UC San Diego



2026

ANNUAL SECURITY & FIRE SAFETY REPORT

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

Non-Discrimination Policy

The University of California, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of protected categories as defined in the University of California Anti-Discrimination Policy. The University also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in University programs and activities. The University of California Anti-Discrimination Policy can be found online.

The following office has been designated to handle inquiries relating to non-discrimination policies, as well as issues relating to sexual harassment and sexual violence:

Office for the Prevention of Harassment & Discrimination
University of California San Diego
9500 Gilman Dr. # 0024
La Jolla, CA 92093-0024
(858) 534-8298
OPHD website

Michael Diaz
Director, Office for the Prevention of Harassment & Discrimination
Title IX Officer/Title VI Officer

Table of Contents

I. The Clery Act 5
II. Preparing the *Annual Security and Fire Safety Report* 6
III. Reporting Crimes and Emergencies 7
A. Reporting to Law Enforcement 7
B. Campus Security Authorities ("CSAs") 8
C. Pastoral and Professional Counselors 9
D. Voluntary and Confidential Reporting 9
E. Daily Crime and Fire Log 9
IV. UC San Diego Police Department 10
A. Law Enforcement Authority 10
B. Law Enforcement Partnerships 11
C. Firearms and Weapons 12
V. Local Law Enforcement Monitoring and Recording of Non-Campus Criminal Activity 13
VI. Security, Access, and Maintenance of Facilities 14
A. Security of, and Access to Facilities 14
B. Security of, and Access to Campus Residential Facilities 15
C. Security Considerations Used in the Maintenance of Facilities 16
VII. Timely Warnings 17
VIII. Emergency Notifications, Response and Evacuation Procedures 18
A. Emergency Notifications 18
B. Emergency Response and Evacuation Procedures 26
C. Emergency Instructions 34
IX. Missing Students 39
A. Confidential Contact 39
X. Alcohol and Drug Policies 40
A. University Policies and Sanctions Related to Drug and Alcohol Use 40
B. Laws Relating to Illicit Drugs and Alcohol (Federal, State of California, and Local) 41
C. Health Risks Associated with the Use of Controlled Substances or Misuse of Alcohol 43
D. Drug and Alcohol Counseling, Services and Resources 44
E. Drug-Free Schools and Communities Act Biennial Review 46
XI. Campus Safety, Security Awareness and Crime Prevention Education 46
XII. Programming, Policies and Procedures Relating to Dating Violence, Domestic Violence, Sexual Assault and Stalking 49
A. Definitions 49
B. Primary and On-going Prevention and Awareness Programs 73
C. Options, Rights and Procedures for Victims/Survivors of Dating Violence, Domestic Violence, Sexual Assault and Stalking 82
D. Administrative Process for Incidents Involving Dating Violence, Domestic Violence, Sexual Assault and Stalking 95
E. Non-Sex-Based Stalking 126
XIII. Victim Notification Policy 132
XIV. Sex Offender Registration Information 133
XV. Hazing 133
A. Hazing Prevention Procedures 133
B. Programming Related to Hazing Prevention 136
C. California State Laws Regarding Hazing 136
XVI. Crime Statistics 141

A. Sources for Crime Statistics....141
B. Crime Statistics....142
C. Offense Definitions....145
D. Geographic Definitions....147
XVII. Annual Fire Safety Report....147
A. On-Campus Student Housing Facility Fire Safety Systems....148
B. Fire Evacuation Policies and Procedures....148
C. Policies Related to Smoking, Portable Electrical Devices and Open Flames in On-Campus Student Housing Facilities....154
D. Fire Safety Education and Training....155
E. Plans for Future Improvements in Fire Safety....155
F. Reporting Fires for Annual Statistics....156

Appendices:

Appendix A - UC San Diego On-Campus Student Housing Facilities: Fire Protection Systems and 2025 Fire Drills

Appendix B - UC San Diego On-Campus Student Housing Facilities: 2025, 2024 and 2023 Fire Statistics

Appendix C - University of California Policy: Sexual Violence and Sexual Harassment Interim Policy

Appendix D - Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct (PACAOS – Appendix E)

Appendix E - Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct (Interim PACAOS – Appendix F)

Appendix F - University of California Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty Interim Revisions

Appendix G - University of California Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non- Faculty Academic Personnel Interim Revisions

Appendix H - Student Conduct Investigation and Resolution Framework (PACAOS – Appendix H)

Appendix I - UC San Diego at Southwestern College in Chula Vista

Note: The Annual Security and Fire Safety Report contains summaries of existing laws and regulations and University policies. Please refer to the applicable cited laws, regulations, and policies for the current and full text of the law, regulation, or policy.

I. The Clery Act

In 1990, the Higher Education Act of 1965 was amended to include the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542). This amendment required all postsecondary institutions participating in the Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998, the Act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (more commonly known as the Clery Act) in memory of Jeanne Clery, a Lehigh University student who was raped and murdered in her dorm room in 1986. On March 7, 2013, President Barack Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the bill were amendments to the Clery Act that afforded additional rights to victims/survivors of dating violence, domestic violence, sexual assault and stalking. On December 23, 2024, President Joseph Biden signed the Stop Campus Hazing Act (SCHA). This law amended the Clery Act to include reports of hazing statistics and other disclosures relating to hazing and hazing violations. The SCHA also renamed the Clery Act to the Jeanne Clery Campus Safety Act.

The Clery Act requires colleges and universities to draft and implement policies and procedures, as well as disclose certain crime statistics. These requirements include, but are not limited to:

- Developing policies and procedures regarding crime prevention, missing students, drug and alcohol use, reporting and preventing sexual assaults, hazing prevention, and issuing emergency notifications, among others.
- Issuing Timely Warnings for Clery Act crimes that constitute a serious or continuing threat to the safety of students or employees.
- Publishing an *Annual Security and Fire Safety Report* containing crime and fire statistics and statements of policies/procedures.
- Submitting crime and fire statistics to the U.S. Department of Education.



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The University of California Clery Act Policy can be found online.

UC San Diego strives to provide a safe campus environment for its students, faculty and staff in compliance with the Clery Act and other federal and state laws. Each year UC San Diego publishes its *Annual Security and Fire Safety Report*, which includes UC San Diego's statements of policies and procedures relating to campus safety and security, as well as certain crime and fire statistics. This *Annual Security and Fire Safety Report* is prepared with the cooperation of many University departments, and is intended to communicate important safety information to students, faculty and staff, and to assist prospective students, faculty and staff in the decision-making process of selecting a college or university by highlighting that UC San Diego is a safe place to learn, live and work.

II. Preparing the *Annual Security and Fire Safety Report*

The statements of policies and procedures presented in the *Annual Security and Fire Safety Report* have been prepared by members or designees of the Clery Compliance Committee, and other campus partners, including representatives from the following departments:

- Academic Personnel Services
- Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center (CARE at SARC)
- Campus Fire Marshal
- Center for Student Involvement
- Center for Student Accountability, Growth, and Education (SAGE)
- Counseling and Psychological Services
- Council of Deans of Student Affairs
- Environment, Health & Safety
- Facilities Management
- Faculty and Staff Assistance Program
- Health Promotion Services
- Human Resources: Employee Relations
- Office of Ethics & Compliance (OEC)
- Office for the Prevention of Harassment & Discrimination (OPHD)
- Residential, Retail and Supply Chain Services (RRSS)
- Undergraduate Colleges: Residence Life & Student Affairs
- UC San Diego Police Department
- UC San Diego Health Emergency Management / Business Continuity / Telecom Operator Services
- UC San Diego Health Employee Relations
- UC San Diego Health Security Services



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The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University that are based upon reports of Clery Act crimes occurring on Clery geography that are (1) reported directly to the UC San Diego Police Department; (2) reported to Campus Security Authorities, who then submit reports of the crimes to the UC San Diego Police Department; or (3) reported to local law enforcement agencies. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year in which the crime was reported.

All of the statistics are gathered, compiled, and reported to the University community via this *Annual Security and Fire Safety Report*. These statistics are also submitted to the U.S. Department of Education. The *Annual Security and Fire Safety Report* is distributed to all students, faculty and staff each year by email and is available online. Paper copies of the *Annual Security and Fire Safety Report* may be obtained by contacting the UC San Diego Police Department at (858) 534-4361 or in person at the UC San Diego Police Department located in Campus Services Complex, Bldg. B.

III. Reporting Crimes and Emergencies

A. Reporting to Law Enforcement

The University encourages crime victims, witnesses or anyone who learns about a crime to report the crime or emergency accurately and promptly to the UC San Diego Police Department, or to the San Diego Police Department if you are off campus and within the city of San Diego, or to any appropriate police agency. Crimes should be reported when the victim of such crime elects to report, or is unable to make such a report. Every report made to the UC San Diego Police Department is reviewed to determine whether a follow-up investigation is required; whether a Timely Warning to the UC San Diego community is warranted; and whether the incident qualifies as a Clery reportable statistic for the *Annual Security and Fire Safety Report*.

Please see **Section VII** for UC San Diego's Timely Warning policy statement.

The UC San Diego Police Department is located at Campus Services Complex, Bldg. B and can be reached twenty-four hours a day at 9-1-1 or (858) 534-HELP (4357). For off campus locations, calls for assistance should be directed to the local law enforcement agency, such as the San Diego Police Department.
The UC San Diego Police Department Communications Center is a Public Safety Answering Point (PSAP), which is staffed 365 days per year, 24 hours a day with a dispatcher to respond to 9-1-1 and administrative calls.



Credit: Officer Larry Darwent,
UC San Diego Police Department

In response to information received in the Communication Center from these calls, the UC San Diego Police Department will take the required action, which could include the dispatching of an officer or making a request for the victim to come to the Police Department to file a report. In some cases, incoming 9-1-1 calls are transferred to the appropriate PSAP having jurisdiction over the location of the reported incident. Criminal cases which involve student suspects are shared with the Center for Student Accountability, Growth, and Education (SAGE) for review and potential action through the non-academic student conduct process.

The UC San Diego Police Department also has the ability to notify other PSAPs (or dispatch centers) within the county of emergency situations occurring on or off campus via the San Diego County Regional Communications System (RCS) This radio system allows the Police Department to request assistance from emergency responders from surrounding agencies and patch the radio communications together for a coordinated response, if deemed necessary and appropriate.

Crimes may also be reported to Campus Security Authorities ("CSAs"). CSAs who are not otherwise authorized to do so, will not investigate the crime, but they submit reports to the UC San Diego Police

Department online. The UC San Diego Police Department assesses the information provided in the Campus Security Authority Crime Report Form, determines whether an immediate response is warranted, if a Timely Warning should be issued, and determines appropriate follow-up. Please see **Section III.B** for a description of Campus Security Authorities.

UC San Diego Health staff should report any crimes at the Hillcrest, East Campus or La Jolla Medical Centers to the UC San Diego Health Security Services personnel who liaison with the San Diego Police Department, to the UC San Diego Police Department, or any other law enforcement agency with jurisdiction, as needed.

Incidents that qualify as sex offenses, dating violence, domestic violence or stalking should also be reported to the Office for the Prevention of Harassment & Discrimination pursuant to Title IX and UC Policy. See **Appendix C**.

Reports can be made online using the OPHD Incident Report Form or by calling (858) 534-8298 or emailing ophd@ucsd.edu.

Clery Act crimes occurring on Clery geography that are reported to the UC San Diego Police Department, Office for the Prevention of Harassment & Discrimination, Center for Student Accountability, Growth, and Education, UC San Diego Health Security Services, other CSAs and local law enforcement agencies are used to compile the crime statistics for this *Annual Security and Fire Safety Report*.

IMPORTANT NUMBERS:

For on campus emergencies (police, fire, or medical):
Dial 9-1-1 from a campus or mobile phone.

Use one of the emergency call boxes located in the parking lots or parking structures. Use the emergency intercom system located in most building elevators.

For off-campus emergencies:
Dial 9-1-1 from a hardwired phone.
Dial 9-1-1 from a mobile phone to reach either local law enforcement or the California Highway Patrol.

B. Campus Security Authorities ("CSAs")

Individuals identified as Campus Security Authorities ("CSAs") must report Clery Act crimes, which they directly witness or learn about in the course of their duties, to the UC San Diego Police Department, regardless of whether the victim chooses to file a report with law enforcement or to press charges.

In addition to the UC San Diego Police Department, CSAs include, but are not limited to, staff in the Office for the Prevention of Harassment & Discrimination and the Center for Student Accountability, Growth, and Education. CSAs also include UC San Diego Health Security Services, as well as athletic coaches and assistant coaches, Deans and Assistant Deans of Student Affairs, Resident Assistants and House Advisors.

CSAs complete a report and submit it to the UC San Diego Police Department. The UC San Diego Police

Department assesses the information provided in the Crime Report Form, determines whether an immediate response is warranted, if a Timely Warning should be issued, and determines appropriate follow-up.

The University strongly encourages all members of the community to report crimes directly to the UC San Diego Police Department. If the incident involves dating violence, domestic violence, sexual assault or stalking, CSAs who are also Responsible Employees as defined under Title IX and University of California Policy must also make a report to the Office for the Prevention of Harassment & Discrimination. See **Appendix C** for the University of California *Sexual Violence and Sexual Harassment Policy*.

C. Pastoral and Professional Counselors

The Clery Act requires the University to disclose our policies relating to reporting requirements for pastoral and professional counselors. Pastoral counselors and professional counselors are not required to report Clery crimes to the UC San Diego Police Department for inclusion in the *Annual Security and Fire Safety Report* or for review of a possible issuance of a Timely Warning. UC San Diego does not have any procedures which encourage pastoral counselors or professional counselors, at their discretion, to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion in the *Annual Security and Fire Safety Report*. However, anyone may report a crime to the UC San Diego Police Department on a voluntary or anonymous basis. See **Section III.D** below.

D. Voluntary and Confidential Reporting

UC San Diego encourages all victims or witnesses of a crime to file a report with the UC San Diego Police Department. Individuals wishing to make a report to the UC San Diego Police Department on a voluntary, confidential, or anonymous basis may do so online.

The UC San Diego Police Department uses an anonymous tip reporting tool so campus and community members can report a crime or share crime tips anonymously. Please refer to the UC San Diego Police Department website for the most current information on anonymous crime reporting. Additionally, these anonymous reports will be included in the statistics presented in the *Annual Security and Fire Safety Report* if they meet Clery Act definitions.

In addition, CSAs who are submitting reports of Clery crimes to the UC San Diego Police Department are not required to identify the victim by name. Further, the Police Department will advise victims of sexual violence that they may pursue Confidential Victim status pursuant to California Penal Code Section 293.

UC San Diego does not have other procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the *Annual Security and Fire Safety Report.*

E. Daily Crime and Fire Log

The UC San Diego Police Department maintains a Daily Crime and Fire Log. The log for the most recent 60-day period is open for public inspection during normal business hours Monday-Friday at Campus Services Complex, Bldg. B. The Daily Crime and Fire Log is also available online.

Subject to applicable federal and state retention periods, any portion of the log that is older than 60 days will be

made available within two business days of a request for public inspection. The Daily Crime and Fire Log contains the following information:

- All crimes occurring on Clery Act geography and within the UC San Diego Police Department's patrol jurisdiction which are reported to the UC San Diego Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- The fire log entries include any fire that occurred in an on-campus student housing facility, including the nature, date, time, and general location of each fire.

The Daily Crime and Fire Log does not contain any personally identifiable information about the victim. Information in the log is not required to be disclosed when there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual; that may cause a suspect to flee or evade detection; or that could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur following the release of such information.

