplinary sanctions (see Section III.G.8.). The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. Student Conduct will notify the other party of the appeal and that the other party will have an opportunity to submit a written statement in response to the appeal, within three business days. If the appeal includes the ground that the sanction is disproportionate, Student Conduct will also inform that parties that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.

   b. In cases where the parties accepted the preliminary determination, an appeal must be submitted in writing to Student Conduct within 10 business days following Student Conduct's notice to the parties that the preliminary determination was final and that Student Conduct would impose the proposed sanction (see Section III.F.4.b.). Student Conduct will notify the other party of the appeal and that the other party will have an opportunity to submit a written statement in response to the appeal, within 5 business days. Student Conduct will also inform the parties that they have an opportunity to meet with the appeal

officer to discuss the proportionality of the sanction.

4. **Appeal Decision**

a. *Standards for Deliberation.* The appeal officer, who will not be the same person as the Title IX Officer or investigator, or hearing officer or hearing coordinator, will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. In disproportionate sanction appeals, they may also consider any input parties provide in a meeting per Section III.H.4.b., below. They will not make their own factual findings, nor any witness credibility determinations.

b. *Disproportionate Sanction Appeals – Opportunity for Meeting*. In cases where a ground of appeal is disproportionate sanction, the parties may meet separately with the appeal officer for the limited purpose of providing input on their desired outcomes as to sanctions only.

c. *Decision by Appeal Officer*. The appeal officer may:

i. Uphold the findings and sanctions;

ii. Overturn the findings or sanctions;

iii. Modify the findings or sanctions; or

viii. In appeals alleging material procedural error or new evidence (Section III.H.2.a.(i) or (ii) above), send the case back to the hearing officer for further factfinding if needed, for example on the issue of whether the alleged error or new evidence would have materially affected the outcome.

d. *Written Report.* The appeal officer will summarize their decision in a written report that includes the following:

i. A statement of the grounds identified on appeal;

ii. A summary of the information considered by the appeal officer; and

iii. The decision of the appeal officer and the rationale for the decision including, where the findings or sanctions are overturned or modified, an explanation of why the ground(s) for appeal were proven.

e. *Distribution of Written Decision*. Within 10 business days of receiving the appeal, the appeal officer will send their written decision to Complainant and Respondent (with copies sent to the Title IX Officer and Student Conduct).

i. Unless the appeal officer remands the matter, they will inform the Respondent and the Complainant that the matter is closed with no further right to appeal.

ii. If the appeal officer remands the matter, they will specify what further factfinding should occur or what additional information should be considered and request that the hearing officer report back to the appeal officer on their additional factfinding. After receiving the hearing officer's additional factual findings, the appeal officer will issue their decision within 10 business days. This decision will be final.

I. PRINCIPLES, OPTIONS, AND FACTORS IN STUDENT SANCTIONS

1. Introduction

These standards are intended to promote the consistent and proportionate application of disciplinary sanctions by the University in responding to conduct that violates the University's *Policy on Sexual Violence and Sexual Harassment* and the applicable portions of the University's *Policies Applying to Campus Activities, Organizations, and Students* (PACAOS) – Section 100.00 (*Policy on Student Conduct and Discipline*).[1] The following describes the University's principles, options, and factors to consider in assigning sanctions when the Respondent is a student.

2. Principles

a. The administration of student discipline will be consistent with the *Policy on Student Conduct and Discipline*.

b. When a student is found responsible for violating the University's *SVSH Policy* or other student conduct policies, the University will assign sanctions that are proportionate and appropriate to the violation, taking into consideration the context and seriousness of the violation. The University is also committed to providing appropriate remedial measures to Complainant, as described in the *SVSH Policy*.

c. When a student is found not responsible for violating the University's *SVSH Policy* and other student conduct policies, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.

d. Sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Sanctions also serve the purpose of stopping Prohibited Conduct under the *SVSH Policy* and preventing its recurrence.

e. The University recognizes that acts of Sexual Violence, Sexual Harassment and other forms of Prohibited Conduct are contrary to its goals of providing an educational environment that is safe and equal for all students.

f. University of California campuses are encouraged to inform other UC campuses of a student's disciplinary record for violating the University's *SVSH Policy* and other student conduct policies.

3. Sanctioning Options

a. University sanctions include, but are not limited to:

i. Dismissal from the University of California;

ii. Suspension from the University of California;

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[1] This supplements the Policies Applying to Campus Activities, Organizations, and Students (PACAOS, 5/10/2012). In the event of any conflict this document takes precedence.

iii. Exclusion from areas of the campus and/or from official University functions;

iv. Loss of privileges and/or exclusion from activities;

v. Restitution;

vi. Probation;

vii. Censure/Warning; and/or

viii. Other actions as set forth in University policy and campus regulations.

In contrast to Supportive Measures, which may not be disciplinary or punitive and may not unreasonably burden a party, sanctions may impose greater burdens on a Respondent found responsible for *SVSH Policy* violations.

b. The definitions of sanctions are found in *PACAOS* Section 105.00 (Types of Student Disciplinary Action) of the *Policy on Student Conduct and Discipline* and local campus regulations.

c. The posting of sanctions on academic transcripts will follow University policy as defined in *PACAOS*, Section 106.00 of the *Policy on Student Conduct and Discipline.*

4. **Factors Considered in Determining Sanctions**

a. In all cases, when determining the appropriate and proportionate sanction, the following factors will be taken into account when applicable:

i. Seriousness of violation: location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; use of authority to abuse trust or confidence; presence of weapons; use of force or violence; physical injury; menace; duress; deliberately causing or taking advantage of a person's incapacitation; and recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.

ii. Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; planned or predatory conduct; hate or bias based on the Complainant's membership or perceived membership in a protected group as defined in PACAOS Section 104.90 of the Policy on Student Conduct and Discipline.

iii. Whether the conduct is aggravated, as defined in the *SVSH Policy*.

iv. Response following violation: voluntarily acknowledged wrongdoing at early stage of the process; failure to follow no contact order; attempt to influence witnesses; obstructed or disrupted the process.

v. Disciplinary history: unrelated prior violations; related prior violations.

vi. Impact on others: input from the Complainant; protection or safety of the Complainant or the community.

5. **Sanctions for Certain Conduct**

a. Sanctions will be assigned as follows:

i. Sexual Assault – Penetration or Sexual Assault – Contact that is aggravated

as defined in the *SVSH Policy* will result in a minimum sanction of suspension for two calendar years.

ii. Sexual Assault – Penetration, Domestic or Dating Violence, or Stalking will result in a minimum sanction of suspension for two calendar years unless there are exceptional circumstances.

iii. Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year, unless there are exceptional circumstances.

iii. Sexual Harassment and Other Prohibited Behavior, as defined by the *SVSH Policy*, will not result in any minimum sanction but will be sanctioned in accordance with the factors identified in Section 4. above.

b. Assigned sanctions for each case will be documented and reported to the Systemwide Title IX Director on a regular basis. The report is to ensure a reasonable level of consistency from campus to campus.

IV. COMPLIANCE / RESPONSIBILITIES

Chancellors will adopt campus implementing regulations consistent with these Policies. The University will publish these Policies and make them widely available, and Chancellors will do the same with respect to the implementing regulations for their campuses. This requirement may be satisfied through the online publication of these Policies and their respective campus implementing regulations. (See also Section 13.20 of these Policies).

V. PROCEDURES

The President will consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and University wide advisory committees prior to amending these Policies. Chancellors will consult with faculty, students, and staff prior to submitting to the President any campus recommendations related to proposed amendments to these Policies. Amendments that are specifically mandated by law, however, do not require consultation with campus representatives or University wide advisory committees to the extent that legal requirements do not permit such consultation. (See also Section 13.10 of these Policies.)

Chancellors will consult with students (including student governments), faculty, and staff in the development or revision of campus implementing regulations except when the development or revision of such regulations results from changes to these Policies that have been specifically mandated by law. Campuses will specify procedures, including consultation processes, by which campus implementing regulations may be developed or revised. (See also Section 13.30 of these Policies.)

Prior to their adoption, all proposed campus implementing regulations, including all substantive modifications to existing such regulations, will be submitted to the Office of the President for review, in consultation with the Office of the General Counsel, for consistency with these Policies and the law. (See also Section 13.40 of these Policies.)

VI. RELATED INFORMATION

Sexual Harassment and Sexual Violence

Policies Applying to Campus Activities, Organizations, and Students (PACAOS)

VII. FREQUENTLY ASKED QUESTIONS

Not Applicable

VIII. REVISION HISTORY

May 1, 2026: This Policy is formatted to meet Web Content Accessibility Guidelines (WCAG) 2.1. AA

January 1, 2026: Revised for technical updates and to comply with California Assembly Bill (AB) 2987 and AB 1575.

January 1, 2022: Revised to comply with California Senate Bill (SB) 493. Revised pursuant to the Department of Education's August 24, 2021 communication that the Title IX regulatory provision barring the hearing officer from considering a party or witness's prior statements if they don't testify at the hearing is ineffective.

August 14, 2020: Initial issuance.

This Policy is also reformatted to meet Web Content Accessibility Guidelines (WCAG) 2.0.

Appendix D: University of California Sexual Violence and Sexual Harrassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel

University of California
Sexual Violence and Sexual Harassment
Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel
Interim Revisions

INTRODUCTION

Consistent with the UC Policy on Sexual Violence and Sexual Harassment ("SVSH Policy"), the following describes the University's process for investigating and adjudicating alleged violations of the SVSH Policy in instances where the Respondent is either a University employee whose conduct is governed by Personnel Policies for Staff Members ("PPSMs"), and who is subject to disciplinary and termination procedures set forth in PPSM 62 (Corrective Action – Professional and Support Staff) and PPSM 64 (Termination and Job Abandonment) or a non-faculty academic appointee who is subject to disciplinary procedures under the Academic Personnel Manual ("APM"), APM-150 (Non-Senate Academic Appointees/Corrective Action and Dismissal).[1]

The Title IX regulations issued by the US Department of Education ("DOE") that went into effect August 14, 2020, require the University to follow a specific grievance process ("DOE Grievance Process") in response to conduct covered by the regulations ("DOE-Covered Conduct"). The Title IX Officer will determine during their initial assessment of a report whether it alleges DOE-Covered Conduct and, if so, whether to open a DOE Grievance Process. Alleged conduct is DOE-Covered Conduct if it is a type of misconduct covered by the regulations ("DOE Sex-Based Misconduct") that occurred in a University program or activity while the Complainant was in the United States. This assessment is described in detail in Appendix IV of the SVSH Policy. The following, read with the attached DOE Addendum, describes the process for investigating and adjudicating alleged violations of the SVSH Policy that include DOE-Covered Conduct.

A flow chart illustrating the processes for complaints against PPSM covered employees can be found in Attachments 1 and 1.A. A flow chart illustrating the process for complaints against non-faculty academic appointees can be found in Attachments 2 and 2.A.

This document should be read in conjunction with the SVSH Policy, as well as applicable PPSMs, including PPSM 62, PPSM 63 (Investigatory Leave) and PPSM 64, and applicable provisions of the APM, including APM-150. The documents also incorporate recommendations issued by the President's Committee on Sexual Violence Sexual Harassment Disciplinary Process for UC Personnel other than Faculty.

Applicable definitions from the SVSH Policy are incorporated herein. Other definitions are found in the applicable PPSMs and applicable APMs and are incorporated herein.

For more information, see the SVSH Policy, PPSM manual, and the APM.

I. REPORTING OPTIONS AND RESOURCES (Stage 0)

These reporting options and resources are available for any conduct prohibited by the SVSH Policy ("Prohibited Conduct"), including DOE-Covered Conduct.

[1] For all represented staff and academic personnel who are covered by a Memorandum of Understanding with an exclusive bargaining agent, where there is a conflict with their collective bargaining agreement and this Investigation and Adjudication Framework, the collective bargaining agreement provision will apply, except as required by Federal law and regulations. When the Respondent is represented, please refer to the relevant complaint resolution, investigation, grievance, and disciplinary procedures contained in the represented Respondent's collective bargaining agreement in conjunction with this Framework.

A. Reporting Options

Any person may make a report, including anonymously, of Prohibited Conduct to the Title IX Office. The Title IX Office is responsible for receiving and responding to reports of Prohibited Conduct.

A person may also make a report to a Responsible Employee as defined by the SVSH Policy. The SVSH Policy requires a Responsible Employee who becomes aware of an incident of Prohibited Conduct to report it to the University by contacting their location's Title IX Officer or designee.

While there is no time limit for reporting, reports of Prohibited Conduct should be brought forward as soon as possible.

A Complainant may choose to make a report to the University and may also choose to make a report to law enforcement. A Complainant may pursue either or both of these options at the same time. Anyone who wishes to report to law enforcement can contact the UC Police Department at their location.

B. Confidential Resources

The University offers access to confidential resources for individuals who have experienced Prohibited Conduct and are seeking counseling, emotional support, or confidential information about how to make a report to the University. University Confidential Resources are defined pursuant to the SVSH Policy and include individuals who receive reports in their confidential capacity such as advocates in the CARE Office, as well as licensed counselors (e.g., Employee Assistance Program (EAP) and Counseling and Psychological Services (CAPS)), and Ombuds.

These individuals can provide confidential advice and counseling without that information being disclosed to the Title IX Office or law enforcement, unless there is a threat of serious harm to the individual or others or a legal obligation that requires disclosures (such as suspected abuse of a minor).

II. INITIAL ASSESSMENT (Stage 1)

Upon receipt of a report of or information about alleged Prohibited Conduct, the Title IX Officer will make an initial assessment in accordance with the SVSH Policy, which will include making an immediate assessment concerning the health and safety of the Complainant and the campus community.

The Title IX Officer will also determine:

- whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination, and
- if the alleged conduct is DOE-Covered Conduct, whether it arose outside the University's postsecondary program, meaning in the context of: (i) the Respondent providing patient care to the Complainant or a person in the Complainant's charge, (ii) a program or activity provided for the benefit of minors, including elementary and secondary schools, and the Complainant is a beneficiary, (iii) a program or

activity provided for the benefit of people with intellectual disabilities (such as the UC Davis SEED Scholar program), and the Complainant is a beneficiary, (iv) a program or activity of Agricultural and Natural Resources or Lawrence Berkeley National Laboratory, or (v) a service or function of the UC Police Department ("No-Title IX Hearing" DOE-Covered Conduct).

These determinations affect the steps in the adjudication process that precedes decisions on corrective action, if there is one. The process for Prohibited Conduct that is not DOE-Covered Conduct does not include a hearing or appeal, the process for No-Title IX Hearing DOE-Covered Conduct does not include a hearing but may include an appeal, and the process for all other DOE-Covered Conduct may include both a hearing and an appeal.