IV. UC San Diego Police Department

A. Law Enforcement Authority

The UC San Diego Police Department is empowered pursuant to Section 830.2(b) of the California Penal Code and fully subscribes to the standards of the California Commission on Peace Officer Standards and Training (POST). The UC San Diego Police Department has the authority to enforce federal, state and local laws and to conduct criminal investigations and make arrests anywhere in the State of California. They receive the same basic training as city and county peace officers throughout the state, plus additional training to meet the unique needs of a campus environment. The primary jurisdiction of the UC San Diego Police Department is the University campus.

The Department handles all patrol, investigation (with the exception of homicide investigations), crime prevention education, and related law enforcement duties for the campus community, and operates twenty-four hours a day, seven days a week. The UC San Diego Police Department maintains a cooperative relationship with local and surrounding police agencies.

The Department is a member of the San Diego County Regional Communications System (RCS) and has direct radio contact with local public safety agencies. The Department also has access to local, state, and federal law enforcement telecommunications systems that provide vehicle registration, driver license and criminal record information.

The UC San Diego Police Department partners with Residential, Retail and Supply Chain Services (RRSS) to offer the University Safety Official (USO) Program. USOs are Department employees who complete a civilian field-training program, including first aid/CPR, conflict resolution, crisis intervention and mental health support. USOs receive ongoing training and are non-sworn members of the Department who are responsible for educating residents about University housing policies, documenting violations, and are assigned to residential areas of each college where they perform security checks of residential facilities, respond to fire and medical calls, identify potential safety hazards, patrol surrounding areas, provide safety escorts, and secure residents' doors, among other services and responsibilities.

USOs collaborate with Residential Life staff to conduct safety walks together, provide safety training to residential/housing advisors, and partner with Residential Life to conduct community events. USOs act as liaisons between the Police Department, RRSS, and residents. The Department also employs currently enrolled UC San Diego students as Community Service Officials (CSOs) who provide safety-related services, including providing walking escorts, patrolling parking lots, locking buildings, and providing security support at campus events, among other services. CSOs are non-sworn members of the Department.



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The police officers serving at the UC San Diego Police Department are the only sworn law enforcement at UC San Diego. The UC San Diego Bookstore Loss Prevention Department, along with University Library Safety and Security personnel, under California Penal Code Section 490.5(f)(1), "may detain a person for a reasonable time for the purpose of conducting an investigation in a reasonable manner whenever the merchant has probable cause to believe the person to be detained is attempting to unlawfully take or has unlawfully taken merchandise from the merchant's premises;" both groups have the power to conduct a Citizen's Arrest but are acting as agents of a merchant or library in a non-sworn capacity. UC San Diego Health Security Services staff, who are also non- sworn personnel, do not detain individuals but do reserve the authority to conduct a Citizen's Arrest when observing criminal activity in their presence. All other non-sworn security personnel, including those that are contracted and hired from outside of the University, may not detain individuals.

B. Law Enforcement Partnerships

The UC San Diego Police Department and the San Diego Police Department adopted and signed a written agreement on November 6, 2015 that clarifies and affixes operational responsibilities for the investigation of violent and non-violent crimes occurring on University property. Due to the sophisticated investigative resources required to properly investigate certain crimes, the UC San Diego Police Department, by agreement, has arranged in certain circumstances for assistance from the San Diego Police Department. The agreement states that the UC San Diego Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring on the UC San Diego campus, with the exception of homicide/manslaughter. In cases of homicide/manslaughter, the San Diego Police Department will be the lead reporting and investigating agency. The San Diego Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring in the vicinity of the UC San Diego campus, but outside the boundaries of the main campus. Both agencies will continue to provide mutual aid assistance as appropriate when requested.

In addition, the UC San Diego Police Department seeks assistance from federal, state, and county law

enforcement agencies as needed. The UC San Diego Police Department, as a member of the San Diego County Police Chiefs and Sheriffs Association's, is party to the Memorandum of Understanding regarding consent pursuant to Section 830.1 of the California Penal Code, dated August 2, 2015.

The University of California Office of the President (UCOP) has signed an agreement with the California Highway Patrol (CHP) effective June 2025. The agreement outlines the support services CHP will provide to all ten University of California campuses when additional resources are needed. The MOU does not replace or circumvent the Statewide Mutual Aid Program. Rather, it is intended to supplement it by facilitating timely access to appropriate resources for pre-planned events or spontaneous situations that may not meet the criteria for a statewide mutual aid response.

C. Firearms and Weapons

The following is a summary of some of the laws pertaining to firearms, weapons, or destructive devices on University property:

- It is unlawful for any person to bring or possess any firearm (loaded or unloaded) upon the campus of, or buildings owned or operated for student housing, teaching, research or administration by a public or private university (certain exceptions apply).[1]
- It is unlawful for any person to bring or possess any dirk, dagger, ice pick, or knife having a fixed blade longer than 2.5 inches upon the grounds of, or within the University of California (certain exceptions apply).[2]
- It is unlawful for any person to bring or possess a less lethal weapon, as defined in California Penal Code Section 16780, or a stun gun, as defined in California Penal Code Section 17230, upon the grounds of, or within a public or private university (certain exceptions apply).[3]
- It is unlawful for any person, except in self-defense, to draw or exhibit an imitation firearm, in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm.[4]
- It is unlawful for any person to possess a destructive device except as provided by law.[5]
- It is unlawful for any person to manufacture, import into the state, keep for sale or offer for sale, give, lend or possess any: metal military practice hand grenade or metal replica hand grenade; air gauge knife; belt buckle knife; lipstick case knife; writing pen knife; ballistic knife; metal knuckles; leaded cane; billy; blackjack; slungshot; sandbag; sandclub; sap; shuriken; any undetectable or camouflaging firearm container; cane gun; wallet gun; or zip gun.[6]
- It is unlawful for any person to possess or commercially manufacture or cause to be commercially manufactured or who knowingly imports into the state for commercial sale, keeps for commercial sale or offers for commercial sale any composite knuckles or hard wooden knuckles.[7]

Please refer to the California Penal Code for additional information.

[1] Cal. Penal Code §§ 626.9(h), (i).
[2] § 626.10(b).
[3] § 626.10(b).
[4] § 417.4.
[5] § 18710.
[6] §§ 19200, 20310, 20410, 20610, 20910, 21110, 21810, 22210, 22410, 24310, 24410, 24710, and 33600.
[7] § 21710.

V. Local Law Enforcement Monitoring and Recording of Non-Campus Criminal Activity

Local law enforcement agencies do not monitor or record criminal activities which students may engage in at non-campus locations of registered student organizations on behalf of UC San Diego. The UC San Diego Police Department does not provide law enforcement services to any off-campus activities of registered student organizations outside of its patrol jurisdiction. The Center for Student Involvement maintains contact with recognized fraternities and sororities through the function of the Sorority and Fraternity Life. Criminal activity at locations outside of the UC San Diego Police Department's patrol jurisdiction would be handled by the local police department (e.g., the San Diego Police Department). The UC San Diego Police Department maintains a solid working relationship with allied police agencies and exchanges relevant information as appropriate. If the UC San Diego Police Department learns of criminal activity at any off-campus activities of registered student organizations occurring outside its patrol jurisdiction, it may coordinate the local police department's forwarding of information about the situation to the Center for Student Accountability, Growth, and Education or the Office for the Prevention of Harassment & Discrimination, as appropriate.

UC San Diego expects all registered student organizations to abide by the UC Policy on Student Conduct and Discipline and the UC San Diego Student Conduct Procedures. The University may extend its jurisdiction to non-campus activities pursuant to the Student Conduct Procedures. (See the Student Conduct Procedures for more details.)

Take Responsibility For Your Own Safety. Helpful reminders for residents:

Keep room and apartment doors locked at all times.
Ask strangers to wait in common areas and restrict access to private areas.
Keep valuables out of sight.
Refrain from leaving personal property in common areas.
Report suspicious activity immediately to the UC San Diego Police Department.

For additional information on how to keep yourself safe in various situations, visit the UC San Diego Police Department website for more information.

VI. Security, Access, and Maintenance of Facilities

A. Security of, and Access to Facilities

1. Campus Facilities

UC San Diego is a public university; therefore, most of the buildings on campus are open to the public, such as Geisel Library and the Price Center. However, UC San Diego has several labs and business areas that are not open to the public. Most facilities have individual operating hours, and the hours vary depending on the time of year — some facilities are open for extended hours to accommodate evening classes, research or other special events and programs. Access to some of these buildings is controlled electronically. As with all technology, the system is not infallible, and all community members are advised to remain vigilant with regard to security matters.



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Administrative buildings and department-assigned offices and laboratories typically assign responsibility for their maintenance and security to building Management Services Officers or Security Services. Many campus buildings utilize intrusion alarms, panic buttons, and video cameras to enhance security in their areas.

As a safety matter, doors should not be propped open, especially those in secure areas. It is every employee's responsibility to report suspicious activity and unauthorized visitors, and to report damaged or malfunctioning doors or windows for immediate repair. Employees should have Employee IDs with them at all times.

Employees may engage with unknown persons to provide wayfinding guidance as appropriate. If the employee does not feel comfortable or safe to engage with the individual(s), they should contact the UC San Diego Police Department for assistance. Individual offices should be locked when unattended, and University keys should never be given to persons not authorized to possess them.

See the UC San Diego Police Department website for some additional safety tips.

In partnership with the Facilities Management Lock Shop, the UC San Diego Police Department has purchased and currently maintains an enterprise-level access control system, which continues to transition disparate access control building systems to a centralized model; this centralization provides scheduled unlocking and securing of locations, lock-down capabilities, and audit capabilities for patrons of campus facilities. Facilities Management has also recently formalized a temporary key checkout policy. All temporary key checkout records are kept in an online campus maintenance management system (Maximo), which allows the University to track them digitally and send email notifications when approaching the return date.

The UC San Diego Police Department Community Service Officer (CSO) Program employs students who provide safety escorts during the evening hours. As student employees of the UC San Diego Police

Department, the CSOs provide expanded safety and security resources for the campus. They also provide security at special events, assist Library Security in the campus libraries, lock various campus buildings and provide general patrol of the campus. Call (858) 534-WALK (9255) to request an escort.

University Safety Officials (USOs) are full-time employees who provide security and enforce campus policies. USOs primarily work in the campus residential areas. USOs also provide extra patrol around the trolley stops and provide security at some special events.

The UC San Diego Police Department maintains Emergency Call Boxes in many campus parking lots and main pedestrian thoroughfares for a direct line to request police assistance or a safety escort. Outdoor call boxes are blue towers with a blue strobe light. Multiple broadcast towers labeled "Emergency" are located at main pedestrian thoroughfares. These towers double as callboxes. To use, press the button and you will be connected to the UC San Diego Police Department. Find existing locations for each tower online.

Request a Safety Escort: Call extension 4-WALK from a campus phone or (858) 534-9255. Check out the Emergency Ride Home Program online.

2. UC San Diego Health Facilities

The UC San Diego Health access control policy at Hillcrest, East Campus, and La Jolla restricts and monitors after-hour entry into the medical centers. This policy involves securing the main entrance and all other ground floor and basement doors after normal operational hours. The need for any exceptions should be submitted by the Department Manager to the Director, Security Services. The Emergency Department corridor entrance and Emergency Department waiting room entrance remain unlocked twenty-four (24) hours each day.

"Restricted Access" areas are UC San Diego Health spaces designated by the Director, Security Services for stringent access control. Security Services require staff requesting access to these areas to be pre-approved by the Department Manager responsible for the space. Security Services is available to consult with Department Managers to design appropriate alarm and access control systems to restrict access to these areas. Access to offices, laboratories, storage areas and other work spaces is limited to authorized personnel. Employees may engage with unknown persons to provide way-finding guidance, as appropriate. If the employee does not feel comfortable or safe to engage with the individual(s), they should contact security for assistance.

All spaces not in use will be secured. Staff will only use their access cards to gain entry into areas they are authorized to work. At no time shall staff share or loan their access badge with another employee or unauthorized user to access an area or building for any reason. Key control policies are stringent and must be carefully adhered to. Any compromise must be reported immediately to the Director, Security Services or Security Manager. Staff are required to visibly display a UC San Diego Health identification card while on duty.

B. Security of, and Access to Campus Residential Facilities

Residential, Retail and Supply Chain Services, Residential Life Offices, and the UC San Diego Police

Department work closely together to promote a safe and comfortable living and learning environment for resident students. Security in residential areas is supplemented by University Safety Officials (USOs) employed by the UC San Diego Police Department who patrol during the evening hours. Apartments or suite entries require either electronic key card access or hard key access. Individual bedrooms have hard key and electronically controlled card reader access. Housing buildings with electronic locks are protected by multilayer access protocols, including a key card and PIN.

C. Security Considerations Used in the Maintenance of Facilities

1. Campus Facilities

During the year, assessments are conducted to review issues and identify areas of concern with respect to building security, campus lighting, landscaping, and other potential safety and security issues. Lighting and safety hazards identified during routine patrol of the campus are forwarded on an ongoing basis to Facilities Management.

Ongoing projects include a review of master specifications for physical security infrastructure and technologies in coordination with Capital Program Management, Design and Development Services, and Campus Planning, an update of the Campus Outdoor Lighting Policy and Standards, and a review of the Annual Lighting Survey standards and procedures.

Facilities Management, Environment, Health & Safety (EHS) and the UC San Diego Police Department coordinate the Annual Lighting Survey. Representatives from Facilities Management, Residential Life, Environment, Health & Safety, Transportation Services, Residential, Retail and Supply Chain Services, Campus Planning, the Libraries, Associated Students, and CARE at SARC walk the entire campus evaluating dark areas, safety hazards and other concerns. Recommendations for improvements are forwarded to the appropriate departments. The campus uses an automated maintenance and management system, Maximo, which can document, track, and assess current reports of lighting concerns, failures, and suggestions through the work order system. The University is using this information to better respond to and become proactive in managing lighting concerns.

In an effort to minimize physical security vulnerabilities and enhance overall campus design, the UC San Diego Police Department Physical Security Program Manager performs security assessments for existing buildings upon request, as well as Crime Prevention Through Environmental Design (CPTED) recommendations for planned facilities and campus neighborhood programs.

The trained and certified Program Manager and Program Analysts provide security evaluations for lighting, pedestrian and vehicular movement, facility ingress and egress control, and landscape augmentation to minimize areas of concealment;



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Additionally, the Program Manager is responsible for maintaining and expanding physical security systems, such as public safety cameras, access control, intrusion and duress alarms, and the campus-wide gunshot detection system. Please refer to Access Control 101 and Best Practices.

2. UC San Diego Health Facilities

The medical centers conduct an Environment of Care risk assessment program, which is designed to evaluate, reduce, and control environmental hazards and risks of safety-related incidents to the buildings, grounds, equipment, occupants, internal physical systems and safe practices of hospital employees. The Environment of Care Committee is responsible for assuring an ongoing program for identifying and assessing hazards and improving safety practices at the medical centers.

Included within this program are periodic risk assessments, which are conducted by the Security Services office and which reviews the external environment and services provided by UC San Diego Health. A plan of correction will be implemented when new risks are identified.

VII. Timely Warnings

If a Clery Act crime occurring on Clery geography constitutes a serious or continuing threat to students and employees, a Timely Warning will be written and issued by the UC San Diego Police Department. Clery Act crimes include all of the offenses reported in **Section XVI.B** of this *Annual Security and Fire Safety Report* that are reported to the UC San Diego Police Department directly by a crime victim or witness or via a Campus Security Authority or a local law enforcement agency. The Police Department evaluates whether the incident was a Clery Act crime, whether it occurred on UC San Diego Clery geography (on campus property, on campus student housing facilities, on public property within or immediately adjacent to or accessible from the main campus or in/on non-campus buildings and property owned or controlled by the University and frequented by students), and whether the crime is considered to be a serious or continuing threat to the campus community. This evaluation is done on a case-by-case basis and considers several factors, such as the nature of the crime and the continuing danger to the campus community.

The Chancellor, Police Chief, Assistant Police Chief, Captain, Lieutenant or the Watch Commander all have authority to issue a Timely Warning. If a Timely Warning is deemed necessary, the Watch Commander on duty will determine the content of the Timely Warning and will initiate the notification.

Timely Warnings are primarily issued via email to all students, faculty and staff to their assigned ucsd.edu email accounts with the subject heading including the phrase “Timely Warning.” If the Watch Commander deems it appropriate, Timely Warnings may also be issued utilizing one or more of the following systems:

- Text Message
- Triton Alert Emergency Notification
- Callbox or other public address system
- Patrol Vehicle (public address system)
- Twitter @UCSDPOLICE
- Low Power Radio — 1610 AM
- Everbridge App

When issuing a Timely Warning, some specific information may be withheld if there is a possible risk of

compromising law enforcement efforts to investigate or solve the crime. Timely Warnings do not include names of victims.

Timely Warnings shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.[8]
Incidents may constitute a threat to the community, but they do not meet the criteria of a Clery-reportable crime occurring at a Clery geographic location. In such instances, a "Community Alert Bulletin" may be utilized to notify the community of the threat. The content of the Community Alert Bulletin will vary depending on the type of incident.

VIII. Emergency Notifications, Response and Evacuation Procedures

A. Emergency Notifications

This policy applies to emergency notifications sent by the University regarding incidents that occur on on-campus property at UC San Diego as defined by the Jeanne Clery Campus Safety Act (20 USC Section 1092(f)(6)).[9]

The policy also applies to alerts issued for the medical facilities that are located on on-campus property (collectively, the "La Jolla Medical Campus" ("LJMC")), which use a notification system for emergencies that may impact their hospital or clinical settings in addition to receiving Triton Alerts that are issued pursuant to this Policy. While health-related codes apply across all UC San Diego Health hospitals, this Policy does not apply to UC San Diego Health hospitals other than LJMC.

1. Introduction

The University of California San Diego provides emergency notifications to members of our campus community and the public upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees.

As required by the Jeanne Clery Campus Safety Act, UC San Diego has developed and maintains a system known as the "TRITON ALERT Emergency Notification" system, which is used to immediately inform the UC San Diego community upon confirmation of an emergency or dangerous situation that involves an immediate threat to the health or safety of students or employees.

If an event occurs at the LJMC that may impact the hospital or clinical settings, including an emergency or dangerous situation, the LJMC will activate its Emergency Operations Plan. If the event constitutes an emergency or dangerous situation that has the potential to impact the (non-medical) campus, a TRITON ALERT will also be issued as described in this Policy.

Reporting Emergencies – All members of the UC San Diego community should report emergencies to the UC San Diego Police Department by calling 9-1-1. The UC San Diego Police Department can request other

[8] Note: The UC San Diego Police Department is not required to issue Timely Warnings with respect to Clery crimes that are reported to professional or pastoral counselors because professional and pastoral counselors are not required to report Clery crimes to the UC San Diego Police Department.
[9] Note: If UC San Diego follows its emergency notification procedures, it is not required to issue a Timely Warning based on the same circumstances.

emergency responders, such as Fire or Paramedics, in addition to local law enforcement.

Any situation or incident that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students, employees and/or visitors on campus should be reported immediately.

2. Definitions

Emergency Notification: A time-sensitive message distributed through authorized communication systems to immediately inform the UC San Diego community of an emergency or dangerous situation that involves an immediate threat to the health or safety of students or employees.

Timely Warning: A time-sensitive message distributed through authorized communication systems when a Clery Act crime occurs on Clery geography that constitutes a serious or continuing threat to students and employees. Clery Act crime and Clery geography are defined in 34 CFR 668.46.



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LJMC Code Orange Alert: A critical alert in the hospital system that signifies a need for heightened readiness in response to internal or external emergencies interrupting normal hospital functions, ensuring that hospital can effectively manage interruptions to business or patient care.

3. When Emergency Notifications are Sent

A. Triton Alerts:

Upon confirmation of a significant emergency or dangerous situation which presents an immediate threat to the health or safety of students or employees, UC San Diego will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the TRITON ALERT Emergency Notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The types of emergencies that may trigger a TRITON ALERT include, but are not limited to: structure or wildland fire; earthquake; hazardous materials incidents, including chemical spills or gas leaks; active shooter or armed intruder incidents; bomb threats; civil unrest, rioting or significant public disturbances; explosion; terrorist incidents; public health emergencies or outbreaks of serious contagious illness; extreme weather conditions such as severe storms, flooding, tornado, or extreme heat; or significant utility disruptions.

A TRITON ALERT will be sent for emergencies affecting LJMC if the emergency threatens the health and safety of students and employees beyond the LJMC, or if there is a need for the community outside of the LJMC to be informed of the emergency in order to stay away from the area. The issuance of an LJMC Code

Orange Alert typically does not replace the obligation to issue a TRITON ALERT Emergency Notification if one is required.

B. LJMC Code Orange Alerts:

The LJMC Emergency Operations Plan (EOP) may be activated in response to incidents requiring coordinated emergency management, including Code Orange activations. When the EOP is activated, one of four "Levels of Activation" may be implemented based on the actual or anticipated operational impact of the incident. The Level of Activation defines the degree to which the hospital's Emergency Operations Plan and Hospital Incident Command System (HICS) are activated. An activation may occur at any level and does not require a stepwise progression through lower levels of activation. Code Orange notifications associated with EOP activation are distributed only to staff with an @health.ucsd.edu email address.

Level 1 Activation (Alert/Monitoring) occurs when advance notice is received about an incident that has the potential to produce casualties or disrupt normal business operations. The hospital is not currently impacted by the incident (e.g., a severe thunderstorm, a notification about a train accident with no known casualties at that time).

Level 2 (Minor) Activation occurs when there is an incident having a minor impact on hospital operations. This type of activation typically occurs when an incident impacts one or two departments or a small part of operations; its scope is limited and of short duration.

Level 3 (Moderate) Activation occurs when an incident has a moderate impact on operations. This type of activation typically occurs when an incident impacts about half of hospital operations and requires substantial support.

Level 4 (Major) Activation occurs when there is an incident with likely significant impact on operations, including the potential for long duration. This type of activation is considered significant, meaning that nearly all normal activities in the hospital are disrupted and the focus of most leadership and staff is on the incident.

Some LJMC Code Orange Alerts are issued before a Code Orange Level of Activation has been determined. These alerts should be issued immediately upon recognition of an event that may require Hospital Incident Command System (HICS) activation. A Code Orange Level of Activation will be established as soon as practical based on the incident's operational impact. Other emergency alerts, including but not limited to Active Intruder, Active Shooter, and Code Adam (abduction or missing infant/child), are separate emergency notifications and are not assigned a Code Orange Level of Activation. These incidents are managed in accordance with their respective response plans. For life safety incidents, the UC San Diego Police Department will be notified.



Credit: Officer Larry Darwent, UC San Diego Police Department

4. Content of Emergency Notifications

TRITON ALERT Emergency Notifications will contain a brief description of the emergency, location and instructions about what to do.

A. Emergency Instructions:

TRITON ALERT Emergency Notification instructions should be followed immediately.

The LJMC Code Orange Alerts will contain instructions that are applicable to the Level of Activation.

If the emergency affects only a small portion of UC San Diego and is unlikely to impact the larger community, a TRITON ALERT Emergency Notification may be made only to the group affected; this decision will be made by the UC San Diego Police Department Chief, Assistant Chief, Captain, Lieutenant, Watch Commander, the Campus Emergency Management & Preparedness Director or Campus Emergency Management & Preparedness Manager.

B. Evacuations:

In the event an evacuation of a portion or all of the campus is needed, the TRITON ALERT Emergency Notification will describe those evacuation procedures. The Campus Emergency Operations Plan (EOP) and the Emergency Management web page also include evacuation guidelines that will be used in the event of a campus evacuation.

In the event an evacuation of part or all of the LJMC is needed, the Health Emergency Operations Plan along with LJMC Code Orange Alerts will provide the hospital community with instructions about evacuation procedures.

C. Follow-up Information:

After the initial TRITON ALERT Emergency Notification, follow-up information will be distributed by additional TRITON ALERT Emergency Notifications, as needed, until the emergency or threat has concluded and an all-clear message has been sent.

Updates and follow-up information will also be added to the UC San Diego homepage or the Campus Emergency Current Status page, or another website created specifically for the emergency as appropriate. The updates and follow-up information will be completed by the Executive Director, Internal Communications or the Senior Executive Director, Public Relations or their designee within the Public Relations department.

The UC San Diego Police Department Chief, Assistant Chief, Captain, Lieutenant, Watch Commander, the Campus Emergency Management & Preparedness Director or Campus Emergency Management & Preparedness Manager is responsible for issuing an all-clear message for all TRITON ALERT Emergency Notifications. The all-clear message types may be limited to personnel initially notified of an incident. LJMC Officials are responsible for issuing an all-clear message for all LJMC Code Orange Alerts. The all-clear message types may be limited to personnel initially notified of an incident.

5. Method of Providing TRITON ALERT Emergency Notifications

A. E-MAIL to Official UC San Diego Accounts:

When it has been determined that a TRITON ALERT Emergency Notification is required, an e-mail will be sent to all students, faculty and staff at their official ucsd.edu or health.ucsd.edu e-mail address. The e-mail subject line will be "TRITON ALERT." Students, faculty and staff may **not** opt-out of receiving TRITON ALERT Emergency Notifications sent to their official UC San Diego or UC San Diego Health email account.

B. TEXT to Mobile Numbers:

On an annual basis, all UC San Diego students, faculty and staff will be asked to provide text message contact information to be used for the purpose of receiving TRITON ALERT Emergency Notifications, Timely Warnings, Community Alert Bulletins, or as part of a drill to test the TRITON ALERT Emergency Notification system. In order to receive these notifications via text message, individuals must provide accurate and up-to-date contact information.

Students, faculty and staff are reminded to update their contact numbers once a year and are advised to update the information sooner if it changes. Contact information may be updated on the Triton Alert Emergency Notifications page. UC San Diego strongly encourages all students, faculty and staff to provide contact information for text messages; however, individuals may opt-out from receiving these notifications via text message. Opt-out information may be found at the Triton Alert FAQ page.

Standard text messaging rates apply.

C. Additional Methods of Providing TRITON ALERT Emergency Notifications:

Everbridge mobile app, telephone, loudspeakers, bullhorns, Talkaphone Callboxes, UC San Diego Police Department vehicle public address systems, building fire alarm systems or paper postings are methods that may also be used to relay information in an emergency or threatening situation.

Emergency information may also be provided through announcements to TritonLink, Blink, campus emergency status messages, social media websites, and the UC San Diego Radio Station (1610 AM).

D. Method of Providing LJMC Code Orange Alerts:

Code Orange Levels of Activation:

Level 1 Alert - Key personnel alerted via page, text or email.

Level 2 Alert - Key personnel alerted via page, text or email - Opening of the Hospital Command Center, either virtually or physically, with limited positions assigned as the situation warrants.

Level 3 Alert - Key personnel alerted via page, text or email - activation of Hospital Incident Command System team. Enhanced management in the Hospital Command Center is required.

Level 4 Alert - All staff notified via page, text, email and overhead announcement system.



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Other timely alerts may be issued to Health system personnel before a Level of Activation is implemented. The method of communication for these alerts without a Level of Activation may be different based on the emergency code or incident, but will usually go out multimodally – page, text, email, and/or overhead system.

E. Emergency Information via Web Sites:

The following web sites may also contain local emergency information:

- UC San Diego homepage
- UC San Diego Emergency Status website
- Blink website
- Triton Link website
- UC San Diego Police Department website
- San Diego County Emergency homepage
- UC San Diego Health homepage

Or an additional website created for the emergency by UC San Diego, if appropriate.

F. EXCEPTION to USE of TRITON ALERT/LJMC Code Orange Alerts for Providing Information in an Ongoing Emergency:

In the event an emergency is prolonged, such as in the case of a pandemic, UC San Diego may use additional

methods of communication to provide on-going information, resources and guidance relating to the emergency to the campus community in addition to TRITON ALERTS/LJMC Code Orange Alerts. The purpose of these communications is to keep the campus community informed of day-to-day operational needs or changes relating to the emergency without necessarily relating to an escalation in the emergency itself. These types of notifications include emails, text messages, social media postings, website postings, and town halls and may be issued to segments of the population as needed. The decision to issue these communications and the content of these communications will be determined by the Chancellor's office or other Cabinet-level offices as appropriate. These notifications do not replace TRITON ALERTS or LJMC Code Orange Alerts.

G. TRITON ALERT Emergency Notification Tests and Drills:

A full-scale test of the TRITON ALERT Emergency Notification system will occur at least once a year. One of the tests will generally be performed in conjunction with a regional drill or exercise. The University will publicize its emergency response and evacuation procedures in conjunction with the annual test. For each test, the University documents a description of the exercise, the date and time, and whether it was announced or unannounced. Documentation of each test will take place and be maintained by the University for seven years.

H. TRITON ALERT Emergency Notifications to Others:

Individuals who are not faculty, staff or students may sign up to receive TRITON ALERT Emergency Notifications by texting "TRITONALERT" to 888777. Once enrolled via text, individuals will also receive an option to receive TRITON ALERT Emergency Notifications by email by providing their email address.

These individuals will be automatically unsubscribed each year with an option to subscribe again by texting "TRITONALERT" to 888777.

Standard text messaging rates apply.

I. Providing Information to Surrounding Community:

Individuals in the surrounding communities may go to the main UC San Diego homepage or the Campus Emergency Current Status page for information regarding any significant emergency or dangerous situation which presents an immediate threat to the health or safety of students or employees.

The following individuals are responsible for providing information to the Executive Director, Strategic and Critical Communications or the Chief Communications and Marketing Officer or their designee within University Communications so that websites can be updated appropriately.

a. UC San Diego Police Department Chief;
b. UC San Diego Police Department Assistant Chief;
c. UC San Diego Police Department Captain;
d. UC San Diego Police Department Lieutenant;
e. UC San Diego Police Department Watch Commander;
f. Campus Emergency Management & Preparedness Director; or
g. If none of these individuals are available, a direct designee of the UC San Diego Police Department Chief who is within the UC San Diego Police Department or a direct designee of the Campus Emergency Management & Preparedness Director.

The following individuals are responsible for contacting the County of San Diego Office of Emergency Services, City of San Diego Office of Emergency Services, or San Diego Police Department to provide information regarding the emergency or dangerous threat and to coordinate the appropriate response, as necessary.

a. UC San Diego Police Department Chief;
b. UC San Diego Police Department Assistant Chief;
c. UC San Diego Police Department Captain;
d. UC San Diego Police Department Lieutenant;
e. UC San Diego Police Department Watch Commander; or
f. Campus Emergency Management & Preparedness Director; or
g. If none of these individuals are available, a direct designee of the UC San Diego Police Department Chief who is within the UC San Diego Police Department or a direct designee of the Campus Emergency Management & Preparedness Director.

J. Institutional Officials Authorized to Send TRITON ALERT Emergency Notifications:

In the case of a reported significant emergency or threat, the UC San Diego Police Department Watch Commander or the UC San Diego Campus Emergency Management & Preparedness Director, or in the event neither is available, their designated substitutes, will confirm with first responders / area experts whether the emergency or dangerous situation exists. Confirmation of an immediate threat or emergency does not necessarily mean that all the pertinent details are known or even available.