The initial assessment process described below is for all reports of Prohibited Conduct, including DOE-Covered Conduct. A special dismissal provision that applies specifically to complaints of DOE-Covered Conduct is in the DOE Addendum.

A. Supportive Measures

The University will also consider and implement Supportive Measures, including Interim Measures, as appropriate to protect the safety of the parties or the University community; to restore or preserve a party's access to a University program or activity; or to deter Prohibited Conduct per the SVSH Policy.

Investigatory leave of a PPSM-covered Respondent may be imposed in accordance with PPSM 63. Investigatory leave of a non-faculty academic Respondent may be imposed in accordance with APM-150.

B. Written Rights & Options

The Title IX Officer will ensure that the Complainant, if their identity is known, is provided a written explanation of rights and available options as outlined in the SVSH Policy, including:

1. How and to whom to report alleged violations;
2. Options for reporting to and/or notifying law enforcement and campus authorities;
3. Information regarding confidential resources;
4. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts;
5. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
6. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community;
7. Options for a change to academic, living, transportation, and working situations if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report the crime to law enforcement; and

8. The range of possible outcomes for the report, including supportive and remedial measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

III. INVESTIGATING AND RESOLVING REPORTS OF PROHIBITED CONDUCT (Stage 1)

The below provisions for investigation and resolution of reports cover investigations of DOE-Covered Conduct and other Prohibited Conduct. Provided the University has sufficient information to respond, and in accordance with the SVSH Policy, the University may resolve reports of alleged Prohibited Conduct by Respondents covered by this Framework through Alternative Resolution, Formal Investigation, or a DOE Grievance Process. Throughout the resolution process, the Complainant and the Respondent may be accompanied by an advisor. The right to an advisor under the SVSH Policy (See section V.A.5.b.iii.) does not infringe upon the rights of parties under applicable laws or other policies related to collective bargaining agreements. In addition, the University will offer to provide support services for Complainants and for Respondents. The Title IX Office will consider requests from parties and witnesses for language interpretation and, in consultation with the campus disability management office when appropriate, for disability-related accommodations.

A. Alternative Resolution

After a preliminary inquiry into the facts, if the Complainant and Respondent agree in writing, the Title IX Officer may initiate an Alternative Resolution in accordance with the SVSH Policy. Alternative Resolution is not available when the Complainant is a student or patient and the Respondent is an employee. Alternative Resolution is also not available when an employee Respondent is alleged to have engaged in sexual violence as defined in the SVSH Policy (with the exception of Sexual Exploitation).

B. Investigation

In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may conduct an investigation per the Formal Investigation or DOE Grievance Process provisions in the SVSH Policy.

When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

When the investigation includes allegations of both No-Title IX Hearing DOE-Covered Conduct and other DOE-Covered Conduct that arise out of the same facts or circumstances, the University will address all allegations together through the full DOE Grievance Process, including reaching preliminary determinations and providing parties the right to a hearing.

1. Notification

The Title IX Officer will notify the Chancellor's designee and the Respondent's supervisor or other appropriate administrative appointee when a Formal Investigation or DOE Grievance Process is commenced against a Respondent. The

Title IX Officer will be sensitive in their communication to protect the neutrality of the Chancellor's designee and the neutrality of the supervisor or other appropriate administrative appointee, as well as the privacy of the Complainant and Respondent.

Thereafter, the Title IX Officer will ensure that the Chancellor's designee and/or supervisor or other appropriate administrative appointee are regularly updated regarding the status of the Formal Investigation or DOE Grievance Process.

2. Notice of Investigation

When a Formal Investigation or DOE Grievance Process will be conducted, the Title IX Office will send written notice of the charges to the Complainant and the Respondent.

The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview. The written notice will include:

a. A summary of the allegations and potential violations of the SVSH Policy;

b. The identities of the parties involved;

c. The date, time, and location of the reported incident(s) (to the extent known);

d. The specific provisions of the SVSH Policy potentially violated;

e. A statement that the investigative report, when issued, will make factual findings and a determination (in a Formal Investigation or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct) or preliminary determination (in any other DOE Grievance Process) whether there has been a violation of the SVSH Policy;

f. A statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;

g. A statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related – a standard broader than relevance - to whether a policy violation occurred;

h. A statement that the findings under the SVSH Policy will be based on the preponderance of the evidence standard;

i. A statement that a determination of whether a policy violation has occurred will only be made after an investigation or hearing (if required) and therefore there is, at the outset, no presumption that the Respondent is responsible for a policy violation;

j. Where applicable, a statement that if it is determined or preliminarily determined that a DOE-Covered Conduct violation did not occur, the

investigator will still in the investigative report make a determination or preliminary determination of whether other violations of the SVSH Policy occurred;

k. A summary of the investigation and discipline processes, including the expected timeline;

l. A summary of the rights of the Complainant and Respondent, including the right to an advisor of their choosing, who may be any person, including an attorney, who is not otherwise a party;

m. Where the Respondent is a student and an employee, a statement that all parties have the right to request that the University provide an advisor to the party. With the party's written permission, their advisor will receive updates along with their advisee during the process;

n. Where the Respondent is a student and an employee, a statement that all parties' advisors will have access to training provided by the University regarding these procedures;

o. A description of the resources available to Complainant and Respondent; and

p. An admonition against intimidation or retaliation.

3. Investigative Process

The Title IX Officer will designate an investigator to conduct a fair, thorough, and impartial investigation.

a. Overview:

During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit information, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing.

The investigator will meet separately with the Complainant, the Respondent, and the third-party witnesses who may have relevant information, and will gather other available and relevant information. The investigator may follow up with the Complainant or the Respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.

Disclosure of facts to persons interviewed will be limited to what is reasonably

necessary to conduct a fair and thorough investigation. Participants in an investigation may be counseled about keeping information private to protect the integrity of the investigation.

The Complainant or the Respondent may have an advisor present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by University policy or collective bargaining agreement.

b. Coordination with Law Enforcement:

When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed temporarily to meet specific needs of the criminal investigation.

c. Specific Types of Evidence:

Sexual history of Complainant. The investigator will not, as a general rule, consider the Complainant's sexual history. However, in limited circumstances, the Complainant's sexual history may be directly relevant to the investigation. While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under investigation. Further, evidence of specific past sexual encounters may be relevant to whether someone other than Respondent was the source of relevant physical evidence. Sexual history evidence that shows a party's reputation or character will never be considered relevant on its own. The investigator will consider proffered evidence of sexual history and provide it to the parties for review under Section 3.d. below, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

Expert Evidence. The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred. If a party wishes for such evidence to be considered, they will make a written request to the Title IX Officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the person(s).

The Title IX Officer will grant the request for the proposed expert to provide

evidence if the alleged evidence is relevant and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.

If the Title IX Officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX Office may also retain its own expert on any issue on which one or both parties will be presenting expert evidence; the Title IX Office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.

As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence.

In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

Clinical records. The investigator will not during the investigation access, review, consider, disclose, or otherwise use a Complainant's or Respondent's medical or other behavioral health records that are made in connection with treatment without the party's voluntary written consent.

Privileged Records. During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege without the party's voluntary written consent.

d. Evidence Review:

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related, including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX

Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, of at least ten business days.

In investigations of No-Title IX Hearing DOE-Covered Conduct, because there will not be a Title IX hearing, the investigator will more specifically: provide parties the opportunity to submit written questions they propose the investigator ask the other party and witnesses, share the responses to their submitted questions, and allow them to propose limited follow-up questions. The investigator will decline to ask questions that are not relevant or unduly repetitive and will rephrase any questions that violate the rules of conduct. If the investigator declines to ask a question, they will explain their reasoning.

4. Investigation Report and Determination or Preliminary Determination

Following conclusion of the investigation, the Title IX investigator will prepare a written report. The written investigation report will include a statement of the allegations and issues, statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigation report will include findings of fact and a determination (in a Formal Investigation or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct) and a preliminary determination (in any other DOE Grievance Process) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that Respondent violated the SVSH Policy.

If the Complainant or Respondent offered witnesses or other evidence that was not relied upon by the investigator, the investigation report will explain why it was not relied upon. The investigation report will also indicate when and how the parties were given an opportunity to review and respond to the evidence (see Section 3.d. above).

In investigations of No-Title IX Hearing DOE-Covered Conduct, the investigator will provide both Complainant and Respondent an opportunity to review and respond in writing to the investigation report before it becomes final. The investigator has discretion to revise the written report to reflect the parties' responses. The investigation report will become final no sooner than ten business days from the date it is shared with parties for their review and response.

If the findings of fact indicate that DOE-Covered Conduct occurred, but was not charged as such in the notice of investigation, then the investigator will reach determinations (for No-Title IX Hearing DOE-Covered Conduct) or preliminary determinations (for all other DOE-Covered Conduct) regarding whether a policy violation occurred and the Title IX Officer will notify the parties that the case will now proceed per the DOE Grievance Process.

If instead, the investigator preliminarily determines that conduct charged as DOE-Covered Conduct does not meet that definition, the report will include (if indicated

in the Notice of Investigation) analysis and a preliminary determination both of whether Respondent engaged in DOE-Covered Conduct and the other Prohibited Conduct.

5. Notice of Investigation Outcome

Upon finalization of the investigation report, the Title IX Officer or designee will send to the Complainant and the Respondent a written notice of investigation outcome regarding the investigator's preliminary determination or determination (whichever applies) of whether there was a violation of the SVSH Policy. The notice of investigation outcome will generally be accompanied by a copy of the investigation report, which may be redacted as necessary to protect privacy rights.

The Title IX Officer or designee will also send the notice of investigation outcome and accompanying investigation report to the Chancellor's designee and the supervisor or other appropriate administrative authority.

a. In all cases, the notice of investigation outcome will include:

- A summary statement of the factual findings and determinations or preliminary determination (whichever applies) regarding whether Respondent violated the SVSH Policy;
- An admonition against intimidation or retaliation;
- An explanation of any Supportive Measures that will remain in place;
- A statement that the Complainant and Respondent have an opportunity to respond in writing and/or in person to the Chancellor's designee and supervisor or other appropriate administrative authority;
- A statement indicating whether it appears that further investigation by another appropriate body may be necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

b. If in a Formal Investigation process or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct the investigator determined that Respondent violated the SVSH Policy, the notice of investigation outcome will also include:

- For matters involving PPSM-covered Respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the supervisor will propose a resolution, which may include corrective action as defined by PPSM-62 or termination in accordance with PPSM-64, and that the proposal will be subject to review and approval by the Chancellor's designee;
- For matters involving non-faculty academic Respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the supervisor or other appropriate administrative authority will propose a resolution, which may include corrective action or dismissal

as described in APM-150, and that the proposal will be subject to review and approval by the Chancellor's designee;

- A statement that the Complainant and the Respondent will be informed of the final resolution of the matter, including any discipline imposed, and a statement of the anticipated timeline.

c. In a DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct, the notice of investigation will also include a statement that both parties have the right to appeal the investigator's determination per Section IV.C of the DOE Addendum.

d. In any other DOE Grievance Process, the notice of investigation outcome will also include:

- If the investigator preliminarily determined that the Respondent violated the SVSH Policy, a statement that the supervisor or other appropriate administrative authority will provide the parties an opportunity to respond to the findings and will propose a resolution to be reviewed and approved by the Chancellor's designee.
- A statement that, unless both parties accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy has been violated, after which the supervisor or other appropriate administrative authority will propose a resolution and submit to the Chancellor's designee for review and approval; and
- An explanation of the procedures and timeline for accepting the preliminary determination (see the DOE Addendum).

6. Timeframe for Completion of Investigation; Extension for Good Cause

The notice of investigation outcome and accompanying investigation report will be issued promptly, typically within 60 to 90 business days of initiation of the Formal Investigation or DOE Grievance Process, unless extended by the Title IX Officer for good cause, with written notice to the Complainant and the Respondent of the reason for the extension and the projected new timeline.

The Title IX Officer will update parties on the status of the investigation at the request of a Complainant or a Respondent and every 30 business days until the final outcome of the complaint, unless a party communicates in writing to the Title IX Office that they choose to opt out of receiving such updates.

IV. ASSESSMENT AND CONSULTATION (Stage 2)

The steps outlined below for assessment and consultation apply to investigations of DOE-Covered Conduct and other Prohibited Conduct. An additional notice requirement that applies specifically to investigations of DOE-Covered Conduct is in the DOE Addendum. After this assessment and consultation, matters investigated through Formal Investigation

will go through Stage 3 (Corrective Actions) below. Matters investigated under the DOE Grievance Process that alleged No-Title IX Hearing DOE-Covered Conduct will go Stage 2.C. (Appeal of the Determination) in the DOE Addendum. All other matters investigated under the DOE Grievance Process will go to Stage 2.A (Opportunity to Accept the Preliminary Determination) in the DOE Addendum.

At the conclusion of a Formal Investigation, the Respondent's supervisor or other appropriate administrative authority has the responsibility to propose and implement action in response to the findings of the investigation report. The proposed decision by the supervisor or other appropriate administrative authority will be reviewed and approved by the Chancellor's designee. The supervisor or other appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred but will not reinvestigate allegations of Prohibited Conduct investigated by the Title IX Office.

At the conclusion of a DOE Grievance Process investigation of No-Title IX Hearing DOE-Covered Conduct, the parties have the opportunity to appeal. Once any appeal is final or the period for submitting an appeal has lapsed, the supervisor or other appropriate administrative authority has the responsibility to propose and implement action in response to the findings. See Stages 2.C (Appeal of Determination) and 2.D (Additional Assessment and Consultation) of the DOE Addendum.

At the conclusion of any other DOE Grievance Process investigation, the parties have the opportunity to accept or not accept the preliminary determination. When the preliminary determination is that the Respondent engaged in DOE-Covered Conduct, or both DOE-Covered Conduct and other Prohibited Conduct, the supervisor or other appropriate administrative authority will propose a resolution that will be reviewed and approved by the Chancellor's designee, and the parties will have the opportunity to review the proposed resolution before deciding whether to accept the preliminary determination and proposed resolution.

The Chancellor's designee, as well as the supervisor or other appropriate administrative authority, may consult with the Title IX Office, Staff Human Resources, or the Academic Personnel Office, or any other appropriate entities at any time during the decision-making process.

A. Opportunity to Respond

The Complainant and the Respondent will have an opportunity to respond to the notice of investigation outcome and accompanying investigation report through a written statement and/or in-person meeting that will be submitted to the Respondent's supervisor or other appropriate administrative authority and the Chancellor's designee. The parties will have five business days after the Title IX Officer sends the investigation report to respond. The purpose of this response is not to challenge the factual findings in the Title IX investigation report or present new evidence, but to provide the Complainant and the Respondent with an opportunity to express their perspectives and address what outcome they wish to see.