Upon confirmation of a significant emergency or dangerous situation which presents an immediate threat to the health or safety of students or employees, the following individuals or offices are authorized to draft and send a TRITON ALERT Emergency Notification message:

a. UC San Diego Police Department Chief;
b. UC San Diego Police Department Assistant Chief;
c. UC San Diego Police Department Captain;
d. UC San Diego Police Department Lieutenant;
e. UC San Diego Police Department Watch Commander;
f. Campus Emergency Management & Preparedness Director; or
g. If none of these individuals are available, any designee of the UC San Diego Police Department Chief who is within the UC San Diego Police Department, or any designee of the Campus Emergency Management & Preparedness Director.

These individuals will also be responsible for deciding whether to send a TRITON ALERT for emergencies affecting the LJMC.

K. Institutional Officials Authorized to Send LJMC Code Orange Alerts:

The following individuals are authorized to draft and send an emergency alert in the event a situation or emergency may impact its hospital or clinical settings:

a. Director, Emergency Management, UC San Diego Health
b. Emergency Manager On Call, UC San Diego Health
c. Director, Security, UC San Diego Health

d. Security Operations Center Dispatchers, UC San Diego Health
e. Administrators On-Calls (AOCs), UC San Diego Health
f. Ambulatory Administrators On-Call (AAOC's), UC San Diego Health Hospital Operators, UC San Diego Health

B. Emergency Response and Evacuation Procedures

1. Campus Emergency Preparedness

The campus's Emergency Operations Plan provides the framework for an organized and effective response to emergencies impacting the campus community. The purpose of the Emergency Operations Plan is to establish emergency management priorities and associated planning and response procedures.

The UC San Diego Health medical centers have a separate emergency preparedness plan appropriate for a hospital setting.

The University has established the following order of priorities for emergency response on campus:

Priority I: Protect Lives
- Action Examples – Manage building evacuations; fire suppression; hazardous materials release response; search and rescue; medical aid; communications; utilities stabilization.

Priority II: Protect Facilities and the Environment
- Action Examples – Building inspections; facilities security; shelter; food / water.

Priority III: Restore Operations
- Action Examples – Resident re-occupancy or relocation; mutual aid arrangements; vital records security; resume academic schedule; safeguard research.

In addition to these priorities, the University provides support to external agencies (e.g., Red Cross, San Diego County Office of Emergency Services, Governor's Office of Emergency Services, etc.) and assists neighboring facilities (e.g., Salk Institute, Scripps Clinic, Scripps Hospital, VA Medical Center) whenever possible during emergency events in the area.

Individual campus departments play a key role through the development of site-specific Department Emergency Action Plans to ensure personnel can:
- Identify and use on-site emergency equipment (e.g., fire alarms, extinguishers, AEDs).
- Implement emergency response procedures based on the nature of the emergency (e.g., earthquakes, hazardous material spills, extended power outages).
- Evacuate buildings and relocate to designated safe assembly areas.

Department Emergency Action Plans are tested and evaluated on a periodic basis during University-wide emergency exercises.

A. Emergency Staff and Supplies:

Emergency supplies are stored in strategic locations throughout campus and are used by trained Campus Emergency Response Teams (CERTs) that are deployed in an emergency. This distributed approach to

emergency response across campus ensures full coverage and similar distribution of assets and trained personnel during campus-wide emergency events.

B. Emergency Response:

Members of the CERT would be notified by the Triton Alert System to report to the designated resource Staging Area and when necessary, provide good-Samaritan type assistance to those in need. Team members are specially trained in first aid and rescue techniques and have access to all the campus emergency supply containers.

University specialty teams will provide emergency response support specific to their department's area of expertise. For example, Environment Health & Safety deploys emergency response teams to the scene for a hazardous materials spill. Similarly, Facilities Management sends repair teams to the scene during an emergency involving a loss of any utilities on campus, and Facilities Design and Construction sends personnel to assess structural damage during an emergency involving compromise to building support systems.

C. Department Safety Coordinator:

Department Safety Coordinators (DSCs) are designated individuals responsible for emergency planning within their department. DSCs work closely with the Emergency Management & Mission Continuity Division to develop department emergency plans. DSCs also assist with their individual department's coordinated response during an emergency. For example, DSCs are responsible for identifying individuals within their department who require special assistance during emergencies. Finally, DSCs assist in communicating the University-wide emergency response plan to their department staff.

2. Evacuation of Campus Academic and Administrative Buildings

A. Emergency Action Plans:

Every UC San Diego department must have an Emergency Action Plan. They are an integral part of the campus-wide Emergency Operations Plan and preparedness effort. Department Emergency Action Plans address the needs of faculty, staff, and students at specific locations during emergency situations. Large departments occupying different locations may need individual plans for each facility they occupy. Each plan should include emergency contact information appropriate for its location.

Each department plan should identify hazards unique to their workplace, along with corresponding response strategies that minimize exposure to hazardous conditions during an emergency. It is important to understand that evacuation spaces across campus have become smaller and more limited. If multiple buildings need to evacuate at the same time, an evacuation area may need to be shared or people may need to go to another evacuation area. Follow instructions of emergency personnel.

B. Evacuation Procedures:

In the event of an emergency/fire alarm, occupants must evacuate from the building. Departmental Emergency Action Plans provide detailed information about the evacuation procedures for individual buildings. It is helpful to have reviewed and practiced the building evacuation procedures prior to an evacuation. As a general guideline, stop working as soon as it is safe to do so and gather personal belongings,

such as glasses, keys, and purse or handbag. Avoiding elevators, use the nearest door with an EXIT sign to leave the building. Proceed to your designated assembly area, report for a head count and stay in the area until you receive direction from emergency responders or authorized UC San Diego staff. A summary of the University's emergency response procedures is available online.

3. Evacuation of On-Campus Housing Facilities

A. Emergency Exit Plans:

Review the Emergency Plan prior to an emergency.

In case of fire, use stairs for exit. Do not use the elevator. Quickly move to the outside of the building using the nearest door marked with an EXIT sign. Be certain all persons in the area are evacuated immediately. Help those who need special assistance. Report immediately to the designated assembly area to do a headcount (see evacuation locations below). Do not reenter the building and wait for instructions from emergency response personnel.



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Emergency Phone Numbers:

- Fire, Police, Medical – 911
- UC San Diego Police – 911
- Emergency Services: La Jolla Sulpizio Cardiovascular Center – (858) 657-8530
- Emergency Services: Hillcrest UC San Diego Medical Center – (858) 657-7000
- Poison Control Center – (800) 222-1222
- UC San Diego Emergency Status – (888) 308-UCSD (8273)
- EH&S Front Office – (858) 534-3660

Calmly state:

- Your name;
- Building and room location of emergency;
- Nature of the emergency: fire, chemical spill, etc.;
- Injuries;
- Hazards present which may affect responding emergency personnel; and
- A phone number near the scene where you can be reached.

Fire Procedures:

- Fire Alarm: Bell/Horn with flashing light;
- Pull the fire alarm and call UC San Diego Police at 9-1-1;

- Alert people in the area to evacuate; and
- Close door to confine the fire.

In case of small fire:

- IF YOU HAVE BEEN TRAINED to use a fire extinguisher, while keeping an exit behind you, position yourself within six feet of the fire.
- Pull the pin located in the extinguisher's handle, aim the nozzle at the base of the fire, squeeze the handle and sweep from side to side at the base of the fire until it is out.
- Have persons knowledgeable about the incident and location assist emergency personnel.

Evacuation maps are included in the following housing locations:

- Eleanor Roosevelt College: Residence Halls
- Eighth College, Building 1 (Pulse)
- Eighth College, Building 2 (Azad)
- Eighth College, Building 3 (Survivance)
- Eighth College, Building 4 (Sankofa)
- Eighth College, Building 5 (Podemos)
- Mesa Nueva Apartments
- Muir College: Apartments and Residence Halls
- Nuevo East Apartments
- Nuevo West Apartments
- One Miramar Street Apartments
- Pangea Residence Halls
- Pepper Canyon West – Rya
- Pepper Canyon West – Vela
- Revelle College: Argo and Blake Residence Halls and Keeling Apartments
- Ridge Walk Living-Learning Neighborhood – Building A (Alianza)
- Ridge Walk Living-Learning Neighborhood – Building B (Umoja)
- Ridge Walk Living-Learning Neighborhood – Building C (Coalition)
- Rita Atkinson Residences
- Seventh College East and West Apartments
- Sixth College Apartments and Residence Halls at North Torrey Pines Living Learning Neighborhood
- Warren College: Apartments and Residence Halls

Evacuation maps may not be removed or altered. Take time to familiarize yourself with the evacuation plan for your residence. It is each resident's responsibility to evacuate to designated assembly areas when the fire alarm sounds. Failure to evacuate immediately is dangerous and a violation of the California Fire Code. Fire alarm testing and evacuation drills are generally conducted annually.

B. Evacuation Locations

Please note: Evacuees should gather ***at least 50 feet away from any structure***. Please see below for individual housing evacuation locations. ***Please note that these locations are subject to change based on the particular emergency. Follow directions of local officials.***

Undergraduate Housing	Evacuation Location
Eighth College – Building 1 (Pulse)	South Galbraith Hall Lawn
Eighth College – Building 2 (Azad)	South Galbraith Hall Lawn
Eighth College – Building 3 (Survivance)	South Galbraith Hall Lawn
Eighth College – Building 4 (Sankofa)	South Galbraith Hall Lawn
Eighth College – Building 5 (Podemos)	South Galbraith Hall Lawn
ERC Apartments – Africa Hall	ERC Green
ERC Apartments – Asante Hall	International Lane, directly east of building
ERC Apartments – Asia Hall	ERC Green
ERC Apartments – Cuzco Hall	International Lane, directly east of building
ERC Apartments – Earth Hall North	ERC Green
ERC Apartments – Earth Hall South	ERC Green
ERC Apartments – Europe Hall	ERC Green
ERC Apartments – Geneva Hall	Plaza in front of ERC Administration Building
ERC Apartments – Kathmandu Hall	International Lane, directly east of building
ERC Apartments – Latin America Hall	ERC Green
ERC Apartments – Mesa Verde Hall	Plaza in front of ERC Administration Building
ERC Apartments – Middle East Hall	ERC Green

Undergraduate Housing	Evacuation Location
ERC Apartments – North America Hall	ERC Green
ERC Apartments – Oceania Hall	ERC Green
Matthews Apartments	Parking Lot 401
Muir Apartments and Residence Halls	Muir Field
Pangea Apartments	Pangea Cul-de-Sac
Pangea Residence Halls	Parking Lot P304 on North Scholars Drive
Pepper Canyon Apartments	Parking Lot 401
Pepper Canyon West – Rya	Central Campus Trolley Station
Pepper Canyon West – Vela	Central Campus Trolley Station
Revelle Apartments and Residence Halls	Revelle Plaza
Ridge Walk Living-Learning Neighborhood – Building A (Alianza)	Voices Courtyard
Ridge Walk Living-Learning Neighborhood – Building B (Umoja)	Third Plaza
Ridge Walk Living-Learning Neighborhood – Building C (Coalition)	Third Plaza
Rita Atkinson Residences	100 Osler Lane, Parking Lot P603
Sixth College – Building 2 (Catalyst)	East Quad

Undergraduate Housing	Evacuation Location
Sixth College – Building 3 (Kaleidoscope)	West Quad and Basketball Court
Sixth College – Building 4 (Tapestry)	West Quad and Basketball Court
Sixth College – Building 5 (Mosaic)	East Quad
Seventh College East Apartments	Parking Lot P357 (east of building)
Seventh College West Apartments	South of Village West Building #3 (along the Wedge; rocky landscape)
Warren Apartments and Residence Halls	Walkway between Engineering Building Unit II (EBU II) and Computer Science and Engineering Building (EBU III)—immediately across the Paseo Walkway leading to the Warren residential complex

Graduate and Family Housing	Evacuation Location
Central Mesa Apartments	9146 Regents Road
Coast Apartments	9350 Redwood Drive
La Jolla del Sol Apartments	8046 Regents Road
Mesa Nueva Apartments	Northwest parking lot outside of Cala Building
Nuevo East Apartments	Parking Lot, Exchange Building
Nuevo West Apartments	3739 Miramar St. (Grassy Area between Viento and Brisa)
One Miramar Street Apartments	One Miramar Street, Building 5
South Mesa Apartments	9146 Regents Road

4. Evacuation of UC San Diego Health Facilities

The hospital and medical facilities at UC San Diego Health utilize different types of evacuation procedures depending on the incident. Some evacuations involve moving to an adjacent compartment on the same floor, while others involve evacuating to a floor above or below, or a complete building evacuation.

The criterion for partial or complete evacuation is determined by assessing the risk for damage to health, life and property. The Hospital Incident Command System (HICS) will be activated and the Hospital Command Center (HCC) will be staffed in response to an actual or pending incident. Evacuation orders are from the Incident Commander or fire department and/or law enforcement on site. Spontaneous evacuation may occur when it is apparent that there is an immediate life safety threat. Each patient is tagged to ensure a safe and orderly evacuation. Patient staging areas are established to manage patients, staff, and visitors. Each of these areas will have identified personnel in charge, along with specific roles and responsibilities during a relocation or evacuation. The Triage Medical Officer for medical transport will oversee the tagging of patients for acuity if movement to another facility is required in a mass evacuation event. Building signage and evacuation routes are posted within the facility. There are evacuation sites located on the property surrounding the facility; the sites were selected for points of access and egress.

Actual use of each of these sites will depend on the area of risk during the incident and access for purpose of evacuation away from the impacted area. The Security Branch Director, utilizing the Access Control Unit under HICS will: secure the perimeter; coordinate with public safety for determination of inner and outer perimeters for the hospital and for access of support and equipment vehicles needed; secure the evacuated premises; and coordinate with the San Diego Police Department, San Diego County Sheriff's Department, and other law enforcement branches as available.

UC San Diego Health faculty and staff can view the evacuation plans on the UC San Diego Health intranet website.

5. Drills and Exercises

A. Academic and Residential Buildings:

The University conducts various emergency response exercises every year, including tabletop drills, field exercises, and emergency notification systems tests. Emergency response and evacuation procedures are published annually during a University-wide exercise. These exercises are designed to assess and evaluate the emergency plans and capabilities of the University.

During the fall quarter, an evacuation drill is conducted in all housing on campus. Residents receive advance notice, including the date and time of the evacuation drills, from the University's Residential, Retail and Supply Chain Services staff. Other exercises involving emergency responders throughout the county may also be scheduled during the year. For each drill, the University documents a description of the drill, the date and time of the drill, and whether it was announced or unannounced. In conjunction with the scheduled housing drill, the University sends an email notification regarding the drill, which includes information on the evacuation procedures.

B. Example of an Emergency Response Test/Drill in 2025:

On October 16, 2025, UC San Diego participated in "The Great Shakeout" earthquake exercise. The Great

Shakeout was a simulated earthquake exercise that included approximately 1,000 participants who conducted earthquake preparedness activities. These activities included a review of emergency action plans, a discussion of emergency preparedness actions to take and a "duck, cover and hold on" manipulative exercise, including building evacuation and accountability in a designated meeting location.

In addition, on October 16, 2025, UC San Diego tested its Triton Alert emergency notification system by sending an email message to the UC San Diego population and a text message to all participants who had not opted out of receiving texts for Triton Alerts. This test began at 10:16 am and concluded at 12:16 pm. The Great Shakeout test was announced prior to the exercise by email. Recommended actions to take were included. An after-action review of the performance of Triton Alert was conducted by EH&S personnel. Details of the performance of Triton Alert are on file with the Emergency Management & Mission Continuity Division.