B. Decision Proposal and Submission for Approval

In the event that the investigation determines or preliminarily determines that a Respondent is responsible for violating the SVSH Policy, the Respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval.

In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision.

In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement (in a Formal Investigation), or inform the Title IX Office and either Staff Human Resources or the Academic Personnel Office of (in a DOE Grievance Process), the approved decision.

This proposal and approval process will occur in all cases where the investigation has determined or preliminarily determined the Respondent violated the SVSH Policy pursuant to these procedures. Staff Human Resources or the Academic Personnel Office will be consulted throughout the process. Additionally, the Chancellor's designee will consult with the campus Title IX Officer on the appropriateness of the proposed decision before approving or disapproving it.

V. CORRECTIVE OR OTHER ACTIONS (Stage 3)

The below provisions apply when a Respondent is found in violation of the SVSH Policy following a Formal Investigation, following an investigation and any appeal (per Section IV.C of the DOE Addendum) in a DOE Grievance Process addressing No-Title IX Hearing DOE-Covered Conduct, or following a hearing and any appeal (per Section IV.C of the DOE Addendum) in any other DOE Grievance Process. The parties will be notified in writing within five business days of the decision regarding any disciplinary action.

A. PPSM Covered Staff: Decision Approval and Implementation

Following approval by the Chancellor's designee, the Respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, including PPSM-62 and PPSM-64.

1. No Further Action

The supervisor may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval. In the event it is approved, this decision and its rationale will be communicated to both the Complainant and the Respondent within five business days of the decision.

2. Action Not Requiring Notice of Intent

The supervisor may propose corrective or remedial actions that do not amount to corrective action as defined by PPSM 62 or termination under PPSM 64. The

proposed actions will be reviewed by the Chancellor's designee for approval.

In the event it is approved, the decision will be implemented by the supervisor and the decision and its terms and rationale will be communicated to both the Complainant and the Respondent within five business days of the decision.

3. Notice of Intent

The supervisor may propose to issue a notice of intent to institute corrective action in accordance with PPSM-62 or notice of intent to terminate in accordance with PPSM-64. The proposed terms of the notice of intent will be reviewed by the Chancellor's designee for approval. In the event it is approved, the decision will be implemented by the supervisor and the notice of intent will issue.

Following the provision of a notice of intent, corrective action will be taken in accordance with PPSM-62 and/or actions to terminate will be taken in accordance with PPSM-64. The terms of the implemented action and its rationale will be communicated to both the Complainant and the Respondent within five business days of the decision.

B. Non-Faculty Academic Personnel: Decision Approval and Implementation

Following approval by the Chancellor's designee, the Respondent's supervisor or other appropriate administrative authority will implement the approved action in accordance with APM-150.

1. No Further Action

The supervisor or appropriate administrative authority may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval. In the event it is approved, this decision and its rationale will be communicated to both the Complainant and the Respondent within five business days of the decision.

2. Informal Resolution

The supervisor or appropriate administrative authority may propose an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. The proposed informal resolution and its terms will be reviewed by the Chancellor for approval. The Chancellor may not delegate the review of and approval of terms. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action. Informal resolution is not available when the Complainant is a student and the Respondent is an employee. Informal Resolution is also not available when an employee Respondent is alleged to have engaged in sexual violence as defined in the SVSH Policy (with the exception of Sexual Exploitation) or when the proposed terms include a nondisclosure agreement.

In the event the informal resolution is approved and agreed to by the Respondent, the Complainant will be informed of its terms and the rationale within five business days of the Respondent's agreement to the terms.

3. Notice of Intent

The supervisor or other appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150. The proposed terms of the notice of intent shall be reviewed by the Chancellor's designee for approval.

Following the provision of a notice of intent, corrective action or termination will be implemented in accordance with APM-150. The terms of the implemented action and its rationale will be communicated to both the Complainant and the Respondent within five business days of the decision.

C. Timeframe for Implementation of Decision; Extension for Good Cause

The supervisor or other appropriate administrative authority should implement their approved decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within 40 business days, a notice of intent will be issued.

Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the Complainant and the Respondent stating the reason for the extension and the projected new timeline.

VI. PROCESS FOLLOWING ACTION TAKEN

The below provisions apply when a Respondent is found in violation of the SVSH Policy following a Formal Investigation, or following a hearing and/or any appeal (per Section IV.B and Section IV.C of the DOE Addendum) in a DOE Grievance Process.

In the event that a PPSM-covered Respondent submits a complaint under PPSM-70, or a non-faculty academic appointee Respondent submits a grievance under APM-140, the Chancellor's designee will ensure that both the Complainant and the Respondent receive regular updates regarding the status of the complaint or grievance.

The Complainant may follow processes appropriate to their own personnel or student policies.

Subsequent to any final decision, the Chancellor's designee will inform the Complainant and the Respondent of the decision, including any final decision on discipline, and its rationale within five business days of the decision.

"SETTLEMENTS" ADDENDUM TO INVESTIGATION AND ADJUDICATION FRAMEWORK FOR STAFF AND NON-FACULTY ACADEMIC PERSONNEL

INTRODUCTION

Pursuant to state law, and for purposes of this Framework, a "settlement" is any agreement between the University and a Respondent for the purpose of resolving a complaint of sexual harassment or sexual violence. It does not mean a settlement reached in a civil action brought by the Respondent against the University.

I. PROHIBITION ON SETTLEMENTS

A. Settlements may not be offered, or entered into, if <u>any</u> of the following apply:
   1. The Complainant is a student, and the Respondent is an employee.
   2. The employee is accused of committing the following forms of sexual violence: Sexual Assault - Penetration; Sexual Assault - Contact; Relationship Violence; or Stalking, as defined in the SVSH Policy.
   3. The settlement includes a nondisclosure agreement.

B. Any other offers of settlement that are not prohibited by the above provision must be preliminarily approved by the Chancellor, and this duty may not be delegated. All settlements that have been preliminarily approved by the Chancellor must be approved by the Regents.

DOE ADDENDUM TO INVESTIGATION AND ADJUDICATION FRAMEWORK FOR STAFF AND NON-FACULTY ACADEMIC PERSONNEL

INTRODUCTION

In general, the Staff and Non-Faculty Academic Personnel Framework ("Framework") applies to both DOE-Covered Conduct and other Prohibited Conduct. Special provisions that apply to specifically to DOE-Covered Conduct are described below.

I. REPORTING AND RESOURCES (Stage 0)

Reporting options and resources are as described in corresponding numbered section in the Framework.

II. INITIAL ASSESSMENT (Stage 1)

The initial assessment, including Supportive Measures and written rights and options are as described in the corresponding numbered section of the Framework. The additional provision below on Dismissal of Formal Complaints is specific to DOE-Covered Conduct.

A. Supportive Measures

Supportive measures are as described in the corresponding numbered section of the Framework.

B. Written Rights and Options

Written rights and options are as described in the corresponding numbered section of the Framework.

C. Required Dismissal

The Title IX Officer must "dismiss" allegations in a DOE Formal Complaint if:

- they determine during the Initial Assessment that the alleged conduct, even if true, is not DOE-Covered Conduct, as defined in the SVSH Policy, or
- they determine during the investigation that the alleged conduct, even if true, did not occur in a University program or activity or that the Complainant was not in the United States at the time.

The Title IX Officer will then proceed as described in the SVSH Policy Appendix IV, Section C. Dismissal means the Title IX Officer will no longer consider the allegations DOE-Covered Conduct; it does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations. See SVSH Policy, Appendix IV, Section C.

III. INVESTIGATING AND RESOLVING REPORTS OF PROHIBITED CONDUCT (Stage 1)

The investigation and resolution of reports, including Alternative Resolution and

Investigation, are described in the corresponding numbered section of the Framework

If the Title IX Officer determines during the investigation that they must dismiss any allegations in a DOE Formal Complaint per Section II.C., above, they will proceed as described in the SVSH Policy Appendix, Section C.

IV. ASSESSMENT AND CONSULTATION (Stage 2)

The assessment and consultation is as described in the corresponding numbered section of the Framework.

In DOE-Covered Conduct cases, after the assessment and consultation described in Stage 2 of the Framework, the Chancellor or Chancellor's designee will inform Staff Human Resources or the Academic Personnel Office, and Title IX Officer, of the proposed decision and its rationale, and the Staff Human Resources or Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties. The parties will receive this notice within 15 business days of the notice of investigative findings and determination or preliminary determination.

Sections IV.A. (Opportunity to Accept the Preliminary Determination) and IV.B (Prehearing and Hearing), below, apply to all DOE Grievance Process cases except those alleging No-Title IX Hearing DOE-Covered Conduct. Section IV.C (Appeal of Determination) applies to all DOE Grievance Process cases, including those alleging No-Title IX Hearing DOE-Covered Conduct.

IV.A. OPPORTUNITY TO ACCEPT THE PRELIMINARY DETERMINATION (Stage 2.A)

Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated.

A. Accepting the Preliminary Determination

1. Timeline

Either party may accept the preliminary determination and proposed resolution within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and proposed resolution within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

2. Written Acceptance

A party may accept the preliminary determination by providing Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus designates) with a written acknowledgment stating that the party accepts the preliminary determination and any proposed resolution, and wishes not to proceed with a hearing.

3. Final Decision Following Acceptance

If both parties provide the written acknowledgment during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and

the Respondent's supervisor or appropriate administrative authority will impose the proposed resolution, including any discipline or corrective measures. The parties do not have the opportunity to appeal the final decision following their acceptance of the preliminary determination, nor complain under PPSM-70 (for a PPSM-covered Respondent), submit a grievance under APM-140 (for a non- faculty academic appointee Respondent), or submit a grievance under a collective bargaining agreement (for represented employee Respondents).

B. Notice of Hearing or No Hearing

1. Notice of Hearing

Unless both parties accept the preliminary determination by the end of the 20 business days, Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus selects), will notify the parties that there will be a hearing. The notice of hearing will include a summary of the hearing procedures described in Section IV.B.D.

2. Notice of No Hearing

If both parties accept the preliminary determination, Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus selects), will notify the parties that there will be no hearing. This notice will indicate that the Title IX investigator's preliminary determination as to policy violation(s) is final, and that the Respondent's supervisor or other appropriate administrator is imposing the proposed resolution (if any).

If the resolution includes corrective action, the University will issue any applicable Notice of Intent as described in Section V.A. and Section V.B. of the Framework.

IV.B PREHEARING AND HEARING (Stage 2.B)

A. Fact-finding Hearing

Unless both parties accept the investigator's preliminary determinations, there will be a fact-finding hearing before a single hearing officer. The hearing is to determine whether a violation of the SVSH Policy occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

B. Hearing Officer

1. Overview

The hearing officer may be a University employee or outside contractor, and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

2. Bias and Conflict of Interest

The hearing coordinator will inform the parties of the hearing officer's identity.

Within five business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

a. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.

b. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.

c. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

3. Disqualification Decision

Staff Human Resources or the Academic Personnel Office will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

C. Hearing Coordinator

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

D. Pre-Hearing Procedures

1. Meeting with Parties

The hearing officer and hearing coordinator will hold a separate meeting (in person or remotely) with each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

a. The hearing coordinator will provide written notice to each party of their pre-hearing meeting, including time, location (or if remote, call instructions), and purpose of the meeting, at least ten business days before the pre-hearing meeting.

b. No later than five business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence, see Section 3 below.

c. At the pre-hearing meeting, the hearing officer and party will discuss the

evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.

d. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.

e. The hearing officer and/or coordinator will explain what to expect at the hearing, see Section E below.

f. The hearing officer and/or coordinator will discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate. These may include, for example, use of lived names and pronouns during the hearing, including in screen names; a party's right to have their support person available to them use at all times during the hearing; a hearing participant's ability to request a break during the hearing, except when a question is pending.

g. The hearing officer and/or coordinator will inform the parties that the hearing will be conducted remotely. If a party believes that they need a University-provided physical space or technological equipment or assistance to participate remotely – for example, because of safety or privacy concerns, or a disability - they may request such resources of the hearing coordinator during the prehearing meeting. The hearing coordinator will respond to any such request in writing within five business days of the hearing meeting.

h. The parties and their advisors, if they have one, are required to participate in the pre-hearing meeting.

i. If a party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have two business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the two business days, the hearing will proceed but the non-participating party will be presumed to agree with the hearing officer's definition of the scope of the hearing.

2. Scope of Hearing

Within five business days after concluding meetings with both parties (or determining that a party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses on the basis of relevance. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

Throughout the pre-hearing process, including in the notice of scope of hearing, the

hearing officer will:

a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements in Section III.B.3. of the Framework;

b. Decide any procedural issues for the hearing; and/or

c. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

3. Submission of Additional Information

Within five business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony, that they would like to present.

4. Notice of Hearing

Not less than ten business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

5. Witness Participation

The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Testimony by the Title IX investigator may be appropriate to help resolve disputes about the authenticity of evidence summarized in the investigation report and at issue at the hearing, or whether the investigator accurately memorialized a party's or witness's statement in the investigation. The Title IX investigator should not be questioned about their assessment of party or witness credibility, nor the investigative process generally, nor their preliminary determination of whether policy violations occurred, because the hearing officer will make their own credibility determinations and determination of policy violation(s) so this information would not be relevant. Based on the hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing.

6. Confirmation of Scope, Evidence, and Witnesses

At least two business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file (consisting of the investigation report and any evidence deemed directly related by the investigator, as documented in the investigation report) and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain

why that evidence was not relevant. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.

7. Submission of Questions

The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator before the hearing but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.

8. Advisor Participation and Provision by University

At any point before the hearing, if a party anticipates that they will not have an advisor available at the hearing to ask their questions for them, they should let the hearing coordinator know, to allow the University to plan for assigning the party a person ask the party's questions at the hearing ("Reader"). Even without notice or during a hearing in progress, however, the University will provide such a resource if a party does not have one. If any party does not have an advisor available at the hearing for the purpose of asking their questions for them, the hearing coordinator will assign a person to fulfill the sole and specific function of asking the party's questions (and not of serving as their advisor more generally), without cost to the party.

E. Hearing Procedures

1. Advisors and Support Persons

The parties may have their advisors present throughout the hearing. They may also have a support person present throughout the hearing.

2. Rules of Conduct

The hearing will be conducted in a respectful manner that promotes fairness and accurate fact-finding and that complies with the rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer and the parties' advisors may question witnesses and parties.