UC San Diego also tested its Triton Alert emergency notification system by sending announced tests on March 25, 2025 and June 17, 2025. On March 25, 2025, this test began at 10:05 am and concluded at 12:05 pm. On June 17, 2025, this test began at 10:01 am and concluded at 12:01 pm.

A summary of the Emergency Operations Plan can be found online.

Instructions for building evacuations can be obtained online.

The UC San Diego Emergency Guide published by Environment, Health, & Safety contains essential phone numbers and "What to do in case of...?" information for employees and students. See the guide online.

C. UC San Diego Health Drills and Exercises:

On April 17, 2025, UC San Diego Health participated in a Countywide Full-Scale Medical Response & Surge Exercise. On October 16, 2025, UC San Diego Health conducted a Great Shakeout drill in which more than 85 departments participated, engaging over 1,000 individuals. This effort was led in part by Departmental Safety Coordinators using the "Drop, Cover, and Hold" directive to train faculty, staff and visitors how to protect themselves during an earthquake.

C. Emergency Instructions

The following information provides general guidelines that you should follow depending on the emergency.

Know When to Leave

- A fire alarm sounds, or an authorized person (e.g., building manager, police officer, firefighter) directs you to evacuate.
- You receive an evacuation notice via a Triton Alert message.
- There is a prolonged utility outage.
- Any time you feel unsafe.

How to Evacuate (Stay Calm and Be Safe)

- If you have a "go bag," take it.
- Walk, don't run.
- Use stairs, never use elevators.
- Assemble in your pre-determined assembly area. During a large-scale evacuation, your pre-determined assembly area may not be available, so follow the instructions of first responders.
- Do not re-enter any buildings unless instructed to do so by first responders or emergency personnel.

Practice Your Evacuation

- Make a go bag. Visit the U.S. Ready website for tips on what to put in your go bag.
- Know the exit routes and stairways for your building.
- Look for emergency procedures signs at the exits and stairways, and locate your emergency assembly area.
- Participate in building evacuation drills.

During an Earthquake

If you are indoors:

- Drop to the floor immediately.
- Cover under sturdy furniture (or near an interior wall) and protect your head with your elbows and arms.
- Hold on until the shaking stops.
- Stay away from windows and other objects that can fall on you.
- Do not run outside.
- Do not stand in a doorway (it's safer under sturdy furniture).
- Do not use the elevators when evacuating a building.
- Immediately evacuate the building once the shaking stops.

If you are outdoors:

- Move away from buildings, power lines, and trees.
- Drop, cover, and hold on to keep yourself still.
- If you are driving, pull over in a clear area.

After an Earthquake:

- Check yourself for injuries.
- Exit campus buildings and go to your designated assembly area or open space.
- If you are off-campus, stay only if the building is structurally safe.
- Do not tie up phone lines if it is a non life-threatening emergency; use text messages and social media.
- Do not re-enter campus buildings until allowed by emergency personnel.
- Be prepared for potential aftershocks and falling debris.
- Watch for Triton Alerts.

Signaling for Help

In the unlikely event that you are trapped by falling debris:

- Do not yell because you may inhale dust.
- Tap on metal objects to get attention.
- If you have your cell phone, dial 9-1-1 or use the flashlight on your phone to alert emergency personnel of your location.

- Do not light a match due to potential gas leaks.

Building Fires

- Take the **closest exit** (use the stairs, never elevators).
- Feel door handles with the back of your hand; if warm, find a different exit.
- Pull the fire alarm as you exit.
- Do not re-enter the building until allowed by emergency personnel.
- If you can't exit: call 911.
- Shove clothing in the gap underneath door frames to prevent smoke from entering the room.

Wildfires

- Check ongoing incidents at CAL FIRE Incidents.
- Make a go bag and be ready to leave at a moment's notice**.**
- Watch for Triton Alerts.
- If sheltering in place, close all doors and windows, and await further instructions.
- See San Diego County Ready San Diego page for what to do in case of a wildfire.

Wildfire Smoke

- Check local air quality reports online.
- Close windows, doors, and other openings through which smoke can enter.
- Close fresh-air intake on air conditioning units and run air purifiers, if available.
- Try to stay indoors. If you need to venture outside wear a particle respirator like an N95 mask.

Public Safety Power Shutoff (PSPS)

- When severe weather and fire conditions threaten a portion of the electric infrastructure or community, **San Diego Gas and Electric may turn off electricity in the interest of public safety.**
- A PSPS may occur with as little as one day notice and can remain active for days. It is best to be prepared for a power outage at all times.
- In the event of a PSPS, recharging stations will be set up by the university prioritizing students with medical needs and other vital functions.

When Power is Out

- Turn off and unplug all electronics.
- Do not use a generator, grill, or camp stove indoors.
- Leave one light on so you'll know when the power comes back.
- Keep refrigerator doors closed (it stays cool for 4 hours).
- Call 9-1-1 if trapped in an elevator.
- If you are evacuated, do not re-enter until allowed by emergency personnel.
- Watch for Triton Alerts.

When to Stop Working

- Be prepared to stop what you are doing until utilities are back on.
- Life safety systems, such as alarms, sprinklers, emergency lighting, and fume hoods may not work

(especially during a prolonged outage).
- You will be notified if classes or other activities are cancelled.

Suspicious Packages / Bomb Threats
- If you see something, say something.
- Call 9-1-1 and warn others to avoid the area.

What to Look Out For
- Odd markings or too much postage.
- No return address; sender unknown.
- Heaviness or unusual thickness/excessive tape or string.
- Visible wires.
- Oily or discolored wrappings.
- Powdery substances or strange odors.
- Unattended items that seem out of place.



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Do Not Touch a Suspicious Package
- Do not interact with a suspicious package in any way.
- Leave the area, close doors, and warn others to avoid the area.
- Call 9-1-1.
- Wash any exposed skin with soap and water.

If There's a Bomb Threat
- Always treat a bomb threat like it is real.
- Evacuate the area (remain calm and exit the building as directed).
- Leave your doors and windows open and the lights on.
- Scan your area for unfamiliar items as you leave.
- Do not handle any suspicious items you find.
- Do not activate the building fire alarm.

Targeted Violence / Active Threat
If you see a person with a weapon on campus, immediately call 9-1-1.

Tools to Survive Targeted Violence
UC San Diego police officers have all received extensive training on what to do in this situation, but it is equally important that our campus community members think of how they will respond. Visit the Active Shooter Preparedness Training website. If you witness any armed individual on campus at any time, immediately call the UC San Diego Police Department to report the emergency by dialing 9-1-1. If escaping from danger is impossible, you should lockdown and prepare to counter the attacker.

About Fleeing
If it is possible to flee the area safely and avoid danger, do so. If it is safe to do so, consider:
- Escaping out of the other side of the building.
- Do not go to the normal gathering site for your building. Instead, get far away from the shooting scene and then contact the police department to notify them of your location.
- Do not attempt to flee if the shooter is between you and your escape. If you are unsure, do not attempt

to flee.

Shots Fired

About Hiding in Place

- If it is not possible to flee the area safely:
    - Go dark. Turn off all the lights.
    - Lock all windows and doors and secure yourself in your space.
    - Barricade the entrance if possible (heavy furniture, etc.).
    - Prepare to counter the attacker. Don't just hide and wait.
    - Develop a plan (have items to throw (e.g., laptops, chairs, etc.)).

About Notifying Others

- Alert the police, and alert others in your building or nearby if possible.
- Dial 9-1-1 to notify police and give your location, if that seems practical.
- Do not pull the fire alarm because it will provide the shooter with more opportunities to cause harm.

If the shooter comes into your room or office

- There is not one procedure that can be recommended in this situation.
- Attempting to negotiate with the individual may be very dangerous.
- Attempting to overcome the individual with force is a last resort that should only be initiated in the most extreme circumstances, but, again, do something!

All-Clear

Wait for the all-clear instruction given by an authorized or known voice, or via a Triton Alert message. If the staff or students do not recognize the voice that is giving instruction, they should not change their status. Call the police to verify that officers are at your location.

- Unknown or unfamiliar voices may be giving false assurances.
- Remember, there may be more than one active shooter.

After a Valid All-Clear

- Follow the direction of police officers as you leave the building.
- Police may direct you to one collection point.
- When encountering police officers, keep your hands on your head or open in front of you. Officers are trained to be aware of all possible dangers and need to see quickly that you are not a threat.
- Be careful not to make any changes to the scene of the incident since law enforcement authorities will investigate the area later.

Sometimes evacuating is not the best response to an emergency. Listen to authorities and be prepared to shelter in place.

Shelter in Place

- When a shelter in place directive is issued, find a safe location indoors and remain in place until an all- clear or evacuation order is given.
- Select a small interior room with few/no windows, and close any doors, windows, or vents.
- Watch for Triton Alerts for any updates.

Call Boxes:
Use a call box to contact the UC San Diego Police Department or to request a safety escort. They can be found in most parking lots and parking structures, as well as other locations on campus. A list of callbox locations can be found here.

IX. Missing Students

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify the UC San Diego Police Department at 9-1-1 or (858) 534-4357. The Police Department will generate a missing person report and initiate an investigation. California law requires all local police and sheriff's departments to accept any report by any party, including a telephonic report of a missing person, without delay and shall give priority to handling these reports over the handling of reports relating to crimes involving property. The local police or sheriff's department is required to immediately take reasonable steps to locate the missing person. In cases where the report is taken by a department other than that of the city or county of residence of the missing person, the department shall notify and send a copy of the report to the police department(s) having jurisdiction over the residence of the missing person and the place where the missing person was last seen.[10]

Notifications will be made to the following within twenty-four hours of determining that a student is missing:

- The student's designated confidential contact (see Section IX.A below);
- The student's parent or legal guardian, if they are under the age of eighteen and not emancipated; and
- Surrounding law enforcement agencies, including the law enforcement agency with jurisdiction over the missing person.

In addition to the notifications mentioned above, once an investigation is launched, it may include contacting any or all of the following:

- The student's parents or guardians;
- The law enforcement agency that has jurisdiction where the student's permanent residence is located;
- Law enforcement agencies along a route where the student may have likely traveled; and/or
- Any other person or entity that may have information as to the whereabouts of the missing student.

A. Confidential Contact

All students who live on campus are given the opportunity to register a confidential contact through Residential, Retail and Supply Chain Services. Confidential contact information will only be released to authorized campus or law enforcement officials in furtherance of a missing person investigation. Please note that the University must notify a custodial parent or guardian if the student is under 18 years of age and not emancipated, in addition to notifying any additional contact person designated by the student. Undergraduate students can designate a confidential contact on their housing contract, during room selection or anytime during the year by submitting a confidential contact form to Residential, Retail and Supply Chain Services located in the Residential, Retail and Supply Chain Services Administration Building on the Revelle Campus. Graduate students can designate a confidential contact on their housing application prior to move-in or anytime during the year by submitting a confidential contact form to their community Residential Services Office.

[10] Cal. Penal Code § 14211(g).

X. Alcohol and Drug Policies

In accordance with the Drug-Free Schools and Communities Act, the following information is provided regarding University and campus policies prohibiting the unlawful possession, use or distribution of drugs or alcohol; sanctions relating to drug and alcohol violations by students or employees; federal, state and local laws and penalties for drug and alcohol offenses; health risks associated with the use of drugs and alcohol abuse; and drug and alcohol counseling, services and resources.

The following are only summaries of existing laws, regulations and University policies. Please refer to the applicable cited laws, regulations and policies for the current and full text of the law, regulation or policy.

A. University Policies and Sanctions Relating to Drug and Alcohol Use

The University is committed to maintaining a campus community and workplace free from the illegal use, possession or distribution of alcohol and controlled substances. The manufacture, sale, distribution, dispensation, possession, or use of alcohol or illicit drugs by any student or employee on University property, at official University functions, or while conducting University business is strictly prohibited by University policy and by law. The University enforces all applicable federal and state underage drinking laws and drug laws. See the following policies:

- University of California Policy on Substance Abuse
- UC San Diego Policy on Substance Abuse
- UC San Diego Health Policy 558.1 – Fitness for Duty Assessment / Alcohol and Drug Impairment Screening.

Student Sanctions: Students who violate these policies or laws are subject to University disciplinary action (up to and including suspension or dismissal) and may also face criminal charges or civil penalties under local, state, or federal law.

Employee Sanctions: Employees who violate these policies or laws are subject to disciplinary action (up to and including termination of employment) under University policies and any applicable labor agreements. In, addition, employees may be required to participate in an appropriate substance abuse treatment or education program. Employees may also face criminal or civil penalties under local, state, or federal law for unlawful drug or alcohol activities in the workplace.

1. Marijuana/Cannabis Use

California law (Proposition 64, 2016) allows adults aged 21 and over to use and possess limited quantities of marijuana under state law. In addition, the U.S. Department of Justice has reclassified FDA-approved cannabis products and state-licensed medical marijuana as Schedule III controlled substances. However, unapproved and recreational marijuana remains a Schedule I controlled substance under federal law. Under the federal Controlled Substances Act, the use, possession, or distribution of cannabis is a crime (except for certain federally approved research purposes and limited FDA-approved products and state-licensed medical marijuana), therefore due to the conflict between state and federal law the University continues to prohibit marijuana use, possession, and distribution on campus and in the workplace. As a federal grant percipient, the University complies with the Drug-Free Schools and Communities Act and Drug-Free Workplace Act, which mandate a campus policy forbidding marijuana in any University program or activity.

Research Exception: Academic research involving cannabis may be conducted only in accordance with federal and state law. Researchers must obtain all required DEA registrations and licenses and adhere to applicable regulations and UC guidelines for controlled substances research (see UC Office of the President

guidance on cannabis research for details). Note that recent federal policy developments (e.g., the Medical Marijuana and Cannabidiol Research Expansion Act of 2022) have slightly eased administrative barriers to cannabis research, but all research at the University still requires full compliance with federal law and UC policy (e.g., no state-"legal" cannabis may be used in research unless federally authorized).

2. Alcohol Policy

UC San Diego's Alcohol Policy governs the possession, sale, serving, and consumption of alcoholic beverages on all University property and at University events. All members of the campus community are expected to abide by this policy in addition to applicable laws. California state law and San Diego local ordinances impose requirements and restrictions regarding alcohol. For example, the legal drinking age is 21, and it is unlawful for anyone under 21 to purchase, possess, or consume alcoholic beverages. The University enforces all state underage drinking laws on campus. It is also illegal to furnish alcohol to minors or to host gatherings where underage drinking occurs (see Social Host laws in **Section X.B.3**). All campus events involving alcohol must comply with state law, local law, and University policies.

B. Laws Relating to Illicit Drugs and Alcohol (Federal, State of California, and Local)

1. Federal Law (Controlled Substances Act)

Under the U.S. Controlled Substances Act (21 U.S.C. § 801 et seq.), it is a crime to possess, manufacture, or distribute illicit drugs.

Penalties under federal law vary by substance and offense:

- Simple possession of controlled substances can be punishable by up to one year in federal prison and fines starting at $1,000 for a first offense and can be higher for repeat offenses.
- Trafficking or distribution offenses (e.g., selling or transporting drugs) are felonies; possible penalties can include significant prison sentences (ranging from five years to life) and fines (ranging from tens of thousands up to millions of dollars, especially for large quantities or repeat convictions). If serious injury or death result, penalties are even more severe.
- Property forfeiture: Federal law may require forfeiture of property used in or gained from drug offenses. This means homes, vehicles, money, or other assets involved in drug trafficking can be seized by authorities.
- Other federal consequences: Convictions can also lead to loss of federal benefits (such as student aid eligibility), denial of certain licenses, and restrictions on firearm ownership.