3. Virtual Hearing

The hearing will be conducted remotely with any modification the hearing coordinator has made in response to a party's request for assistance, see Section D.1.g. above.

4. Hearing Evidence and Procedures

Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider, that is rely on, all evidence they determine to be relevant and reliable. The hearing officer may determine and weigh the relevance and weigh the value of any witness testimony or other evidence to the findings, subject to Section F.2. below. The hearing officer will also follow the evidentiary principles and

procedural requirements in Section III.B.3. of the Framework.

Throughout the hearing, the hearing officer will:

a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and require rephrasing of questions that violate the rules of conduct,

b. Decide any procedural issues for the hearing, and/or

c. Make any other determinations necessary to promote an orderly, productive, and fair hearing.

5. Access to Witnesses

Parties will be able to see and hear (or, if deaf or hard of hearing, to access through auxiliary aids and services) all questioning and testimony at the hearing, if they choose to. Witnesses (other than the parties) will attend the hearing only for their own testimony.

6. Questioning at the Hearing

The hearing officer may ask questions of all parties and witnesses that are relevant, including those that are relevant to assessing credibility. Each party's advisor may ask questions of the other party and witnesses that are relevant, including those that are relevant to assessing credibility. As noted in Section D.8. above, the University will assign a person for the purpose of asking a party's questions whenever a party does not have an advisor at the hearing.

The hearing officer will determine the order of questioning of the parties and witnesses. For each party or witness, the hearing officer will ask their own questions first.

Each party will prepare their questions, including any follow up questions, for the other party and witnesses, and will provide them to their advisor. The advisor will ask the questions as the party has provided them and may not ask questions that the advisor themselves have developed without their party.

If a party does not attend the hearing, the hearing will still proceed, and they may still have their advisor - or if they do not have one, a University-assigned Reader – ask the questions that they have prepared.

When a party's advisor is asking questions of the other party or a witness, the hearing officer will determine whether each question is relevant before the party or witness answers it and will exclude any that are not relevant or unduly repetitive, and will require rephrasing of any questions that violate the rules of conduct. If the hearing officer determines that a question should be excluded as not relevant, they will explain their reasoning.

At any time, the hearing officer may ask follow-up questions of the parties.

Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record.

Any expert witnesses identified during the investigation, see Section III.B.3.c. of the Framework, will be subject to these same questioning procedures.

7. Investigation File

The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.

8. Impact of Selective and Non-Participation

The hearing officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation - such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – when assessing credibility.

9. Well-Being Measures

The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the attendance of support persons in accordance with these procedures.

10. Visual Separation

The hearing officer will allow the parties and/or witnesses to be visually separated during the hearing except as noted in paragraph 5 above. This may include, but is not limited to, videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

11. Presentation of Evidence

The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

12. Recording

The University will audio record the hearing and make the recording available for

the parties' review at their request.

F. Determination of Policy Violation

1. Standards for Deliberation

The hearing officer will decide whether a violation of the SVSH Policy occurred based on a Preponderance of Evidence standard.

2. Information Considered

The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. The evidentiary principles in Section III.B.3.c. of the Framework also apply. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

G. Notice of Determination

Within 15 business days of the hearing, the hearing coordinator will send written notice to the Complainant and Respondent (with a copy to the Title IX Officer) setting forth the hearing officer's determination on whether the SVSH Policy has been violated. The written notice will include the following:

1. A summary of the allegations that would constitute a violation of the SVSH Policy;
2. The determinations of whether the SVSH Policy has been violated;
3. A statement that the Title IX Officer will determine whether Complainant will be provided additional remedies, and will inform the Complainant of that determination;
4. A description of the procedural history of the complaint;
5. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
6. A summary of the facts found by the investigator that the parties did not dispute;
7. The rationale for the determination of each charge;
8. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of whether other charged conduct, including other SVSH Policy violations, occurred;
9. An admonition against retaliation;
10. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal;
11. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures;

12. A description of the process for deciding whether and what discipline to impose if the final determination (following any appeal) is that the Respondent violated the SVSH Policy, and a statement that both parties will be informed of the final resolution of the matter; and
13. A statement indicating the supervisor or other appropriate administrative authority will determine whether further investigation by another body is necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

H. Documentation of Hearing

Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

IV.C APPEAL OF DETERMINATION (Stage 2.C)

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s). The University administers the appeal process, but is not a party and does not advocate for or against any appeal.

A. Grounds for Appeal

A party may only appeal on the grounds described in this section.

1. In cases of No-Title IX Hearing DOE-Covered Conduct:
    a. There was procedural error in the investigation process that materially affected the outcome; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;
    b. There is new evidence that was not reasonably available at the time of the investigation that could have materially affected the outcome; and/or
    c. The investigator or Title IX Officer had a conflict of interest or bias that affected the outcome. The principles in Section IV.B.B.2. related to hearing officers apply here to investigators and Title IX Officers.
2. In all other cases:
    a. There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;
    b. There is new evidence that was not reasonably available at the time of the hearing that could affect the outcome; and/or
    c. The hearing officer had a conflict of interest or bias that affected the outcome. See the principles in Section IV.B.B.2.

The appeal should identify the reason(s) why the party is challenging the outcome on one or more of the available grounds.

B. Commencing an Appeal

An appeal must be submitted to the hearing coordinator within 20 business days following issuance of the investigation outcome (in cases of No-Title IX Hearing DOE-Covered Conduct) or of the notice of the hearing officer's determination (in all other cases). The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. The Title IX Officer will notify the other party of the basis for the appeal and that the other party can submit a written statement in response to the appeal within three business days and supporting documentation from the other party as appropriate.

C. Standards for Deliberation

The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented during the investigation (in No-Title IX Hearing DOE-Covered Conduct cases) or at the hearing (in all other cases), the investigation file, and the appeal statements of the parties.

They will not make their own factual findings, nor any witness credibility determinations.

D. Decision by Appeal Officer

The appeal officer, who will be an unbiased person without prior involvement in the case or personal relationship with the parties, may:

1. Uphold the findings;
2. Overturn the findings;
3. Modify the findings; or
4. In appeals alleging material procedural error or new evidence, send the case back to the investigator (in No-Title IX Hearing DOE-Covered Conduct cases) or hearing officer (in all other cases) for further fact-finding if needed, for example on the issue of whether the alleged error, new evidence, would have materially affected the outcome.

E. Written Report

The appeal officer will summarize their decision in a written report that includes the following:

1. A statement of the grounds identified on appeal;
2. A summary of the information considered by the appeal officer; and
3. The decision of the appeal officer and the rationale for the decision including, where the findings are overturned or modified, an explanation of how the procedural error materially affected the outcome.

F. Distribution of Written Decision

Within ten business days of receiving the appeal, the appeal officer will send their written decision to Complainant and Respondent, with a copy to the Title IX Officer.

1. Unless the appeal officer remands the matter, they will inform the Respondent and the Complainant that the matter is closed with no further right to appeal.
2. If the appeal officer remands the matter, they will specify what further fact-finding should occur or what additional information should be considered and request that the investigator or hearing officer report back to the appeal officer on their additional fact-finding. After receiving the investigator or hearing officer's (whichever applies) additional factual findings, the appeal officer will issue their decision within ten business days. This decision will be final.

IV.D ADDITIONAL ASSESSMENT AND CONSULTATION (Stage 2.D)

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final finding and determination to the Respondent's supervisor or appropriate administrative authority, with a summary explanation of any difference between the investigator's determination or preliminary determination (whichever applies) and the final determination and findings.

The Respondent's supervisor or appropriate administrative authority has the authority and responsibility to propose and implement any responsive action. The supervisor or other appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred but will not reconsider the findings and determinations regarding SVSH Policy violations made through the hearings and any appeal.

If the final finding is that a Respondent is responsible for violating the SVSH Policy, then the Respondent's supervisor or other appropriate administrative authority will, if they did not already do so, consult with the Title IX Officer as described in *Assessment and Consultation (Stage 2)* of the Framework. If the Respondent's supervisor or appropriate administrative authority already took this step (because the investigator determined or preliminarily determined the Respondent violated the SVSH Policy), then they may but are not required to repeat it before proposing a resolution (for example, when the finding following any hearing or appeal is different from the investigator's determination or preliminary determination). The Respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval.

In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision.

In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement the approved decision.

This proposal and approval process will occur in all cases where the final outcome is a finding that the Respondent violated the SVSH Policy. Staff Human Resources or the Academic Personnel Office will be consulted throughout the process. Additionally, the Chancellor's designee will consult with the campus Title IX Officer on the appropriateness of the proposed decision before approving or disapproving it.

V. CORRECTIVE ACTION (Stage 3)

A. PPSM Covered Staff

Following final adjudication in the hearing and appeal processes described above, the Respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, including PPSM-62 and PPSM-64. The options for resolving the matter and implementation processes are described in Section VI.A ("PPSM-Covered Staff: Decision Approval and Implementation") of the Framework.

B. Non-Faculty Academic Personnel: Decision Approval and Implementation

Following final adjudication in the hearing and appeal processes described above, the Respondent's supervisor or other appropriate administrative authority will implement the approved decision in accordance with APM-150. The options for resolving the matter and implementation processes are described in Section VI.B ("Non-Faculty Academic Personnel: Decision Approval and Implementation") of the Framework.

C. Timeframe for Implementation of Decision; Extension for Good Cause

The supervisor or other appropriate administrative authority should implement their approved decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within 40 business days, a notice of intent will be issued.

Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the Complainant and the Respondent stating the reason for the extension and the projected new timeline.

VI. PROCESS FOLLOWING ACTION TAKEN

In the event that a PPSM-covered Respondent submits a complaint under PPSM-70, or a non-faculty academic appointee Respondent submits a grievance under APM-140, the Chancellor's designee will ensure that both the Complainant and the Respondent receive regular updates regarding the status of the complaint or grievance.

The Complainant may follow processes appropriate to their own personnel or student policies.

Subsequent to any final decision, the Chancellor's designee will promptly inform the Complainant and the Respondent of the decision, including any final decision on discipline, and its rationale.

Such complaints and grievances are not available in cases in which the parties accept the investigator's preliminary determination.

Appendix E: University of California Sexual Violence and Sexual Harrassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty

University of California
Sexual Violence and Sexual Harassment
Investigation and Adjudication Framework for Senate and Non-Senate Faculty
Interim Revisions

INTRODUCTION

Consistent with the UC Policy on Sexual Violence and Sexual Harassment ("SVSH Policy"), the following describes the University's process for investigating and adjudicating alleged violations of the SVSH Policy in instances where the Respondent is a University faculty member whose conduct is governed by Section 015 of the Academic Personnel Manual (APM-015), The Faculty Code of Conduct ("Code of Conduct").

The Title IX regulations issued by the US Department of Education ("DOE") that went into effect August 14, 2020, require the University to follow a specific grievance process ("DOE Grievance Process") in response to conduct covered by the regulations ("DOE-Covered Conduct"). The Title IX Officer will determine during their initial assessment of a report whether it alleges DOE-Covered Conduct and, if so, whether to open a DOE Grievance Process. Alleged conduct is DOE-Covered Conduct if it is a type of misconduct covered by the regulations ("DOE Sex-Based Misconduct") that occurred in a University program or activity while the Complainant was in the United States. This assessment is described in detail in Appendix IV of the SVSH Policy. The following, read with the attached DOE Addendum, describes the process for investigating and adjudicating alleged violations of the SVSH Policy that include DOE-Covered Conduct.

A flow chart illustrating the processes for complaints against Academic Senate faculty can be found in Attachments 1 and 1.A. A flow chart illustrating the processes for complaints against non-Senate faculty can be found in Attachments 2 and 2.A.

These documents should be read in conjunction with the SVSH Policy, as well as applicable APM provisions, including APM-015, APM-016 (University Policy on Faculty Conduct and the Administration of Discipline), and APM-150 (Non-Senate Appointees/Corrective Action and Dismissal), and applicable Senate Bylaws, including Senate Bylaw 336 (procedures for disciplinary hearings) and Senate Bylaw 335 (procedures for considering grievances). The documents also incorporate recommendations issued by the Joint Committee of the Administration and the Senate.

Applicable definitions can be found in the SVSH Policy and are incorporated herein. Other definitions can be found in applicable APMs and Senate Bylaws and are incorporated herein.

For more information, see the SVSH Policy, the Faculty Code of Conduct (APM-015), APM-016, APM-150, and all provisions of the APM.

I. REPORTING OPTIONS AND RESOURCES (Stage 0)

These reporting options and resources are available for any conduct prohibited by the SVSH Policy ("Prohibited Conduct"), including DOE-Covered Conduct.

A. Reporting Options

Any person may make a report, including anonymously, of Prohibited Conduct to the Title IX Office. The Title IX Office is responsible for receiving and responding to reports of Prohibited Conduct.

A person may also make a report to a Responsible Employee as defined by the SVSH Policy. The SVSH Policy requires a Responsible Employee who becomes aware of an

incident of Prohibited Conduct to report it to the University by contacting their location's Title IX Officer or designee.

While there is no time limit for reporting, reports of Prohibited Conduct should be brought forward as soon as possible.

A Complainant may choose to make a report to the University and may also choose to make a report to law enforcement. A Complainant may pursue either or both of these options at the same time. Anyone who wishes to report to law enforcement can contact the UC Police Department.

B. Confidential Resources

The University offers access to confidential resources for individuals who have experienced Prohibited Conduct and are seeking counseling, emotional support or confidential information about how to make a report to the University. Confidential Resources are defined pursuant to the SVSH Policy and include individuals who receive reports in their confidential capacity such as advocates in the CARE Office, as well as licensed counselors (e.g., Employee Assistance Program (EAP) and Counseling and Psychological Services (CAPS)), and Ombuds.

These employees can provide confidential advice and counseling without that information being disclosed to the Title IX Office or law enforcement, unless there is a threat of serious harm to the individual or others or a legal obligation that requires disclosure (such as suspected abuse of a minor).

II. INITIAL ASSESSMENT (Stage 1)

Upon receipt of a report of or information about alleged Prohibited Conduct, the Title IX Officer will make an initial assessment in accordance with the SVSH Policy, which shall include making an immediate assessment concerning the health and safety of the Complainant and the campus community.

The Title IX Officer will also determine:

- whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination, and
- if the alleged conduct is DOE-Covered Conduct, whether it arose outside the University's postsecondary program, meaning in the context of: (i) the Respondent providing patient care to the Complainant or a person in the Complainant's charge, (ii) a program or activity provided for the benefit of minors, including elementary and secondary schools, and the Complainant is a beneficiary, (iii) a program or activity provided for the benefit of people with intellectual disabilities (such as the UC Davis SEED Scholar program), and the Complainant is a beneficiary, or (iv) a program or activity of Agricultural and Natural Resources or Lawrence Berkeley National Laboratory ("No-Title IX Hearing" DOE-Covered Conduct).

These determinations affect the steps in the adjudication process that precedes decisions on sanctions, if there is one. The process for Prohibited Conduct that is not DOE-Covered Conduct does not include a hearing or appeal, the process for No-Title IX Hearing DOE-

Covered Conduct does not include a hearing but may include an appeal, and the process for all other DOE-Covered Conduct may include both a hearing and an appeal.

The initial assessment process described below is for all reports of Prohibited Conduct, including DOE-Covered Conduct. A special dismissal provision that applies specifically to complaints of DOE-Covered Conduct is in the DOE Addendum.

A. Supportive Measures

The University will also consider and implement Supportive Measures, including Interim Measures, as appropriate to protect the safety of the parties or the University community; to restore or preserve a party's access to a University program or activity; or to deter Prohibited Conduct per the SVSH Policy.

Involuntary leave of a Senate faculty Respondent may be imposed in accordance with APM-016. Investigatory leave of a non-Senate faculty Respondent may be imposed in accordance with APM-150.

B. Written Rights & Options

The Title IX Officer will ensure that the Complainant, if their identity is known, is provided a written explanation of rights and available options as outlined in the SVSH Policy, including:

1. How and to whom to report alleged violations;
2. Options for reporting to and/or notifying law enforcement and campus authorities;
3. Information regarding confidential resources;
4. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts;
5. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
6. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community;
7. Options for, and available assistance to, a change to academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report alleged conduct to law enforcement; and
8. The range of possible outcomes of the report, including Supportive and Remedial Measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

III. INVESTIGATING AND RESOLVING REPORTS OF PROHIBITED CONDUCT (Stage 1)

The below provisions for investigation and resolution of reports cover investigations of DOE-Covered Conduct and other Prohibited Conduct. Provided the University has sufficient information to respond, and in accordance with the SVSH Policy, the University may resolve

reports of alleged Prohibited Conduct by Respondents covered by this Framework through Alternative Resolution, Formal Investigation, or a DOE Grievance Process. Throughout the resolution process, the Complainant and the Respondent may be accompanied by an advisor.

In addition, the University will offer to provide support services for the Complainants and for the Respondents. The Title IX Office will consider requests from parties and witnesses for language interpretation and, in consultation with the campus disability management office when appropriate, for disability-related accommodations.

A. Alternative Resolution

After a preliminary inquiry into the facts, if the Complainant and Respondent agree in writing, the Title IX Officer may initiate an Alternative Resolution in accordance with the SVSH Policy. Alternative Resolution is not available when the Complainant is a student or patient and the Respondent is an employee. Alternative Resolution is also not available where an employee Respondent is alleged to have engaged in sexual violence as defined in the SVSH Policy (with the exception of Sexual Exploitation).

B. Investigation

In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may conduct an investigation per the Formal Investigation or DOE Grievance Process provisions in the SVSH Policy.

When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures. When the investigation includes allegations of both No-Title IX Hearing DOE-Covered Conduct and other DOE-Covered Conduct that arise out of the same facts or circumstances, the University will address all allegations together through the full DOE Grievance Process, including reaching preliminary determinations and providing parties the right to a hearing.

1. Notification to Chancellor

The Title IX Officer will notify the Chancellor and the Chancellor's designee when a Formal Investigation or DOE Grievance Process is commenced against a faculty Respondent. The Title IX Officer will be sensitive in their communication to protect the neutrality of the Chancellor and the Chancellor's designee, as well as the privacy of the Complainant and the Respondent.

Thereafter, the Title IX Officer will regularly communicate with the Chancellor and the Chancellor's designee regarding the status of the Formal Investigation or DOE Grievance Process.

2. Notice of Investigation

When a Formal Investigation or DOE Grievance Process will be conducted, the Title IX Office will send written notice of the charges to the Complainant and Respondent.

The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview. The

notice will include:

a. A summary of the allegations and potential violations of the SVSH Policy;

b. The identities of the parties involved;

c. The date, time, and location of the reported incident(s) (to the extent known);

d. The specific provisions of the SVSH Policy potentially violated;

e. A statement that the investigative report, when issued, will make factual findings and a determination (in a Formal Investigation or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct) or preliminary determination (in any other DOE Grievance Process) whether there has been a violation of the SVSH Policy;

f. A statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;

g. A statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related – a standard broader than relevance - to whether a policy violation occurred;

h. A statement that the findings under the SVSH Policy will be based on the preponderance of the evidence standard and that a finding of a violation of the SVSH Policy will establish probable cause under APM-015;

i. A statement that a determination of whether a policy violation has occurred will only be made after an investigation or hearing (if required) and therefore there is, at the outset, no presumption that the Respondent is responsible for a policy violation;

j. When applicable, a statement that if it is determined or preliminarily determined that a DOE-Covered Conduct violation did not occur, the investigator will still make a determination or preliminary determination of whether other violations of the SVSH Policy occurred;

k. A summary of the Title IX and faculty discipline process, including the expected timeline;

l. A summary of the rights of the Complainant and Respondent, including the right to an advisor of their choosing, who may be any person, including an attorney, who is not otherwise a party;

m. A description of the resources available to Complainant and Respondent; and

n. An admonition against intimidation or retaliation.

At any point during the investigation, the Title IX Officer may amend the notice to add additional charges identified during the investigation. Any amended notice should include all the information described above.

3. Investigative Process

The Title IX Officer will designate an investigator to conduct a fair, thorough, and

impartial investigation.

a. Overview:

During the investigation, the Complainant and the Respondent will be provided an equal opportunity to meet with the investigator, submit information, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing.

The investigator will meet separately with the Complainant, the Respondent, and the third-party witnesses who may have relevant information and will gather other available and relevant information. The investigator may follow up with the Complainant or the Respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.

Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be counseled about keeping information private to protect the integrity of the investigation.

The Complainant or the Respondent may have an advisor present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by University policy or collective bargaining agreement.

b. Coordination with Law Enforcement:

When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed temporarily to meet specific needs of the criminal investigation.

c. Specific Types of Evidence:

Sexual history of Complainant. The investigator will not, as a general rule, consider the Complainant's sexual history. However, in limited circumstances, the Complainant's sexual history may be directly relevant to the investigation. While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under

investigation. Further, evidence of specific past sexual encounters may be relevant to whether someone other than Respondent was the source of relevant physical evidence. Sexual history evidence that shows a party's reputation or character will never be considered relevant on its own. The investigator will consider proffered evidence of sexual history and provide it to the parties for review under Section 3.d. below, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

Expert Evidence. The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred. If a party wishes for such evidence to be considered, they will make a written request to the Title IX Officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the person(s).

The Title IX Officer will grant the request for the proposed expert to provide evidence if the alleged evidence is relevant and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.

If the Title IX Officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX Office may also retain its own expert on any issue on which one or both parties will be presenting expert evidence; the Title IX Office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.

As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence.

In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

Clinical records. The investigator will not during the investigation access,

review, consider, disclose, or otherwise use a Complainant's or Respondent's medical or behavioral health records that are made in connection with treatment without the party's voluntary written consent.

Privileged Records. During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege without the party's voluntary written consent.

d. Evidence Review:

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related, including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties of, absent good cause found by the Title IX Officer, at least ten business days.

In investigations of No-Title IX Hearing DOE-Covered Conduct, because there will not be a Title IX hearing, the investigator will more specifically: provide parties the opportunity to submit written questions they propose the investigator ask the other party and witnesses, share the responses to their submitted questions, and allow them to propose limited follow-up questions. The investigator will decline to ask questions that are not relevant or unduly repetitive, and will rephrase any questions that violate the rules of conduct. If the investigator declines to ask a question, they will explain their reasoning.

4. Investigation Report and Determination or Preliminary Determination

Following conclusion of the investigation, the Title IX investigator will prepare a written report. The written investigation report will include a statement of the allegations and issues, statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigation report will include findings of fact and a determination (in a Formal Investigation or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct) and a preliminary determination (in any other DOE Grievance Process) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that the Respondent violated the SVSH Policy.

If the Complainant or the Respondent offered witnesses or other evidence that was not relied upon by the investigator, the investigation report will explain why it was not relied upon. The investigation report will also indicate when and how the parties were given an opportunity to review and respond to the evidence (see Section 3.d.

above).

In investigations of No-Title IX Hearing DOE-Covered Conduct, the investigator will provide both Complainant and Respondent an opportunity to review and respond in writing to the investigation report before it becomes final. The investigator has discretion to revise the written report to reflect the parties' responses. The investigation report will become final no sooner than ten business days from the date it is shared with parties for their review and response.

If the findings of fact indicate that DOE-Covered Conduct occurred, but was not charged as such in the notice of investigation, then the investigator will reach determinations (for No-Title IX Hearing DOE-Covered Conduct) or preliminary determinations (for all other DOE-Covered Conduct) regarding whether a policy violation occurred and the Title IX Officer will notify the parties that the case will now proceed per the DOE Grievance Process.

If, instead, the investigator preliminarily determines that conduct charged as DOE-Covered Conduct does not meet that definition, the report will include (if indicated in the Notice of Investigation) analyses and preliminary determinations of both whether Respondent engaged in DOE-Covered Conduct and other Prohibited Conduct.

A determination following a Formal Investigation or DOE Grievance Process (including any appeal) for No-Title IX Hearing DOE-Covered Conduct that the Respondent violated the SVSH Policy will establish probable cause as defined in the Code of Conduct. (APM-015 at III.A.4.)

5. Notice of Investigation Outcome

Upon finalization of the investigation report, the Title IX Officer or designee will send to the Complainant and the Respondent a written notice of investigation outcome regarding the investigator's preliminary determination or determination (whichever applies) of whether there was a violation of the SVSH Policy. The notice of investigation outcome will generally be accompanied by a copy of the investigation report, which may be redacted as necessary to protect privacy rights. The Title IX Officer or designee will also send the notice of investigation outcome and accompanying investigation report to the Chancellor or Chancellor's designee.

a. In all cases, the notice of investigation outcome will include:

- A summary statement of the factual findings and determinations or preliminary determination (whichever applies) regarding whether Respondent violated the SVSH Policy;
- An admonition against intimidation or retaliation;
- An explanation of any Supportive Measures that will remain in place;
- A statement that the Complainant and Respondent have an opportunity to respond in writing and/or in person to the Chancellor or Chancellor's designee;
- A statement of the anticipated timeline and a statement that both

Complainant and Respondent will be informed of the final resolution of the matter; and

- A statement of whether it appears that further investigation by the Chancellor or Chancellor's designee or other appropriate body may be necessary to determine whether other violations of the Code of Conduct occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

b. If in a Formal Investigation process or DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct the investigator determined that the faculty Respondent violated the SVSH Policy, the notice of investigation outcome will also include:

- A statement that the finding that Respondent violated the SVSH Policy (which is final after the investigation in a Formal Investigation and after exhaustion of appeal rights in a DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct) constitutes a finding of probable cause as defined in APM-015;
- For matters involving Senate faculty Respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor's designee will engage the Peer Review Committee to advise on appropriate resolution, which may include pursuing discipline in accordance with APM-016;
- For matters involving non-Senate faculty Respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor's designee will engage the Peer Review Committee or consult with the Academic Personnel Office to advise on appropriate resolution, which may include corrective action or termination in accordance APM-150; and
- A statement of the anticipated timeline and a statement that both Complainant and Respondent will be informed of the final resolution of the matter.

c. In a DOE Grievance Process for No-Title IX Hearing DOE-Covered Conduct, the notice of investigation will also include a statement that both parties have the right to appeal the investigator's determination per Section IV.C of the DOE Addendum, and the determination will not be considered final or constitute a finding of probable cause as defined in APM-015 until any appeal is final or the period for submitting an appeal has lapsed.

d. In any other DOE Grievance Process, the notice of investigation outcome will also include:

- If the investigator preliminarily determined that the Respondent violated the SVSH Policy, a statement that the Chancellor or Chancellor's designee will propose a resolution after engaging the Peer Review Committee or consulting

with the Academic Personnel Office (depending on whether the Respondent is a Senate or Non-Senate faculty member, and the process the campus has chosen);

- A statement that, unless both parties accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy has been violated, after which the Chancellor or Chancellor's designee will determine the resolution; and
- An explanation of the procedures and timeline for accepting the preliminary determination (see the DOE Addendum).

6. Timeframe for Completion of Investigation; Extension for Good Cause

The notice of investigation outcome and accompanying investigation report will be issued promptly, typically within 60 to 90 business days of initiation of the Formal Investigation or DOE Grievance Process, unless extended by the Title IX Officer for good cause, with written notice to the Complainant and the Respondent of the reason for the extension and the projected new timeline.

The Title IX Officer will update parties on the status of the investigation at the request of a Complainant or a Respondent and every 30 business days until the final outcome of the complaint, unless a party communicates in writing to the Title IX Office that they choose to opt out of receiving such updates.

IV. ASSESSMENT AND CONSULTATION (Stage 2)

The steps outlined below for assessment and consultation apply to investigations of DOE-Covered Conduct and other Prohibited Conduct. An additional notice requirement that applies specifically to investigations of DOE-Covered Conduct is in the DOE Addendum.

After this assessment and consultation, matters investigated through Formal Investigation will go to Stage 3 (Decision on Sanctions), below. Matters investigated under the DOE Grievance Process that alleged No-Title IX Hearing DOE-Covered Conduct will go to Stage 2.C. (Appeal of the Determination) in the DOE Addendum. All other matters investigated under the DOE Grievance Process will go to Stage 2.a (Opportunity to Accept the Preliminary Determination) in the DOE Addendum.

At the conclusion of a Formal Investigation, the Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take in response to the findings of the investigation report. The Chancellor or Chancellor's designee may determine that additional investigation is required to determine whether other Code of Conduct violations occurred, but will not reinvestigate the allegations of Prohibited Conduct investigated by the Title IX Office.

At the conclusion of a DOE Grievance Process investigation of No-Title IX Hearing DOE-Covered Conduct, the parties have the opportunity to appeal. Once any appeal is final or the period for submitting an appeal has lapsed, the Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take. See Stages 2.C (Appeal of Determination) and 2.D (Additional Assessment and Consultation) of the DOE Addendum.