2. California State Law

California has its own laws prohibiting the possession, use, and distribution of controlled substances, as well as underage alcohol use and driving under the influence:

- *Controlled Substances:* It is illegal to possess illicit drugs (such as cocaine, heroin, methamphetamine, ecstasy, unauthorized prescription drugs, etc.). Simple possession for personal use is typically a misdemeanor (punishable by up to one year in county jail, fines, and/or probation) for many substances, per California Health & Safety Code §§ 11350-11377. However, possessing certain drugs (or larger

quantities) with intent to sell or actually selling or distributing is a felony. For example, selling heroin or methamphetamine can lead to two to four (or more) years in state prison.[11] Penalties increase if offenses involve large quantities or occur near schools or youth facilities.[12] It is also unlawful to possess drug paraphernalia.[13]

- *Marijuana:* State law permits adults 21 and older to possess up to 28.5 grams of cannabis (or 8g of concentrate) for personal use off-campus.[14] However, on any school/university grounds, and for anyone under the age of 21, marijuana possession remains illegal.[15] Possessing more than 28.5 grams or selling any amount without a state license is illegal and can be charged as a misdemeanor or felony depending on circumstances.[16] Note that regardless of state law, University policy prohibits all marijuana use or possession on campus.
- *Alcohol (Underage and Furnishing):* California law prohibits persons under 21 from possessing alcohol in any public place or on licensed premises.[17] It is a misdemeanor to furnish or sell alcohol to anyone under 21.[18] Penalties can include fines ($250 and up) plus community service and possible jail time for serious or repeat offenses. Simply being an underage person who is intoxicated in public and unable to care for oneself can result in a misdemeanor charge.[19]
- *Driving Under the Influence (DUI):* It is unlawful to drive under the influence of alcohol or any drug (including marijuana or impairing prescriptions). California's legal blood alcohol concentration (BAC) limit is 0.08% for drivers 21 and over.[20] Lower BAC limits apply to special cases: 0.04% for commercial drivers (and for-hire drivers when carrying passengers) and 0.01% (effectively zero tolerance) for drivers under 21 or anyone on DUI probation. DUI penalties in California escalate with each offense:
    - First DUI offense (misdemeanor): Fines, a four to six month license suspension, DUI education program, and 48 hours to six months in jail.
    - Second DUI (within 10 years, misdemeanor): Higher fines, one to two year license suspension, mandatory 96 hours to one year in jail, and an 18-month DUI school; an ignition interlock device may be required.
    - Third DUI (within 10 years, misdemeanor): Up to $1,800 in fines, three year license revocation, and a minimum 120 days in jail, up to one year.
    - Felony DUI: DUI causing injury or fourth/subsequent DUI can be charged as a felony, with state prison time possible. For example, a DUI causing bodily injury carries 90 days to one year in jail (misdemeanor) or 16 months to three years in state prison (felony), plus restitution to victims.[21]
    - California also has an "open container" law: It is illegal to drive with an open alcoholic beverage container in the vehicle, and it is unlawful for passengers to have open containers as well. Drivers and vehicle owners can be cited for allowing open alcohol in the car.[22]
- *Substance Abuse Education:* In many cases, California law and courts may require individuals convicted of alcohol or drug offenses (including DUI and underage violations) to attend education or counseling programs as part of their penalty. These are in addition to criminal sanctions and are

[11] Cal. Health & Safety Code §§ 11351-11352, 11378-11379.
[12] § 11353.6 (imposes sentences enhancements for sales near schools).
[13] § 11364 (misdemeanor offense).
[14] § 11362.1.
[15] § 11357.
[16] §§ 11359-11360.
[17] Cal. Bus. & Profs. Code § 25662.
[18] § 25658,
[19] Cal. Penal Code § 647(f) ("public intoxication").
[20] Cal. Veh. Code § 23152(b).
[21] § 23153.
[22] § 23222.

intended to prevent future violations.

3. Local Laws (San Diego County/City)

Local authorities in San Diego enforce additional rules to curb underage drinking and illicit drug use in the community.

In addition, San Diego local ordinances prevent consumption of alcohol by individuals under 21 in both public places and places not open to the public.[23]

- *Social Host Ordinance:* San Diego County and city have "social host" laws that make it **unlawful to knowingly host gatherings** where minors consume alcohol, cannabis, or other controlled substances. **Homeowners or party hosts can be held responsible** if they permit underage drinking or drug use on their premises. The law requires hosts to take "all reasonable steps" to prevent minors from accessing these substances. Violators can face misdemeanor charges, with fines (often $1,000 or more) and even jail time, as well as civil penalties.[24] For example, San Diego Municipal Code § 56.62 and County Code § 32.1503 impose fines and cost-recovery fees on hosts of underage parties.
- *Public Drinking and Dispensaries:* San Diego Municipal Code prohibits consuming alcohol in certain public areas (beaches, parks after certain hours, etc.) and unlicensed public spaces.[25] It also restricts cannabis use in public. Local law mirrors state law on underage alcohol/cannabis,[26] public consumption,[27] and disorderly conduct due to intoxication are punishable by fines or other sanctions.[28]

C. Health Risks Associated with the Use of Controlled Substances or Misuse of Alcohol

There are a number of health risks associated with the misuse of alcohol and other controlled substances. These risks can be short-term, long-term, and depend on the drug being used, among other factors.

The National Institute on Alcohol Abuse and Alcoholism (NIAAA) provides a comprehensive description of the effects alcohol has on health online.



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The National Institute on Drug Abuse provides a comprehensive compendium of the health consequences associated with drug misuse online.

[23] S.D., Cal., Municipal Code § 56.61(a)(1), (2).
[24] § 56.62, S.D. Cal, County Municipal/Regulatory Code § 32.1503.
[25] S.D., Cal., Municipal Code § 56.54.
[26] See generally §§ 56.61-63.
[27] §§ 56.54, 56.61.
[28] § 56.63.

D. Drug and Alcohol Counseling, Services and Resources

1. Resources for Students

Counseling and Psychological Services (CAPS) website
858-249-0030

CAPS offers the following free services to registered undergraduate, graduate and professional school students:

- High quality, culturally sensitive, and confidential counseling services including individual, couples, and group counseling, crisis/urgent care interventions, and referral services to provide optimal treatment opportunities according to the appropriate level of care.
- Consultation services to help connect students to life- and value-affirming resources within the campus community and surrounding community.
- Psychiatric services and consultation.
- Preventive psycho-education workshops and community connections grounded on the latest science of wellbeing and performance psychology to assist students in developing, expanding, and mastering new skills.
- Online-based suite of self-guided technology programs through iFlourish offerings. Students learn at their own pace and have resources at their fingertips, anytime, anywhere.

Health Promotion Services (HPS) website
858–249-1450

HPS offers a variety of prevention education programs for students including workshops, campaigns, and individual services provided by the Health Educators. Additionally, HPS oversees the Collegiate Recovery Program which supports students curious about, seeking, or in recovery from both substance and behavioral addictions.

- HPS offers free naloxone and fentanyl testing strips to students through the Naloxone Distribution Project. Students can pick up the naloxone and testing strips after completing online training available on the HPS website.
- Health Educators facilitate several alcohol and drug individual services, including: Smoking/ Vaping/Nicotine Cessation, Screening Brief Intervention and Referral to Treatment (SBIRT), Brief Alcohol Screening and Intervention for College Students (BASICS), and Cannabis Screening and Intervention for College Students (CASICS). HPS offers free alcohol, cannabis, and nicotine screening tools, which are available on the HPS website.
- The Collegiate Recovery Program hosts sober community building events and recovery meetings, such as: SMART Recovery and Newcomer's Recovery.
- The Collegiate Recovery Coordinator facilitates Recovery Ally Training for students, faculty, and staff upon request.

Student Health Services (SHS) website
858-249-3400

SHS offers counseling services with the assistance of the in-house Licensed Clinical Social Worker, in partnership and collaboration with CAPS providers and HPS staff.

2. Resources for Faculty and Staff

The below referenced programs are designed to help prevent substance abuse by University employees, as well as provide assistance and referral services for those who have substance abuse problems or concerns.

Campus Faculty and Staff Programs:

- For all benefits-eligible campus employees reporting to campus Vice Chancellors areas only, the Faculty and Staff Assistance Program (FSAP), an internal employee assistance program, offers no-cost services and can be accessed in addition to external programs aligned with chosen medical plans. Services from FSAP include short-term, solution-focused concrete strategies for positive change, improved communication and life transitions, assessment, referral to community resources, People Leader training and consultation, return to work assistance, crisis response, collaboration with campus stakeholders, including other HR units, and psychoeducational support groups.
- Note: A majority of services are conveniently offered using HIPAA-compliant Zoom tele-health. Limited in-person and onsite appointments are also available. Employees are encouraged to self-refer and People Leaders can arrange for referrals after consultation with FSAP. To seek this confidential assistance, please call 858-534-5523, or click on the FSAP website for more information. Make a confidential appointment using single sign on (SSO) online.

Health System, School of Medicine, School of Pharmacy, School of Public Health and Human Longevity Science and Student Health Programs:

- For all benefits-eligible UC San Diego Health and Health Sciences employees, the Employee Assistance Program (EAP), managed by Optum Live and Work Well, offers assistance and referral services for those who have substance abuse problems or concerns. Services include assessment, referral to outside resources, consultation, supervisory training, return to work assistance, and follow up. All services are free, and employees are encouraged to self-refer and seek this confidential assistance. For more information visit theLive and Work Well website (operated by Optum) or call the Substance Use Helpline 1-855-780-5955 (use company code UCSDMC).
- UC's medical coverage also includes behavioral health benefits for mental health services and substance abuse treatment. Additional resources are offered through individual medical plans. Employees can visit the University of California behavioral health benefits page for more information or call:
    - UC Blue & Gold: Managed Health Network (1-800-663-9355)
    - Kaiser: Kaiser services (1-800-464-4000) OR Optum (1-888-440-8225)
    - UC Care and UC Health Savings+: Blue Shield of California (1-866-406-1182)

3. Community Resources

Alcoholics Anonymous San Diego County website
619-265-8762

Narcotics Anonymous San Diego County website
619-584-1007

Marijuana Anonymous website

Adult Children of Alcoholics & Disfunctional Families website
310-534-1815

Smart Recovery website

E. Drug-Free Schools and Communities Act Biennial Review

UC San Diego's most recent biennial review of its drug and alcohol misuse prevention program is available here.

XI. Campus Safety, Security Awareness, and Crime Prevention Education

The UC San Diego Police Department is widely engaged in efforts to educate the campus community about personal safety and crime and security awareness and prevention. Safety presentations are provided for parents/family members and all incoming students during Orientation and Welcome Week, and for students, faculty and staff as requested throughout the year. Workshops and presentations covering a variety of topics are available, including alcohol and drug abuse, bicycle safety, office safety, sexual assault and rape prevention, vehicle and residential security, and self-defense instruction.

The UC San Diego Police Department organizes and sets up a crime prevention display table at various times on Library Walk. This table is staffed by officers at various times during the year.

The UC San Diego Police Department provides call boxes in many campus parking lots and structures for a direct line to request police assistance or a safety escort. Outdoor call boxes are blue towers with a blue strobe light. Multiple broadcast towers, labeled "EMERGENCY," are located at main pedestrian thoroughfares. These towers double as call boxes. To use, lift the handset and/or press the button and you'll be quickly connected with police dispatch.

Active Shooter (ASSERT Training):
Active Shooter Survival Education and Response Training (ASSERT) prepares and empowers individuals to react in the event of an active shooter/critical incident. The purpose and intent of the training is to provide valuable skills and awareness to respond to critical incidents prior to the arrival of law enforcement or other first responders.

While these events are always unpredictable, the training and concepts taught can better prepare someone to react when a critical incident occurs. The training also teaches basic bleeding control techniques in accordance with the Stop-the-Bleed national awareness campaign.

The training is open to all staff, faculty and students. This course covers the following areas:

- Defining a Critical Incident
- A Brief History and Examination of Past Active Shooter Events
- Examining Traditional and Trained Responses in a Crisis

- The Importance of a Survival Mindset
- Understanding the Human Reaction Phases, Being Situational Aware, and Pre-Planning
- Defining the Run, Hide, Fight Concept
- Understanding Law Enforcement Response
- Basic/Immediate Bleeding Control Techniques

Incorporated within the ASSERT training is the "Stop the Bleed" campaign, which was initiated by a federal interagency workgroup convened by the National Security Council Staff, at The White House. The purpose of the campaign is to build national resilience by better preparing the public to save lives by raising awareness of basic actions to stop life threatening bleeding following everyday emergencies and man-made and natural disasters.

The class is approximately one hour and teaches the basics for stemming traumatic blood loss. This includes recognizing life-threatening blood loss situations, safety while providing assistance, the use of direct pressure to stop bleeding, the use of tourniquets to stop bleeding and the use of advanced blood clotting agents to stop bleeding.

In 2025, ASSERT training was provided on the following dates:

- 02/03/2025
- 02/21/2025
- 02/28/2025
- 03/12/2025
- 04/29/2025
- 05/16/2025
- 06/30/2025
- 09/10/2025
- 09/19/2025
- 10/01/2025
- 10/07/2025
- 11/13/2025
- 12/08/2025
- 12/10/2025

ASSERT training continues to be offered in 2026.

Campus safety escorts are available every day of the academic school year, excluding the summer quarter. Dial (858) 534-WALK (9255) to request one.

Did you know that you can request a Repeating Escort? You can arrange to have a Community Service Officer (CSO) meet you at the same place and time each week without having to request one each night. This makes it convenient to get an escort home after a late class or when practice ends. Community Service Officers (CSOs) are student employees of the UC San Diego Police Department. They receive training in self-defense, first aid, and traffic control. They also assist at special events and act as eyes and ears for the Police Department. Interested in applying? Contact the CSO Coordinator at (858) 822-1177.

After 1 a.m., University Safety Officials may provide this service.

Parent/Family Orientation:
This course covers the UC San Diego Police Department services and discusses the most frequent crime on campus: thefts of bikes and computers. The course describes the services provided by University Safety Officials and Community Service Officers (CSOs) and encourages locking of doors and possessions, using the

buddy system or calling a CSO when walking at night, enrolling in a self-defense class (RAD), and reporting crimes and concerns to the UC San Diego Police Department. The course also covers the services of CARE at SARC and Environment Health & Safety.

The Parent/Family orientation program was offered on 4/12/2025 (two sessions offered) and 5/9/2025. The Parent/Family orientation program will continue to be offered in 2026.

Physical Security Program:



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A physical security program is designed to protect facilities, equipment, people and property from harm or damage. At a campus the size of UC San Diego, this is no small feat. The UC San Diego Police Department is constantly working to enhance physical security systems on campus so that they can respond in the most efficient and effective manner. They offer a variety of consultation and management services including:

- Alarm Monitoring (Fire/Intrusion/Duress/Video Surveillance)
- Physical Security and System Site Assessments
- Access Control Standards and Policy recommendations
- Crime Prevention Through Environmental Design (CPTED) and Security Design recommendations
- Integration of existing physical security systems (i.e., Access, Intrusion, Video, Public Address, etc.) to enterprise-level management systems
- Physical Security System review and audits

The Physical Security Program is an evolving program, which provides both proactive and responsive assessments to various campus departments. This proactive approach to leverage protective measures and technology not only enhances the overall security posture of the community but reduces costs through a methodical, consistent, and best practices application of enterprise-level systems.

Rape Aggression Defense (R.A.D.):

Rape Aggression Defense (R.A.D.) is a national program designed to provide women with the concepts and methods needed for self-defense. The program enables individuals to take a more active role in protecting themselves and their psychological well-being. Classes are taught by certified R.A.D. instructors over three evenings and the cost is $10. All women in the UC San Diego community – students, staff, faculty, and affiliates – who are at least 16 years old are eligible to attend. R.A.D. classes will teach you:

- Effective and proven self-defense techniques
- Awareness and prevention
- Risk reduction and avoidance

R.A.D. was offered on:

- 1/25/2025 – 1/27/2025
- 4/7/2025 – 4/9/2025

R.A.D. continues to be offered in 2026.