At the conclusion of any other DOE Grievance Process investigation, the parties have the opportunity to accept or not accept the preliminary determination. When the preliminary determination is that the Respondent engaged in DOE-Covered Conduct, or both DOE-Covered Conduct and other Prohibited Conduct, the Chancellor or Chancellor's designee will propose a resolution after engaging the Peer Review Committee or consulting with the Academic Personnel Office (depending on whether the Respondent is a Senate or non-Senate faculty member, and the process the campus has chosen), as described below, and the parties will decide whether to accept the preliminary determination and the proposed resolution.

The Chancellor or Chancellor's designee may consult with the Title IX Office, the Academic Personnel Office, or other appropriate entities at any time during the decision-making process.

A. Opportunity to Respond

The Chancellor or Chancellor's designee will offer the Complainant and the Respondent an opportunity to respond to the notice of investigation outcome and accompanying investigation report, either through an in-person meeting with the Chancellor or Chancellor's designee, a written statement to the Chancellor or Chancellor's designee, or both. The parties will have five business days after the Title IX Officer sends the investigation report to respond.

The purpose of this response is not to challenge the factual findings in the investigation report or present new evidence, but to provide the Complainant and the Respondent with an opportunity to express their perspectives and address what outcome they wish to see.

B. Peer Review Committee for Senate Faculty

In the event that the investigation determines or preliminarily determines that a Senate faculty Respondent is responsible for violating the SVSH Policy, the Chancellor or

Chancellor's designee will engage the campus Peer Review Committee to advise on appropriate resolution.

The Peer Review Committee, composed on each campus at the direction of the President, will advise the Chancellor or Chancellor's designee regarding how to resolve the matter. At the conclusion of a Formal Investigation or DOE Grievance Process investigation of No-Title IX Hearing DOE-Covered Conduct, this will include advising on whether the Chancellor or Chancellor's designee should pursue a formal charge for violation of the Code of Conduct or pursue an early resolution. In all cases, the Peer Review Committee should provide advice on the appropriate discipline or other corrective or remedial measures.

The Peer Review Committee will be engaged in all cases where the Title IX investigator has determined or preliminarily determined a Senate faculty Respondent has violated the SVSH Policy.

C. Peer Review Committee or Consultation with Academic Personnel for Non-Senate Faculty

In the event that the investigation determines or preliminarily determines that a non-Senate faculty Respondent is responsible for violating the SVSH Policy, the Chancellor

or Chancellor's designee will engage the Peer Review Committee or consult with the Academic Personnel Office, depending on what form of consultation the campus decided to employ. Such consultation, as decided by the campus, will occur in all cases where the investigation has determined or preliminarily determined the non-Senate faculty Respondent has violated the SVSH Policy. The advisory role of the Peer Review Committee is described in Section IV.B above.

D. Title IX Officer Consultation for Senate and Non-Senate Faculty

In all cases where the investigation determines or preliminarily determines a Senate or non-Senate faculty Respondent is responsible for violating the SVSH Policy, the Chancellor or Chancellor's designee will consult with the campus Title IX Officer on how to resolve the matter, including the appropriate discipline or other corrective measures.

V. DECISION ON SANCTIONS FOR SENATE FACULTY (Stage 3)

The steps outlined below apply when a Senate faculty Respondent is found in violation of the SVSH Policy following a Formal Investigation, following an investigation and any appeal (per Section IV.C of the DOE Addendum) in a DOE Grievance Process addressing No-Title IX Hearing DOE-Covered Conduct, or following a hearing and any appeal (per Sections IV.B and IV.C of the DOE Addendum) in any other DOE Grievance Process. The parties will be notified in writing within five business days of any decision regarding disciplinary action.

A. Decision by Chancellor or Chancellor's Designee

Following consultation with the Peer Review Committee and Title IX Officer, in accordance with APM-016, the Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

As stated in APM-015, "The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the Respondent no later than three years after the Chancellor is deemed to have known about the alleged violation." As further stated in APM-015, "[f]or an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer." (APM-015, Part III, A.3.)

1. No Formal Discipline

In the event the Chancellor or Chancellor's designee determines to resolve the matter without taking any formal disciplinary action, the Chancellor or Chancellor's designee will communicate this decision and its rationale to both the Complainant and the Respondent within five business days of the decision.

2. Early Resolution

The Chancellor or Chancellor's designee can enter into an early resolution with the Respondent in accordance with APM-016. An early resolution can be achieved at any time prior to the final imposition of discipline. The proposed early resolution and its

terms will be reviewed by the Chancellor for approval. The Chancellor may not delegate the review of and approval of terms. Early Resolution is not available when the Complainant is a student and the Respondent is an employee. Early resolution is also not available where an employee Respondent is found to have engaged in sexual violence as defined in the SVSH Policy (with the exception of Sexual Exploitation) or when the proposed terms include a nondisclosure agreement.

Subsequent to the Respondent agreeing to the terms of the early resolution, the Chancellor or Chancellor's designee will inform Complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms within five business days of the agreement being reached.

3. Charge Filed with Academic Senate Committee on Privilege & Tenure

The Chancellor or Chancellor's designee can take steps to propose discipline and file a charge with the Academic Senate's Committee on Privilege & Tenure without first pursuing early resolution, or if Respondent does not agree to early resolution.

The Chancellor or Chancellor's designee will promptly inform Complainant that the charge has been filed.

B. Timeframe for Decision; Extension for Good Cause

The Chancellor or Chancellor's designee should implement their decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within 40 business days, a charge will be filed with the Academic Senate's Committee on Privilege & Tenure. A charge will not be held in abeyance or suspended while an early resolution is being pursued or finalized.

Extensions to this timeline may be granted by the Chancellor or Chancellor's designee for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

C. Process Following the Filing of a Senate Charge

The procedures following the filing of a charge with the Academic Senate's Committee on Privilege & Tenure are set forth in the APM-015 and APM-016, Senate Bylaw 336 and other applicable Senate bylaws, as well as divisional bylaws on each campus.

The investigation report and hearing officer's notice of determination (if any) will be accepted as evidence in the Privilege & Tenure hearing. The Chancellor or Chancellor's designee will ensure that Complainant and Respondent receive regular updates regarding the status of the proceedings.

Within 14 calendar days of receiving the recommendation from the Academic Senate's Committee on Privilege & Tenure, in accordance with APM-016 and other applicable procedures, the Chancellor will make a final decision regarding discipline, unless the decision involves dismissal for a faculty who has tenure or security of employment. As stated in APM-016, "Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President,

following consultation with the Chancellor." (APM-016, Section II.6.) Extensions to this timeline may be granted for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

The Complainant and the Respondent will be informed of the decision regarding discipline and its rationale within five business days of the decision.

VI. DECISION ON SANCTIONS FOR NON-SENATE FACULTY (Stage 3)

The below provisions apply when a non-Senate faculty Respondent is found in violation of the SVSH Policy following a Formal Investigation, following an investigation and any appeal (per Section IV.C of the DOE Addendum) in a DOE Grievance Process addressing No-Title IX Hearing DOE-Covered Conduct, or following a hearing and any appeal (per Sections IV.B and IV.C of the DOE Addendum) in any other DOE Grievance Process. The parties will be notified in writing within five business days of any decision regarding disciplinary action.

A. Decision by Chancellor or Chancellor's Designee

Following consultation with the Title IX Officer and Peer Review Committee or Academic Personnel Office, and in accordance with APM-150, the Chancellor or Chancellor's designee shall decide what action to take to resolve the matter.

As stated in APM-015, "The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the Respondent no later than three years after the Chancellor is deemed to have known about the alleged violation." As further stated in APM-015, "[f]or an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer." (APM-015, Part III, A.3.)

1. No Disciplinary Action

In the event the Chancellor or Chancellor's designee determines to resolve the matter without taking any disciplinary or corrective action, the Chancellor or Chancellor's designee will communicate this decision and its rationale to both the Complainant and Respondent within five business days of the decision.

2. Informal Resolution

The Chancellor or Chancellor's designee can pursue an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action. The proposed informal resolution and its terms will be reviewed by the Chancellor for approval. The Chancellor may not delegate the review of and approval of terms. Informal resolution is not available when the Complainant is a student and the Respondent is an employee. Informal resolution is also not available where an employee Respondent is found to have engaged in sexual violence as defined in the SVSH Policy (with the exception of Sexual Exploitation) or when the proposed terms include a nondisclosure agreement.

Subsequent to Respondent agreeing to the terms of an informal resolution, the Chancellor or Chancellor's designee will inform Complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms within five business days of the Respondent's agreement to the terms.

3. Notice of Intent

The Chancellor or Chancellor's designee can issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150.

B. Timeframe for Decision; Extension for Good Cause

The Chancellor or Chancellor's designee should implement their decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within 40 business days, a notice of intent shall be issued.

Extensions to this timeline may be granted by the Chancellor for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

C. Process Following the Provision of a Written Notice of Intent.

The procedures following the provision of a notice of intent are set forth in APM-150.

Should the Respondent submit a grievance under APM-140 alleging a violation of APM-150 or otherwise challenging an administrative decision described in this process, the Chancellor's designee will ensure that both the Complainant and Respondent receive regular updates regarding the status of the grievance.

As stated in APM-140, "When a non-Senate faculty member receives notice of termination before the expiration of his or her appointment, he or she may select as a grievance mechanism either APM-140, as described in this policy, or Section 103.9 of the Standing Orders of the Regents (S.O. 103.9), the procedures of which are described in Academic Senate Bylaw 337. In selecting either APM-140 or S.O. 103.9, the non-Senate faculty member waives the right to invoke the other mechanism to review the same grievance." (APM-140-14e.)

Subsequent to any final decision, the Chancellor or Chancellor's designee will inform the Complainant and the Respondent of the decision, including any final decision on discipline and its rationale, within five business days of the decision.

"SETTLEMENTS" ADDENDUM TO INVESTIGATION AND ADJUDICATION FRAMEWORK FOR SENATE AND NON-SENATE FACULTY

INTRODUCTION

Pursuant to state law, and for purposes of this Framework, a "settlement" is any agreement between the University and a Respondent for the purpose of resolving a complaint of sexual harassment or sexual violence. It does not mean a settlement reached in a civil action brought by the Respondent against the University.

I. PROHIBITION ON SETTLEMENTS

A. Settlements may not be offered, or entered into, if <u>any</u> of the following apply:
    1. The Complainant is a student, and the Respondent is an employee.
    2. The employee is accused of committing the following forms of sexual violence: Sexual Assault - Penetration; Sexual Assault - Contact; Relationship Violence; or Stalking, as defined in the SVSH Policy.
    3. The settlement includes a nondisclosure agreement.

B. Any other offers of settlement that are not prohibited by the above provision must be preliminarily approved by the Chancellor, and this duty may not be delegated. All settlements that have been preliminarily approved by the Chancellor must be approved by the Regents.

DOE
TO INVESTIGATION AND ADJUDICATION FRAMEWORK FOR SENATE AND NON-SENATE FACULTY

INTRODUCTION

In general, the Senate and Non-Senate Faculty Framework ("Framework") applies to both DOE-Covered Conduct and other Prohibited Conduct. Special provisions that apply specifically to DOE-Covered Conduct are described below.

I. REPORTING AND RESOURCES (Stage 0)

Reporting options and resources are as described in the corresponding numbered section in the Framework.

II. INITIAL ASSESSMENT (Stage 1)

The initial assessment, including Supportive Measures and written rights and options are as described in the corresponding numbered section of the Framework. The additional provision below on Dismissal of Formal Complaints is specific to DOE-Covered Conduct.

A. Supportive Measures

Supportive Measures are as described in the corresponding section of the Framework.

B. Written Rights and Options

Written rights and options are as described in the corresponding section of the Framework.

C. Required Dismissal

The Title IX Officer must "dismiss" allegations in a DOE Formal Complaint if:

- they determine during the Initial Assessment that the alleged conduct, even if true, is not DOE-Covered Conduct, as defined in the SVSH Policy, or
- they determine during the investigation that the alleged conduct, even if true, did not occur in a University program or activity or that the Complainant was not in the United States at the time.

The Title IX Officer will then proceed as described in the SVSH Policy Appendix IV, Section C. Dismissal means the Title IX Officer will no longer consider the allegations DOE-Covered Conduct; it does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations. See SVSH Policy, Appendix IV, Section C.

III. INVESTIGATING AND RESOLVING REPORTS OF PROHIBITED CONDUCT (Stage 1)

The investigation and resolution of reports, including Alternative Resolution and Investigation, are as described in the corresponding numbered section of the Framework.

If the Title IX Officer determines during the investigation that they must dismiss any allegations in a DOE Formal Complaint per Section II.C., above, they will proceed as described in the SVSH Policy Appendix IV, Section C.

IV. ASSESSMENT AND CONSULTATION (Stage 2)

The assessment and consultation is as described in the corresponding numbered section of the Framework.

In DOE-Covered Conduct cases, after the assessment and consultation described in Stage 2 of the Framework, the Chancellor or Chancellor's designee will inform the Academic Personnel Office and Title IX Officer of any proposed resolution and its rationale, and the Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties. The parties will receive this notice within 15 business days of the notice of investigative findings and determination or preliminary determination.

Sections IV.A. (Opportunity to Accept the Preliminary Determination) and IV.B (Prehearing and Hearing), below, apply to all DOE Grievance Process cases except those alleging No-Title IX Hearing DOE-Covered Conduct. Section IV.C (Appeal of Determination) applies to all DOE Grievance Process cases, including those alleging No-Title IX Hearing DOE-Covered Conduct.

IV.A. OPPORTUNITY TO ACCEPT THE PRELIMINARY DETERMINATION (Stage 2.A)

Unless both parties accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated.

A. Accepting the Preliminary Determination and Proposed Resolution

1. Timeline

Either party may accept the preliminary determination and any proposed resolution within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and any proposed resolution within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

2. Written Acceptance

A party may accept the preliminary determination and any proposed resolution by providing the Academic Personnel Office or Title IX Officer (whichever the campus designates) with a written acknowledgment stating that the party accepts the preliminary determination and any proposed resolution, and wishes not to proceed with a hearing.

3. Final Decision Following Acceptance

If both parties provide the written acceptance during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final and the Chancellor or Chancellor's designee will impose the proposed resolution, including any discipline or other corrective measures.

B. Notice of Hearing or No Hearing

1. Notice of Hearing

Unless both parties accept the preliminary determination and any proposed resolution by the end of the 20 business days, the Academic Personnel Office or Title IX Officer

(whichever the campus designates) will notify the parties that there will be a hearing. The notice of hearing will include a summary of the hearing procedures described in Section IV.B.D.

2. Notice of No Hearing

If both parties accept the preliminary determination and any proposed resolution, the Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties that there will be no hearing. This notice will indicate that the investigator's preliminary determination as to policy violation(s) is final, and that the Chancellor or Chancellor's designee is imposing the proposed resolution (if any).

IV.B. PREHEARING AND HEARING (Stage 2.B)

A. Fact-finding Hearing

Unless both parties accept the investigator's preliminary determinations, there will be a fact-finding hearing before a single hearing officer. The hearing is to determine whether a violation of the SVSH Policy occurred. The University's role in the hearing is neutral.

The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

B. Hearing Officer

1. Overview

The hearing officer may be a University employee or outside contractor and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

2. Bias and Conflict of Interest

The hearing coordinator will inform the parties of the hearing officer's identity. Within five business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

a. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.

b. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.

c. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

3. Disqualification Decision

The Academic Personnel Office will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to

change hearing officers, the name of the new hearing officer.

C. Hearing Coordinator

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

D. Pre-Hearing Procedures

1. Meeting with Parties

The hearing officer and hearing coordinator will hold a separate meeting (in person or remotely) with each party to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

a. The hearing coordinator will provide written notice to each party of their prehearing meeting, including time, location (or if remote, call instructions), and purpose of the meeting, at least ten business days before the pre-hearing meeting.

b. No later than five business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence, see Section 3 below.

c. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.

d. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.

e. The hearing officer and/or coordinator will explain what to expect at the hearing, see Section E below.

f. The hearing officer and/or coordinator will also discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate. These may include, for example, use of lived names and pronouns during the hearing, including in screen names; a party's right to have their support person available to them at all times during the hearing; a hearing participant's ability to request a break during the hearing, except when a question is pending.

g. The hearing officer and/or coordinator will inform the parties that the hearing will be conducted remotely. If a party believes that they need a University-provided physical space or technological equipment or assistance to participate remotely – for example because of safety or privacy concerns, or a disability - they may request such resources of the hearing coordinator during the prehearing meeting.

The hearing coordinator will respond to any such request in writing within five business days of the prehearing meeting.

h. The parties and their advisors, if they have one at this stage of the process, are expected to participate in the pre-hearing meeting.

i. If a party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have two business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the two business days, the hearing will proceed but the non-participating party will be presumed to agree with the hearing officer's definition of the scope of the hearing.

2. Scope of Hearing

Within five business days after concluding meetings with both parties (or determining that a party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses on the basis of relevance. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements in Section III.B.3. of the Framework;

b. Decide any procedural issues for the hearing; and/or

c. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

3. Submission of Additional Information

Within five business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony, that they would like to present.

4. Notice of Hearing

Not less than ten business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

5. Witness Participation

The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing.

Testimony by the Title IX investigator may be appropriate to help resolve disputes about the authenticity of evidence summarized in the investigation report and at issue at the hearing, or whether the investigator accurately memorialized a party's or witness's statement in the investigation. The Title IX investigator should not be questioned about their assessment of party or witness credibility, nor the investigative process generally, nor their preliminary determination of whether policy violations occurred, because the hearing officer will make their own credibility determinations and determination of policy violation(s) so this information would not be relevant.

Based on the hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing.

6. Confirmation of Scope, Evidence, and Witnesses

At least two business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file (consisting of the investigation report and any evidence deemed directly related by the investigator, as documented in the investigation report) and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why that evidence was not relevant. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.

7. Submission of Questions

The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator and hearing officer before the hearing, but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.

8. Advisor Participation and Provision by University

At any point before the hearing, if a party anticipates that they will not have an advisor available at the hearing to ask their questions for them, they should let the hearing coordinator know, to allow the University to plan for assigning the party a person to ask the party's questions at the hearing ("Reader"). Even without notice or during a hearing in progress, however, the University will provide such a resource if a party does not have one. If any party does not have an advisor available at the hearing for the purpose of asking their questions for them, the hearing coordinator will assign a person to fulfill the sole and specific function of asking the party's questions (and not of serving as their advisor more generally), without cost to the party.

E. Hearing Procedures

1. **Advisors and Support Persons**

   The parties may have their advisors present throughout the hearing. They may also have a support person present throughout the hearing.

2. **Rules of Conduct**

   The hearing will be conducted in a respectful manner that promotes fairness and accurate fact-finding and that complies with the rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer and the parties' advisors (or Readers if they do not have advisors), consistent with paragraph 6 below, may question witnesses and parties.

3. **Virtual Hearing**

   The hearing will be conducted remotely, with any modifications the hearing coordinator has made in response to a party's request for assistance, see Section D.1.g. above.

4. **Hearing Evidence and Procedures**

   Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider, that is rely on, all evidence they determine to be relevant and reliable. The hearing officer may determine the relevance and weigh the value of any witness testimony or other evidence to the findings, subject to Section F.2. below.

   The hearing officer will also follow the evidentiary principles and procedural requirements in Section III.B.3. of the Framework. Throughout the hearing, the hearing officer will:

   a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and require rephrasing of questions that violate the rules of conduct,

   b. Decide any procedural issues for the hearing, and/or

   c. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

5. **Access to Witnesses**

   Parties will be able to see and hear (or, if deaf or hard of hearing, to access through auxiliary aids for services) all questioning and testimony at the hearing, if they choose to. Witnesses (other than the parties) will attend the hearing only for their own testimony.

6. **Questioning at the Hearing**

   The hearing officer may ask questions of all parties and witnesses that are relevant, including those that are relevant to assessing credibility. Each party's advisor may ask questions of the other party (not their party) and witnesses that are relevant, including those that are relevant to assessing credibility. As noted in Section D.8. above, the University will assign a person to ask a party's questions whenever a party does not

have an advisor at the hearing.

The hearing officer will determine the order of questioning of the parties and witnesses. For each party or witness, the hearing officer will ask their own questions first.

Each party will prepare their questions, including any follow-up questions, for the other party and witnesses, and will provide them to their advisor. The advisor will ask the questions as the party has provided them and may not ask questions that the advisor themselves have developed without their party.

If a party does not attend the hearing, the hearing will still proceed, and they may still have their advisor - or if they do not have one, a University-assigned Reader – ask the questions that they have prepared.

When a party's advisor is asking questions of the other party or a witness, the hearing officer will determine whether each question is relevant before the party or witness answers it and will exclude any that are not relevant or unduly repetitive, and will require rephrasing of any questions that violate the rules of conduct. If the hearing officer determines that a question should be excluded as not relevant, they will explain their reasoning.

At any time, the hearing officer may ask follow-up questions of the parties and witnesses.

Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record.

Any expert witnesses identified during the investigation, see Section III.B.3.c. of the Framework, will be subject to these same questioning procedures.

7. Investigation File

The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.

8. Impact of Selective and Non-Participation

The hearing officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – when assessing credibility.

9. Well-Being Measures

The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the attendance of support persons in accordance with these procedures.

10. Visual Separation

The hearing officer will allow the parties and/or witnesses to be visually separated during the hearing except as noted in paragraph 5 above. This may include but is not limited to videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

11. Presentation of Evidence

The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

12. Recording

The University will audio record the hearing and make the recording available for the parties' review at their request.

13. Advisors and Support Persons

The parties may have their advisors and support persons available throughout the hearing.

F. Determination of Policy Violation

1. Standards for Deliberation

The hearing officer will decide whether a violation of the SVSH Policy occurred based on a Preponderance of Evidence standard.

2. Information Considered

The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. The evidentiary principles in Section III.B.3.c. of the Framework also apply. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

G. Notice of Determination

Within 15 business days of the hearing, the hearing coordinator will send simultaneous written notice to the Complainant and Respondent (with a copy to the Title IX Officer) setting forth the hearing officer's determination on whether the SVSH Policy has been violated. The written notice will include the following:

1. A summary of the allegations that would constitute a violation of the SVSH Policy;
2. The determinations of whether the SVSH Policy has been violated;
3. A statement that the Title IX Officer will determine whether the Complainant will

be provided additional remedies, and will inform the Complainant of that determination;

4. A description of the procedural history of the complaint;
5. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
6. A summary of the facts found by the investigator that the parties did not dispute;
7. The rationale for the determination of each charge;
8. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of whether other charged conduct, including other SVSH Policy violations, occurred;
9. An admonition against retaliation;
10. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal;
11. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures;
12. A description of the process for deciding whether and what discipline to impose if the final determination (following any appeal) is that the Respondent violated the SVSH Policy, and a statement that both parties will be informed of the final resolution of the matter;
13. A statement indicating the Chancellor or Chancellor's designee will determine whether further investigation by another body is necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy; and
14. A statement that a final determination (including exhaustion of any appeal rights) that the Respondent violated the SVSH Policy will establish probable cause as defined in the Code of Conduct. (APM-015 at III.A.4).

H. Documentation of Hearing

Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section.

After the notice of policy violation determination has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

IV.C. APPEAL OF DETERMINATION (Stage 2.C)

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s). The University administers the appeal process but is not a party and does not advocate for or against any appeal.

A. Grounds for Appeal

A party may appeal only on the grounds described in this section.

1. In cases of No-Title IX Hearing DOE-Covered Conduct:
    a. There was procedural error in the investigation process that materially affected the outcome; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;
    b. There is new evidence that was not reasonably available at the time of the investigation that could have materially affected the outcome; and/or
    c. The investigator or Title IX Officer had a conflict of interest or bias that affected the outcome. The principles in Section IV.B.B.2. related to hearing officers apply here to investigators and Title IX Officers.
2. In all other cases:
    a. There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from University policy, and not challenges to policies or procedures themselves;
    b. There is new evidence that was not reasonably available at the time of the hearing that could have materially affected the outcome; and/or
    c. The hearing officer had a conflict of interest or bias that affected the outcome. See also the principles in Section IV.B.B.2.

The appeal should identify the reason(s) why the party is challenging the outcome on one or more of the available grounds.

B. Commencing an Appeal

An appeal must be submitted to the hearing coordinator within 20 business days following issuance of the notice of the investigation outcome (in cases of No-Title IX Hearing DOE-Covered Conduct) or of the hearing officer's determination (in all other cases). The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. The Title IX Officer will notify the other party of the basis for the appeal and that the other party can submit a written statement in response to the appeal within three business days, and supporting documentation from the other party as appropriate.

C. Standards for Deliberation

The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented during the investigation (in No-Title IX Hearing DOE-Covered Conduct cases) or at the hearing (in all other cases), the investigation file, and the appeal statements of the parties. They will not make their own factual findings, nor any witness credibility determinations.

D. Decision by Appeal Officer

The appeal officer, who will be an unbiased person without prior involvement in the case or personal relationship with the parties, may:

1. Uphold the findings;
2. Overturn the findings;
3. Modify the findings; or
4. In appeals alleging material procedural error or new evidence, send the case back to the investigator (in No-Title IX Hearing cases) or hearing officer (in all other cases) for further fact-finding if needed, for example on the issue of whether the alleged error, new evidence, would have materially affected the outcome.

E. Written Report

The appeal officer will summarize their decision in a written report that includes the following:

1. A statement of the grounds identified on appeal;
2. A summary of the information considered by the appeal officer;
3. The decision of the appeal officer and the rationale for the decision including, where the findings are overturned or modified, an explanation of why the ground(s) for appeal were proven; and
4. If the final decision is that the Respondent violated the SVSH Policy, a statement that the decision constitutes a finding of probable cause as defined in APM-015.

F. Distribution of Written Decision

Within ten business days of receiving the appeal, the appeal officer will send their written decision to Complainant and Respondent, with a copy to the Title IX Officer.

1. Unless the appeal officer remands the matter, they will inform the Respondent and the Complainant that the matter is closed with no further right to appeal.
2. If the appeal officer remands the matter, they will specify what further fact-finding should occur or what additional information should be considered and request that the investigator or hearing officer report back to the appeal officer on their additional fact-finding. After receiving the investigator or hearing officer's (whichever applies) additional factual findings, the appeal officer will issue their decision within ten business days. This decision will be final.

IV.D. ADDITIONAL ASSESSMENT AND CONSULTATION (Stage 2.D)

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final findings and determination to the Chancellor or Chancellor's designee, with a summary explanation of any difference between the investigator's determination or preliminary determination (whichever applies) and the final determination and findings.

The Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take in response to the final determination and findings. The Chancellor or Chancellor's designee may determine that additional investigation is required to determine whether other Code of Conduct violations occurred but will not reconsider the findings and

determinations regarding SVSH Policy violations made through the hearing and any appeal.

If the final finding is that a faculty Respondent violated the SVSH Policy, then the Chancellor or Chancellor's designee will, if they did not already do so, consult with the Title IX Officer and either engage the Peer Review Committee or consult with the Academic Personnel Office as described in *Assessment and Consultation (Stage 2)* of the Framework. If the Chancellor or Chancellor's designee already took these steps (because the investigator determined or preliminarily determined the Respondent violated the SVSH Policy), then they may choose to repeat them before proposing a resolution (for example, when the finding following any hearing or appeal is different from the investigator's determination or preliminary determination). The Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

For Senate Faculty, matters will then proceed as described in *Decision on Sanctions for Senate Faculty* (Stage 3) of the Framework.

For Non-Senate Faculty, the matter will then proceed as described in *Decision on Sanctions for Non-Senate Faculty* (Stage 3) of the Framework.

Appendix F: Local Jurisdiction Definitions of VAWA Offenses and VAWA-Related Terms

The following are summarized definitions of Violence Against Women Act (VAWA) offenses and VAWA-related terms, as stated in California Penal Codes.

Consent (Definition under California Penal Code §261.6): In [rape] prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 287, or 289, or former Section 288a.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

Consent (Definition under California Penal Code §261.7): In [rape] prosecutions … in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

Dating Violence: "Dating Violence" is not defined under California law in the criminal code.

Domestic Violence (Definition under California Penal Code §273.5): (a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000), or by both that fine and imprisonment. (b) Subdivision (a) shall apply if the victim is or was one or more of the following: (1) The offender's spouse or former spouse. (2) The offender's cohabitant or former cohabitant. (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship. (4) The mother or father of the offender's child.

Domestic Violence (Definition under California Penal Code §243(e)(1)): When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or

engagement relationship,…"Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

Domestic Violence (Definition under California Penal Code §13700(b)): "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as spouses, (5) the continuity of the relationship, and (6) the length of the relationship.

Incest (Definition under California Penal Code §285): Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

Oral Copulation (Definition under California Penal Code §287(a)): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

Rape (Sexual Intercourse) (Definition under California Penal Code §261):
A. Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

a. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act…
b. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
c. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

d. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:
    i. Was unconscious or asleep.
    ii. Was not aware, knowing, perceiving, or cognizant that the act occurred.
    iii. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
    iv. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
e. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
f. Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
g. Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official….The perpetrator does not actually have to be a public official.

B. As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

C. As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

Rape (Definition under California Penal Code §263): The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

Sexual Battery (Definition under California Penal Code §243.4):

- Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.
- Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.
- Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery.