The UC San Diego Police Department staff will also meet with interested parties to address topics of interest, such as risk management. These programs are all informal and on an ad hoc basis, as requested by the community.

In addition to classroom sessions, information is also available to the campus through the UC San Diego Police Department website, which posts daily crime and arrest activity, as well as security alerts. The Daily Crime and Fire Log is available online.

Various campus units produce brochures relating to security practices and crime prevention. On Admit Day, Transfer Admit Day and several other times throughout the year, display tables are set up at key locations on campus to provide information on campus safety.

While the UC San Diego Police Department may offer advice and assistance regarding campus safety, all members of the campus community are encouraged to take responsibility for their own safety and, when possible, assist others. Be aware of your environment, be a responsive bystander and use campus resources. To prevent unauthorized access to campus buildings, do not prop doors open, leave doors unlocked, or open the door for anyone you don't know. Protect the security of your keys and immediately report the loss or theft of keys to the UC San Diego Lock Shop and/or the UC San Diego Police Department. Report crimes or suspicious circumstances, including door-to-door solicitation, to the UC San Diego Police Department. See the UC San Diego Police Department webpage for more safety tips.

XII. Programming, Policies and Procedures Relating to Dating Violence, Domestic Violence, Sexual Assault and Stalking

A. Definitions

As required by law and policy, UC San Diego prohibits the crimes of dating violence, domestic violence, sexual assault and stalking.

1. Federal VAWA Definitions

The following definitions are used for purposes of reporting dating violence, domestic violence, sexual assault and stalking under the Clery Act as amended by the Violence Against Women Act (VAWA).

Dating Violence –
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition –
  - 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.
- For the purposes of complying with the requirements of this section [34 C.F.R. § 668.46] and §

668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.[29]

Domestic Violence –
A felony or misdemeanor crime of violence committed –

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By 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
- By 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.

For the purposes of complying with the requirements of this section [34 C.F.R. § 668.46] and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.[30]

Sexual Assault –
An offense that meets the definition of rape, fondling, incest, or statutory rape.

- **Rape** - The 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.[31]
  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.[32]
  Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.[33]
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.[34]

Stalking –
Engaging in a course of conduct 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.
- For the purposes of this definition –
  - "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - "Reasonable person" means a reasonable person under similar circumstances and with 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.

For the purposes of complying with the requirements of this section [34 C.F.R. § 668.46] and § 668.41, any

[29] 34 C.F.R. § 668.46(a).
[30] *Id.*
[31] See 34 CFR Part 668 Appendix A to Subpart D.
[32] *Id.*
[33] *Id.*
[34] *Id.*

incident meeting this definition is considered a crime for the purposes of Clery Act reporting.[35]

2. State Definitions

The following definitions reflect California state law and may be different from the federal definitions above. The federal definitions are used for purposes of reporting crime statistics as mandated by the Clery Act as amended by VAWA. It is important to be aware of state law definitions that govern criminal proceedings.

Dating Violence –

- Included within the definition of domestic violence as set forth in California Penal Code Section 13700.

California Penal Code - Domestic Violence –

"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: sexual relations between the parties while sharing the same living quarters, sharing of income or expenses, joint use or ownership of property, whether the parties hold themselves out as spouses, the continuity of the relationship, and the length of the relationship.
- "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.[36]

Punishment for battery generally; Punishment for battery against specified officers or others –

- (a) A battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment . . . .
- (d) When a battery is committed against any person and serious bodily injury is inflicted on the person, the battery is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170 for 2, 3 or 4 years.
- (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, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer's treatment program . . . or if none is available, another appropriate counseling program designated by the court. . . .
- (f) As used in this section . . . (4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement . . . (10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement

[35] 34 C.F.R. § 668.46(a).
[36] Cal. Penal Code § 13700 (a), (b).

independent of financial considerations.[37]

California Family Code – Domestic Violence –

- (a) For purposes of this act, **"abuse"** means any of the following:
    - To intentionally or recklessly cause or attempt to cause bodily injury.
    - Sexual assault.
    - To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
    - To engage in any behavior that has been or could be enjoined pursuant to Section 6320. [Note: "Section 6320 behavior" includes "molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, credibly impersonating as described in Section 528.5 of the Penal Code, falsely personating as described in Section 529 of the Penal Code, harassing, telephoning, including, but not limited to, making annoying telephone calls as described in Section 653m of the Penal Code, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, coming within a specified distance of, or disturbing the peace of the other party, and, in the discretion of the court, on a showing of good cause, of other named family or household members."[38]]

  (b) Abuse is not limited to the actual infliction of physical injury or assault.[39]
- **"Affinity,"** when applied to the marriage relation, signifies the connection existing in consequence of marriage between each of the married persons and the blood relatives of the other.[40]
- **"Cohabitant"** means a person who regularly resides in the household. 'Former cohabitant' means a person who formerly regularly resided in the household.[41]
- **"Dating relationship"** means frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations.[42]
- **"Domestic violence"**
    - "Domestic violence" is abuse perpetrated against any of the following persons:
        - A spouse or former spouse.
        - A cohabitant or former cohabitant, as defined in Section 6209.
        - A person with whom the respondent is having or has had a dating or engagement relationship.
        - A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
        - A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
        - Any other person related by consanguinity or affinity within the second degree.[43]

Sexual Assault (Defined under the Clery Act to be an offense that meets the definition of rape, fondling, incest, or statutory rape):

[37] § 243.
[38] Cal. Family Code § 6320.
[39] § 6203.
[40] § 6205.
[41] § 6209.
[42] § 6210.
[43] § 6211.

Rape –

- (a) Rape is an act of sexual intercourse accomplished under any of the following circumstances:
    - (1) (A) If a person is at the time 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. A person with a mental disorder or developmental or physical disability shall not be presumed to be unable to give legal consent to sexual intercourse due to that disability. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code) or the absence of voluntary supports as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (1) and (b) of Section 21000, the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. This paragraph does not preclude the prosecution of the person committing the act under any other paragraph of this subdivision or any other law.
      (B) In determining whether the person is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, both of the following shall be considered, as applicable:
        (i) Any mitigating measure in place, as defined in subdivision (n) of Section 11065 of Title 2 of the California Code of Regulations, as that regulation existed on January 1, 2025.
        (ii) Any voluntary supports in place, as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (1) and (b) of Section 21000.
    - (2) If 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.
    - (3) If a person is prevented from resisting by an intoxicating or anesthetic substance or a controlled substance, and this condition was known, or reasonably should have been known by the accused.
    - (4) If 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:
        - (A) Was unconscious or asleep.
        - (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
        - (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
        - (D) 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.
    - (5) If 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 artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
    - (6) If 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.
    - (7) If 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. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

- (b) For purposes of this Section, the following definitions apply:
  - (1) "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 the victim's relationship to the defendant, are factors to consider in appraising the existence of duress.
  - (2)"'Incapable, because of a mental disorder or developmental or physical disability, of giving legal consent" means that a person is at the time of the intercourse either of the following:
    - (A) Unable to understand the nature of the act or transaction involved due to a mental disorder or developmental or physical disability.
    - (B) Unable to act freely and voluntarily due to a mental disorder or developmental or physical disability.
  - "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.[44]

Penetration – 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.[45]

Sodomy – 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. . . .

- (c)(1) Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (2)(A) Any person who commits an act of sodomy when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (B) Any person who commits an act of sodomy with another person who is under 14 years of age when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 9, 11, or 13 years.
- (C) Any person who commits an act of sodomy with another person who is a minor 14 years of age or older when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 7, 9, or 11 years.
- (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.
- (3) Any person who commits an act of sodomy 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, shall be punished by imprisonment in the state prison for 3, 6 or 8 years.

[44] Cal Penal Code § 261.
[45] § 263.

- (d)(1) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person or 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, shall be punished by imprisonment in the state prison for 5, 7 or 9 years.
- (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.
- (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 7, 9 or 11 years.
- (4) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other provision of law. . . .
- (f) Any person who commits an act of sodomy, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for 3, 6 or 8 years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
    - Was unconscious or asleep.
    - Was not aware, knowing, perceiving, or cognizant that the act occurred.
    - Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
    - 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.
- (g) . . . [A] person who commits an act of sodomy, and the victim is at the time 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, shall be punished by imprisonment in the state prison for 3, 6 or 8 years. Notwithstanding the existence of a conservatorship . . ., the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. . . .
- (i) Any person who commits an act of sodomy, where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (j) Any person who commits an act of sodomy, where the victim 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, shall be punished by imprisonment in the state prison for 3, 6 or 8 years. . . .
- (k) Any person who commits an act of sodomy, 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, shall be

punished by imprisonment in the state prison for 3, 6 or 8 years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

- (l) As used in subdivisions (c) and (d), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury, or death.
- (m) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars ($70) against any person who violates this section, with the proceeds of this fine to be used in accordance with Section 1463.23. The court, however, shall take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.[46]

Oral Copulation –

- (a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.
- (b)(1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.
- (2) Except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony.
- (c)(1) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (2)(A) Any person who commits an act of oral copulation when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (B) Any person who commits an act of oral copulation upon a person who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
- (C) Any person who commits an act of oral copulation upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.
- (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.
- (3) Any person who commits an act of oral copulation 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, shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (d)(1) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting that other person, commits an act of oral copulation (A) when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, or (B) 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

[46] § 286.

possibility that the perpetrator will execute the threat, or (C) where the victim is at the time 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, shall be punished by imprisonment in the state prison for 5, 7 or 9 years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime described under paragraph (3), that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

- (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.
- (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
- (4) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.
- (e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.
- (f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
    - (1) Was unconscious or asleep.
    - (2) Was not aware, knowing, perceiving, or cognizant that the act occurred.
    - (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
    - (4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the oral copulation served a professional purpose when it served no professional purpose.
- (g) Except as provided in subdivision (h), any person who commits an act of oral copulation, and the victim is at the time 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, shall be punished by imprisonment in the state prison, for 3, 6 or 8 years. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
- (h) Any person who commits an act of oral copulation, and the victim is at the time 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, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a

county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

- (i) Any person who commits an act of oral copulation, where the victim 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.
- (j) Any person who commits an act of oral copulation, where the victim 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.
- (k) Any person who commits an act of oral copulation, 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.
- As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
- (l) As used in subdivisions (c) and (d), "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
- (m) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars ($70) against any person who violates this section, with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.[47]

Penetration by Foreign Object –

- (a)(1)(A) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
- (C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.
- (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.
- (2) Any person who commits an act of sexual penetration when 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

[47] § 287.

is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for 3, 6 or 8 years.

- (b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time 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 or causing the act to be committed, shall be punished by imprisonment in the state prison for 3, 6 or 8 years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.
- (c) Any person who commits an act of sexual penetration, and the victim is at the time 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 or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris- Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.
- (d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for 3, 6 or 8 years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
    - (1) Was unconscious or asleep.
    - (2) Was not aware, knowing, perceiving, or cognizant that the act occurred.
    - (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
    - (4) 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) Any person who commits an act of sexual penetration when the victim 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.
- (f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.
- (g) Any person who commits an act of sexual penetration when 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, shall be punished by imprisonment in the state prison for a period of 3, 6 or 8 years.

- As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
- (h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.
- (i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.
- (j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for 3, 6 or 8 years.
- (k) As used in this section:
    - (1) "Sexual penetration" is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object.
    - (2) "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ.
    - (3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.
- (l) As used in subdivision (a), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.
- (m) As used in this section, "victim" includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.[48]

Sexual Battery (Fondling) Seriously disabled or medically incapacitated victims –

- (a) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for 2, 3, or 4 years, and by a fine not exceeding ten thousand dollars ($10,000).
- (b) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for 2, 3, or 4 years, and by a fine not exceeding ten thousand dollars ($10,000).
- (c) 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

[48] § 289.

because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for 2, 3, or 4 years, and by a fine not exceeding ten thousand dollars ($10,000).

- (d) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for 2, 3 or 4 years, and by a fine not exceeding ten thousand dollars ($10,000).
- (e)(1) 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, or any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Civil Rights Department for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.
  (2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.
- (f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.
- (g) As used in this section, the following terms have the following meanings:
  - (1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.
  - (2) "Sexual battery" does not include the crimes defined in Section 261 or 289.
  - (3) "Seriously disabled" means a person with severe physical or sensory disabilities.
  - (4) "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.
  - (5) "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.
  - (6) "Minor" means a person under 18 years of age.
- (h) This section does not limit or prevent prosecution under any other law which also proscribes a

course of conduct that also is proscribed by this section.

- (i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.
- (j) In the case of a felony conviction for a violation of this section, the fact that the defendant was employed at a hospital, as defined in Section 243.2, where the offense occurred and the victim was in the defendant's care or seeking medical care at the hospital shall be a factor in aggravation in sentencing.
- (k) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for 2, 3 or 4 years and a fine not exceeding ten thousand dollars ($10,000).[49]

Incest –

- 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."[50]

Unlawful Sexual Intercourse with a Minor; Misdemeanor or Felony Violation; Civil Penalties –

- (a) 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 18 years of age and an "adult" is a person who is 18 years of age or older.
- (b) A 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.
- (c) A 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, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.
- (d) 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, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for 2, 3 or 4 years.
- (e)(1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts:
    - (A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars ($2,000).
    - (B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars ($5,000).
    - (C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand

[49] § 243.4.
[50] § 285.

dollars ($10,000).
    - (D) An adult over 21 years of age who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000).
- (2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature.
- (3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars ($70) against a person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and a defendant shall not be denied probation because of their inability to pay the fine permitted under this subdivision.
- (f) A person convicted of violating subdivision (d) who is granted probation shall not complete their community service at a school or location where children congregate.[51]

Stalking –

- (a) 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 their safety, or the safety of their immediate family, is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.
- (b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for 2, 3 or 4 years.
- (c)(1) Every person who, after having been convicted of a felony under Section 273.5, 273.6, or 422, commits a violation of subdivision (a) shall be punished by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison for 2, 3 or 5 years.
  (2) Every person who, after having been convicted of a felony under subdivision (a), commits a violation of this section shall be punished by imprisonment in the state prison for 2, 3 or 5 years.
- (d) In addition to the penalties provided in this section, the sentencing court may order a person convicted of a felony under this section to register as a sex offender pursuant to Section 290.006.
- (e) For the purposes of this section, "harass" 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.
- (f) 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."
- (g) For the purposes of this section, "credible threat" means a verbal or written threat, including a threat performed through the use of an electronic communication device, or a threat implied by a

[51] § 261.5.

pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, including threats to a person's pet, service animal, emotional support animal, or horse, made with the intent to place the person that is the target of the threat in reasonable fear for their safety or the safety of their family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for their safety or the safety of their family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of "credible threat."

- (h) For purposes of this section, the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.
- (i) This section shall not apply to conduct that occurs during labor picketing.
- (j) If probation is granted, or the execution or imposition of a sentence is suspended, for any person convicted under this section, it shall be a condition of probation that the person participate in counseling, as designated by the court. However, the court, upon a showing of good cause, may find that the counseling requirement shall not be imposed.
- (k)(1) The sentencing court also shall consider issuing an order restraining the defendant from any contact with the victim, that may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any restraining order be based upon the seriousness of the facts before the court, the probability of future violations, the safety of the victim and their immediate family, and the information provided to the court pursuant to Section 273.75.