Sodomy (Definition under California Penal Code §286): Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

Stalking (Definition under California Penal Code §646.9): Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family, is guilty of the crime of stalking…. For the purposes of this section, "harasses" means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. For the purposes of this section, "course of conduct" means two or more acts occurring over a

period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.” For the purposes of this section, “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat.

Statutory Rape (Definition under California Penal Code §261.5): Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is 18 years of age or older. Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony…. A person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony.

Appendix G: Sexual Violence Support Services and Reporting Options Brochure



RESOURCES & OPTIONS

Sexual Harassment

Sexual Assault

Dating & Domestic Violence

Stalking & Other Prohibited Conduct

UC SANTA CRUZ

UC Santa Cruz is committed to creating and maintaining a community where all individuals, including visitors, who participate in university programs and activities can do so in an atmosphere free of violence, harassment, discrimination, exploitation, or intimidation.

Every member of the community should be aware that the university prohibits sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation, and that such behavior violates both law and university policy.

UC Santa Cruz, in accordance with applicable federal and state laws and university policies, does not discriminate on the basis of race, religion, color, citizenship, national or ethnic origin, ancestry, sex (including pregnancy, childbirth, lactation, or related medical conditions), gender, gender identity, gender expression, gender transition, sexual orientation, physical or mental disability (including having a history of a disability or being regarded as being disabled), medical condition (cancer-related or genetic characteristics), predisposing genetic information (including family medical history), marital status, age (for those at least 40 years of age), or veteran or military status. These policies cover admission, access, and treatment in UC Santa Cruz programs, activities, and employment.

BEFORE YOU REPORT, WE WANT YOU TO KNOW...

UC policy requires that any non-confidential Responsible Employee who receives a report of Prohibited Conduct under the Sexual Violence and Sexual Harassment (SVSH) Policy or of potential harassment or discrimination based on an individual's actual or perceived Protected Category must report the incident to the Equity & Equal Protection (EEP) Office as soon as possible, including the known names of involved individuals.

Federal and state law requires certain campus officials to immediately report crimes to the UC Santa Cruz Police Department and/or local law enforcement agencies to determine whether a Timely Warning or Emergency Notification is necessary. However, the official making the report to law enforcement will not share identifying information unless an individual gives permission to provide identifying information.

For more information visit: titleix.ucsc.edu

SAFETY AND INTERIM MEASURES

When necessary and appropriate, the university can implement safety and supportive measures to provide support and protection to individuals involved in cases of sexual harassment or sexual violence. Some of those measures include No Contact Directives, changes in class or work schedules, changes in living arrangements, access to special parking or transportation conditions, or provision of academic adjustments. Safety and supportive measures can be arranged through the CARE or Title IX offices.

Sexual violence (including sexual assault, relationship violence, and stalking) and sexual harassment violate the law and UC Policy.



Safety and supportive measures can be arranged through the CARE or Title IX offices.

NO CONTACT DIRECTIVES/EMERGENCY PROTECTIVE ORDERS

Those who have experienced or who are reasonably in fear of violence or ongoing harassment may choose to obtain a No Contact Directive through the Title IX Office. In addition, under certain circumstances a law enforcement agency may obtain an emergency protective order for you. The university may provide assistance to a person seeking a protective/restraining order (such as a domestic violence restraining order or a civil harassment restraining order) who has suffered unlawful violence or received a threat of violence from an individual.

TITLE IX REPORTING

In order for appropriate and timely action to be taken, UC Santa Cruz encourages anyone who has experienced sexual harassment, sexual assault, dating violence, domestic violence, or stalking to report the offense to the Title IX Office online (titleix.ucsc.edu) or by calling (831) 459-2462 as soon as possible after its occurrence. Title IX staff will reach out to the complainant (person who was harmed) and review options for next steps, which may include an alternative resolution or a formal investigation.

Contact the Title IX Office
Online: titleix.ucsc.edu
Phone: (831) 459-2462

When appropriate and reasonably available, the Title IX Office may assist with changes to academic, housing, work, and transportation conditions or implement other interim supportive measures such as No Contact Directives. An individual who participates as a complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the institution's student conduct policy (e.g., drug or alcohol policy) that occurs at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

DISCIPLINARY AND REMEDIAL MEASURES

All UC employees are required to report sexual violence and sexual harassment to the Title IX Officer.

If a Title IX investigation results in a final determination of a policy violation, the proper adjudicating authority will decide and apply appropriate sanctions and remedial measures to address the impact of the substantiated misconduct. Sanctions, remedies, and the rights of parties during the adjudication stage vary depending on the status (student, staff, or faculty) of the respondent (person who caused harm).

MEDICAL ATTENTION AND EVIDENCE PRESERVATION

If you have been assaulted, you are encouraged to seek medical attention for your injuries. Injuries resulting from an assault may not at first be obvious or noticed. In particular, assault involving strangulation may cause internal injuries. Seek medical attention from your doctor, the Student Health Center, or the nearest hospital.

A Sexual Assault Forensic Exam (SAFE) can be conducted after a sexual assault to preserve evidence. Even if physical injuries are not visible, a SAFE exam is strongly recommended to collect forensic evidence and maintain all legal options.

Physical evidence is ideally collected within the first 24 hours but may be collected up to 5 days later.

The preservation of physical evidence, including clothing and bedding, is important. Ideally, do not wash to avoid loss of evidence, but evidence (such as saliva on the skin or semen) may still be collected after showering.

To initiate a SAFE exam, contact UCSC CARE at (831) 502-2273, law enforcement, or Monarch Services. SAFE exams are available at Dominican Hospital in Santa Cruz County. Transportation will be provided upon request. Student Health Services does not conduct SAFE exams. A SAFE exam can be done without making a police report by contacting Monarch Services at (888) 900-4232, or CARE at (831) 502-2273.

POLICE REPORTING

It is an individual's choice to make a police report. If an individual chooses not to make a report immediately to the police, a report can still be made at a later date. The UC Santa Cruz Police Department strongly encourages immediate reporting.

If appropriate, the UC Santa Cruz Police Department may also assist an individual with filing a police report with other law enforcement agencies. For crimes that occur in the City of Santa Cruz, please contact the Santa Cruz Police Department.

Make a police report
Call 911

UCSC Police:
(831) 459-2231, ext. 1

Santa Cruz City Police:
(831) 471-1131

CONFIDENTIAL RESOURCES

CARE Office
(831) 502-2273 (9 a.m.–12 p.m. and 1–4 p.m., M–F, on campus)
Email: care@ucsc.edu
care.ucsc.edu

Counseling and Psychological Services (CAPS)
(831) 459-2628 (24-hour hotline)
caps.ucsc.edu

Employee Assistance Program
(866) 808-6205 (24-hour hotline)
shr.ucsc.edu/benefits/eap

Monarch Services
(888) 900-4232 (24-hour hotline)
monarchscc.org

Walnut Avenue Family and Women's Center
(866) 269-2559 (24-hour hotline)
wafwc.org

REPORTING OPTIONS

Title IX Office
(831) 459-2462
Access online reporting link at titleix.ucsc.edu

The Title IX Office receives and responds to reports of sexual violence and sexual harassment involving any member of the campus community. The UC Policy on Sexual Violence and Sexual Harassment can be reviewed at titleix.ucsc.edu under "Policies and Statements."

UC Santa Cruz Police Department
(831) 459-2231, ext. 1
Email: police@ucsc.edu
police.ucsc.edu

City of Santa Cruz Police Department
(831) 471-1131

Confidential support is available 24 hours a day, 7 days a week.

CIVIL OPTIONS

Individuals may choose to seek civil remedies whether or not criminal charges and/or a Title IX complaint have been filed. Civil remedies may provide recovery of damages, including monetary compensation for medical expenses, lost wages, pain, suffering, and emotional distress. Contact an attorney for more advice about this process.

Are you looking for...

A safety escort

Safe Ride
7 p.m. to 12 a.m., 7 days a week when classes are in session during fall, winter, and spring quarters.

taps.ucsc.edu/saferide.html

A medical exam (including HIV, STD/STI testing) or need emergency contraception

Student Health Center*
(831) 459-2500
healthcenter.ucsc.edu
* Note: SAFE exams are not offered here.

Additional support services

Slug Support
(831) 459-4446
deanofstudents.ucsc.edu/slug-support/program

Legal advice about your visa or immigration status

Immigration Services
(831) 459-4055
eop.ucsc.edu/undocumented_student_services

LGBTQ-specific resources

Cantú Queer Center
(831) 459-2468
queer.ucsc.edu

Accommodations for permanent and/or temporary disabilities

Disability Resource Center
(831) 459-2089
drc.ucsc.edu

CARE: Center for Advocacy, Resources & Empowerment

CARE is a confidential place for those impacted by sexual violence and sexual harassment (SVSH) and intimate partner harm (including domestic violence) to receive support services.

Advocacy

CARE Advocates are available to support all campus community members impacted by interpersonal and gender-based harm. CARE also supports community members' families and loved ones by offering consultations to navigate university processes and understand applicable resources.

CARE Advocates provide free, confidential support and may provide information on:

- Your rights as a survivor
- Reporting options
- Navigating the university conduct system and/or the criminal justice system
- Obtaining emergency protective orders, restraining orders, or university No Contact Directives
- Safety planning
- Referrals to campus and community resources (counseling, food and security needs, resource centers, affinity group organizations, student clubs, etc.)

CARE Advocates may:

- Provide emotional and crisis support
- Accompany you to appointments and other proceedings (law enforcement or Title IX interviews, phone calls, medical appointments, or any other proceedings)
- Arrange academic accommodations
- Request changes in living arrangements
- Request changes in transportation arrangements
- Request workplace accommodations
- Facilitate access to a SAFE or Sexual Assault Response Team (SART) exam

To connect with a CARE Advocate:

Call (831) 502-2273 Email: care@ucsc.edu

Appointment request form at: care.ucsc.edu

Walk in to the CARE office Monday–Friday, 9 a.m.–12 p.m. and 1 p.m.–4 p.m.

Scan QR code to access CARE website:

Appendix H: Clery Act Crime Definitions

The Clery Act applies the crime definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program when classifying and counting Clery crimes. The definitions for murder/non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, weapons law violations, drug law violations, and liquor law violations are from the "Summary Reporting System (SRS) User Manual" of the UCR Program. The definitions of fondling, incest, and statutory rape are from the "National Incident-Based Reporting System (NIBRS) Data Collections Guidelines" of the UCR Program. The definitions of hate crimes are from the FBI's Uniform Crime Reporting "Hate Crime Data Collection Guidelines and Training Manual." The definitions of dating violence, domestic violence, and stalking (for purposes of Clery Act crime statistics reporting) are from the Violence Against Women Act of 1994 Code of Federal Regulations 668.46(a). The definition of hazing is from the Stop Campus Hazing Act. It should be noted that Clery crime definitions used for compiling Clery crime statistics are different from California state crime definitions that may be used by law enforcement authorities and prosecutorial agencies as well as UC Santa Cruz administrative policy definitions for certain crimes. The Clery crime definitions and counting rules are as follows:

Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or the commission of a crime is counted as a murder/non-negligent manslaughter. One offense per victim is counted.

Manslaughter by Negligence: The killing of another person through gross negligence. Any death caused by the gross negligence of another is counted as Manslaughter by Negligence. One offense per victim is counted.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Attempted sexual assaults of the following types are counted as statistics of crime. This definition includes male and female victims.

- **Rape:** 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 consent of the victim. The crime is included as Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. This definition includes any gender of victim or perpetrator. One offense per victim is counted.

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. One offense per victim is counted.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One offense per victim is counted.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. One offense per victim is counted.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. In any instance of Robbery, one offense for each distinct operation (i.e., incident) is counted, including attempts. The number of victims robbed, the number of those present at the robbery, and the number of offenders are not counted.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (includes attempts and whether or not an injury has occurred). This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. One offense per victim is counted. If a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, the number of persons assaulted are counted as the number of offenses. Assaults or attempts to kill or murder, poisoning (including the use of date rape drugs), assault with a dangerous or deadly weapon, maiming, mayhem, assault with explosives, and assault with disease are counted as aggravated assaults.

Burglary: The unlawful entry of a structure to commit a felony or a theft (this definition excludes burglary/thefts from vehicles). An incident must meet three conditions to be classified as a burglary: (1) there must be evidence of unlawful entry (trespass). Both “forcible entry” and “unlawful entry - no force” are counted. This means that the person did not have the right to be in the structure at the time the incident occurred; (2) the unlawful entry must occur within a structure (a structure is defined as having four walls, a roof, and a door); and (3) the structure was unlawfully entered to commit a felony or theft. One offense per each distinct operation is counted. Burglaries in individual student rooms are considered separate offenses. For burglaries in suites, each bedroom and the common area in a student housing suite is considered a separate dwelling. The burglary of an academic structure is counted as one offense, regardless

of the number of interior rooms entered or items stolen if the rooms were all burglarized during the same time frame.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. This applies to any self-propelled vehicle that runs on land surface and not on rails (includes all joy-riding incidents and attempts). One offense for each stolen vehicle is counted.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. (includes attempts). One offense for each distinct incident of Arson is counted. All of the evidence for any fire not known to be accidental (such as a cooking fire) must be considered by the institutional official designated to make such determinations.

Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including**:**

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal or Federal law;
- and any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

A student organization is defined as: an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or

not the organization is established or recognized by the institution. One offense per distinct operation of hazing is counted.

Domestic Violence: A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim, (b) a person with whom the victim shares a child in common, (c) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration for: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse, or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

Stalking: Engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

- **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 similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Hate Crime: 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. Bias is a preformed negative opinion or attitude toward a group of persons based on their perceived identity. Although there are many categories of bias, under the Clery Act, only the following eight categories are reported: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. Before an incident can be classified as

a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

Hate Crimes include the following offenses that are motivated by bias: Murder, Non-negligent Manslaughter, Sexual Assault (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson, plus the Additional Crimes listed below. Hate crimes are not reported for Dating Violence, Domestic Violence, Stalking, or Arrests/Disciplinary Referrals for Liquor, Drug, and Weapons law violations.

Additional Crimes that only apply to Clery statistics when there are sufficient objective facts to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias:

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics

that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). All drugs, without exception, that are illegal under local or state law where the institution is located is considered a drug law violation. All illegally obtained prescription drugs are considered drug law violations as well.

It should be noted that in California, possession of less than 1 ounce of marijuana on Clery geography by anyone at least 18 years of age but less than 21 is an infraction punishable by a monetary fine. Anyone under 18 years of age found guilty of the infraction will be required to complete drug education or counseling and community service.

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.