  (2) This protective order may be issued by the court whether the defendant is sentenced to state prison, county jail, or if imposition of sentence is suspended and the defendant is placed on probation.
- (l) For purposes of this section, "immediate family" means any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.
- (m) The court shall consider whether the defendant would benefit from treatment pursuant to Section 2684. If it is determined to be appropriate, the court shall recommend that the Department of Corrections and Rehabilitation make a certification as provided in Section 2684. Upon the certification, the defendant shall be evaluated and transferred to the appropriate hospital for treatment pursuant to Section 2684.[52]

Use of electronic communication to instill fear or to harass; Misdemeanor –

- (a) Every person who, with intent to place another person in reasonable fear for his or her safety, or the safety of the other person's immediate family, by means of an electronic communication device, and without consent of the other person, and for the purpose of imminently causing that other person unwanted physical contact, injury, or harassment, by a third party, electronically distributes, publishes, e-mails, hyperlinks, or makes available for downloading, personal identifying information, including, but not limited to, a digital image of another person, or an electronic message of a harassing nature about another person, which would be likely to incite or produce that unlawful action, is guilty of a misdemeanor punishable by up to one year in a county jail, by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment.
- (b) For purposes of this section, "electronic communication device" includes, but is not limited to,

[52] § 646.9.

telephones, cell phones, computers, Internet Web pages or sites, Internet phones, hybrid cellular/Internet/wireless devices, personal digital assistants (PDAs), video recorders, fax machines, or pagers. 'Electronic communication' has the same meaning as the term is defined in Section 2510(12) of Title 18 of the United States Code.

- (c) For purposes of this section, the following terms apply:
    - (1) "Harassment" means a knowing and willful course of conduct directed at a specific person that a reasonable person would consider as seriously alarming, seriously annoying, seriously tormenting, or seriously terrorizing the person and that serves no legitimate purpose.
    - (2) "Of a harassing nature" means of a nature that a reasonable person would consider as seriously alarming, seriously annoying, seriously tormenting, or seriously terrorizing of the person and that serves no legitimate purpose.[53]

Consent in reference to sexual activity is defined under California law as the following:

(a) In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, "consent" means 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.
(b) A current or previous dating or marital relationship is not sufficient to constitute consent if consent is at issue in a prosecution under Section 261, 286, 287, or 289, or former Section 262 or 288a.
(c) This section shall not affect the admissibility of evidence or the burden of proof on the issue of consent.[54]

In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, 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.[55]

Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for 2, 3 or 4 years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.[56]

Marsy's Law

Marsy's Law significantly expands the rights of victims/survivors in California. Under Marsy's Law, the California Constitution Article I, § 28, section (b) now provides victims/survivors with the following enumerated rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

[53] § 653.2.
[54] § 261.6.
[55] § 261.7.
[56] § 266c.

2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, **upon request**, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, **upon request**, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution.
    A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
    B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
    C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, **upon request**, of the parole or other release of the offender.
16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).

3. University of California Policy Definitions

A. General Definitions:

The University of California *Sexual Violence and Sexual Harassment Policy* defines "Prohibited Conduct" based on the date of the incident and the current definition under the *Policy*. The definitions of consent, sexual violence, relationship violence and stalking based on the date of the incident are provided below.

NOTE: The University of California *Sexual Violence and Sexual Harassment Policy* defines "Prohibited Conduct" to include the incidents defined below. Additional behavior, including, but not limited to sexual harassment and invasion of sexual privacy, may also qualify as Prohibited Conduct.

i. Consent

For incidents that occurred *on or after July 31, 2019*:

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:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- 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
- 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:
    - asleep or unconscious;
    - unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
    - 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.

For incidents that occurred *prior to July 31, 2019*:

Consent - Consent is *affirmative, conscious, voluntary, and revocable*. Consent to sexual activity requires of both persons 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 persons involved should 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 shall not provide a valid excuse where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- 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
- 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:
  - asleep or unconscious;
  - due to the influence of drugs, alcohol, or medication, unable to understand the fact, nature, or extent of the sexual activity; or
  - unable to communicate due to a mental or physical condition.

ii. Sexual Violence

For incidents that occurred *on or after July 31, 2019*:

Sexual Violence -[57]

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.

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

[57] **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 or sexual harassment. 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

Effective January 1, 2022: Engaging in the conduct during or in connection with a clinical encounter (as defined in Appendix V of the *Sexual Violence and Sexual Harassment Policy*) in which the Complainant was a patient and the Respondent was a health care provider or health care worker.

- touching the Complainant with one's intimate body part, whether the intimate body part is clothed or unclothed.

For incidents that occurred *prior to July 31, 2019*:

Sexual Violence -[58]

Sexual Assault - Penetration - Without the consent of the Complainant, penetration, no matter how slight, of the vagina, anus, or mouth by a penis; or the vagina or anus by any body part or object.

Sexual Assault - Contact - Without the consent of the Complainant, touching an intimate body part (genitals, anus, groin, breast, or buttocks) (i) unclothed or (ii) clothed.

iii. Relationship Violence

For incidents that occurred o*n or after January 1, 2026*:

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.
    - 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.
    - 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).
    - The nature of the relationship between the Complainant and Respondent is determined by the

[58] **Note:** As this definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence. The Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment.
Note: *Sexual Assault—Penetration* and *Sexual Assault—Contact* are aggravated when it includes 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, to do or submit to something that they would not otherwise do);
    - deliberately causing a person to be incapacitated (through drugs or alcohol).
    - Intentionally taking advantage of the other person's incapacitation (including voluntary intoxication).
    - Recording, photographing, transmitting, or distributing intimate or sexual images without the prior knowledge and consent of the parties involved.

length and type of relationship, and the frequency of interaction between them. Relationship violence includes both "dating violence" and "domestic violence."
- Conduct by a party in defense of self or another is not Relationship Violence under the *Sexual Violence and Sexual Harassment 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.

For incidents that occurred *between July 31, 2019 and December 31, 2025*:

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, *and* that is part of a pattern of abusive behavior by the person toward the Complainant.
    - Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.
    - 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).
    - 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."

Conduct by a party in defense of self or another is not Relationship Violence under the *Sexual Violence and Sexual Harassment 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.

For incidents that occurred *prior to July 31, 2019*:

Relationship Violence:

Dating Violence: Conduct by a person who is or has been in a romantic or intimate relationship with the Complainant that intentionally, or recklessly, causes bodily injury to the Complainant or places the Complainant in reasonable fear of serious bodily injury. The nature of the relationship between the Complainant and Respondent is determined by the length, type, and frequency of interaction between them.

Domestic Violence: Conduct by a current or former spouse or intimate partner of the Complainant; or a person with whom the Complainant shares a child in common, that intentionally, or recklessly, causes bodily injury to the Complainant or another, or places the Complainant or another in reasonable fear of serious bodily injury.

iv. Stalking

Note the definition of "stalking" was revised on July 31, 2019 and again on August 14, 2020. Please see the relevant definitions below.

For incidents that occurred *on or after August 14, 2020*:

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.

For incidents that occurred *between July 31, 2019 and August 13, 2020*:

Stalking - Repeated conduct directed at a Complainant (for example, following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic 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 of a non-sexual nature is addressed by other University policies including but not limited to the Policy on Student Conduct and Discipline Section 102.10.

For incidents that occurred *prior to July 31, 2019*:

Stalking - Repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic 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 of a non-sexual nature is addressed by other University policies including but not limited to the Policy on Student Conduct and Discipline Section 102.10.

See **Section XII.E** for definitions relating to non-sex-based stalking.

Effective January 1, 2022, the University of California *Sexual Violence and Sexual Harassment Policy* also defines "sexual exploitation" as a form of Prohibited Conduct:

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.

B. Prohibited Conduct in the Context of Patient Care (Definitions)

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. The Title IX Officer will refer to Appendix V of the *Sexual Violence and Sexual Harassment Policy* when Prohibited Conduct allegedly occurs in the context of patient care.

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.

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.

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.

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.

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.

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 *Sexual Violence and Sexual Harassment Policy*.

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).

B. Primary and On-going Prevention and Awareness Programs

UC San Diego offers various programs and trainings to students, staff, and faculty with the goal of promoting prevention and awareness of dating violence, domestic violence, sexual assault and stalking. These programs and trainings are primarily offered by CARE at SARC and OPHD. In addition, other University departments and student organizations may organize campaigns throughout the school year on topics that overlap with dating violence, domestic violence, sexual assault, and stalking.

First year, transfer students, Education Abroad Program (EAP) Reciprocity students, incoming graduate and professional students are all required to take mandatory online training.

CARE at SARC also provides mandatory education for all incoming first year and transfer students during

new student orientation. This program includes information about healthy relationships, consent, bystander intervention strategies, cybersafety, supporting survivors, and seeking support from CARE at SARC. The program includes information about risk reduction and bystander intervention strategies. In addition, CARE at SARC and OPHD provide training to Resident Assistants, House Advisors, Orientation Leaders, Teaching Assistants, and other student staff as part of their staff on-boarding training. These trainings cover topics like supporting survivors, campus-wide resources for survivors of sexual assault, relationship violence, and stalking, as well as other forms of discrimination and harassment, and Responsible Employee reporting duties.



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In addition to Orientation, each year CARE at SARC provides on-going education through programs, trainings and outreach events by partnering with on-campus departments, student organizations, residence halls, athletic teams, as well as sororities and fraternities. CARE at SARC also widely distributes several educational brochures and publications about CARE services, supporting survivors and primary prevention topics.

UC San Diego provides periodic training relating to the prevention and handling of dating violence, domestic violence, sexual assault and stalking to all relevant personnel, including UC San Diego police officers and dispatchers, Center for Student Accountability, Growth, and Education staff and hearing officers, University investigators and other staff associated with the Title IX program. Upon request, OPHD provides education relating to the prevention and response to disclosures of dating violence, domestic violence, sexual assault and stalking at New Employee Orientation, in addition to online training for supervisors, non-supervisors and faculty. All supervisors, non-supervisors and faculty are required to take a Sexual Violence Sexual Harassment Prevention course upon employment and repeat it every two years.

Finally, CARE at SARC also provides on-going educational programs and campaigns throughout the year for the entire UC San Diego community and with special focus on domestic violence and dating violence in October, stalking and cyber-stalking in January, and sexual assault in April. Program content is specialized for each group that CARE at SARC works with.
Topics include:

- CARE services
- Bystander intervention strategies
- Clarifying consent and boundaries
- Cybersafety & stalking prevention
- Forming healthy relationships
- How to support survivors
- Responding to disclosures
- Customized content for heritage months and cultural celebrations



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In addition to CARE at SARC's outreach efforts, the UC San Diego Women's Center, Health Promotion Services, and OPHD provide various education and training programs to the campus community that address sexual assault, consent, healthy relationships, and stalking. CARE at SARC worked closely with these departments to ensure consistency in the educational messages.

1. Student Program Descriptions

Beginning in Summer 2025, supplemental content was added to the mandatory Sexual Violence and Sexual Harassment mandatory training for students, and it has been rebranded as "SHAPE: Sexual Violence and

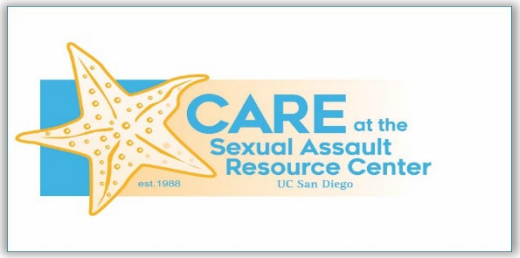
Harassment and Anti-Discrimination Prevention and Education" training. This is required training for all students. In addition to material covering sexual assault and relationship violence, it also describes the University's responsibilities and procedures for resolving complaints of Discrimination, Harassment (including hostile environment harassment), based on a variety of Protected Categories that jeopardize equal educational opportunities as guaranteed by the California and United States Constitutions as well as federal laws, and related Retaliation ("Prohibited Conduct"), as defined in the Anti-Discrimination Policy.

Sexual Assault Prevention for Undergraduate Students - Online Program – Vector Solutions Higher Education Corporation
In 2025, all first year, transfer students and Education Abroad Program (EAP) Reciprocity students, were required to complete a mandatory online course entitled "Sexual Assault Prevention for undergraduate Students." This course covers the definitions of dating violence, domestic violence, sexual assault and stalking, the importance of obtaining consent, information on risk reduction and techniques for bystander intervention. It also includes information on the University's disciplinary proceedings.

Sexual Assault Prevention for Graduate Students – Online Program – Vector Solutions Higher Education Corporation
In 2025, all incoming graduate and professional students were required to complete a mandatory online course entitled "Sexual Assault Prevention for Graduate Students." This course covers the definitions of dating violence, domestic violence, sexual assault and stalking, the importance of obtaining consent, risk reduction and techniques for bystander intervention. It also includes information on the University's disciplinary proceedings, and information regarding being a Responsible Employee, for those employed by the University. "Sexual Assault Prevention: Graduate Students" gives students the tools to identify, prevent, and report sexual assault, dating violence, domestic violence, and stalking, and the education they need to be successful as members of the UC San Diego community.

"CARE at the Sexual Assault Resource Center: CARE Island" Orientation Program – CARE at SARC
All first year and transfer students participated in CARE at SARC's orientation program that consisted of multiple educational touchpoints. The first part was an asynchronous learning module delivered on Canvas in which students watched a five-part video series, engaged in an online scavenger hunt of CARE at SARC's website and then completed short knowledge checks. The second part was a primary prevention game, titled CARE Scattergories, facilitated by Orientation Leaders during Orientation that covered topics addressed in the video series. The topics included healthy relationships, bystander intervention techniques, understanding consent, supporting survivors, and campus resources.

CARE Services – CARE at SARC
This presentation provided a comprehensive overview of CARE's prevention education and survivor support services available to the UC San Diego community. This program was offered to recognized student organizations, student staff, professional staff, and faculty.



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CARE Services and Supporting Survivors – CARE at SARC
This training provided several simple strategies to show up for survivors. In addition to learning about CARE services, participants gained knowledge about the process of responding to disclosures of sexual assault, relationship violence, and stalking for UC San Diego student employees with reporting responsibilities. For sessions longer than 60 minutes in length, we were able to provide additional skills practice activities. This training was offered to student staff and recognized student organizations.

Bystander Intervention Techniques Model: IDEAS – CARE at SARC
The IDEAS workshop provided participants with tangible strategies for intervening while prioritizing their safety. In this workshop, participants explored barriers to intervention, learned about each IDEAS bystander intervention technique, and applied IDEAS to real-world scenarios. IDEAS workshops were customized to fit specific settings. See below for more information.

- **IDEAS in Everyday Life:** customized to address scenarios participants may run into in their day-to-day life, like using public transit, going to the grocery store, or studying at a coffee shop.
- **Party IDEAS:** customized to address scenarios in party environments, concerts, and music festivals.
- **IDEAS in the Workplace:** customized to address scenarios in a professional setting, where participants may have to navigate power dynamics.

Cute or Creepy? Practicing Cybersafety – CARE at SARC
In this workshop, participants identified their digital boundaries, learned about how consent applies to online interactions, differentiated 'cute' and 'creepy' online behaviors, and familiarized themselves with warning signs and resources available for those experiencing stalking/cyberstalking. This workshop was customized to focus on specific digital platforms or to incorporate population-specific considerations.

I <3 Healthy Relationships – CARE at SARC
This workshop focused on developing a working knowledge of healthy relationships and red flags. Participants explored the key components of a healthy relationship, familiarized themselves with healthy conflict strategies, and explored resources available for individuals impacted by relationship abuse. This workshop was customized to include elements of boundary setting, media literacy, and healthy relationship considerations within specific communities.

Yes, No, Maybe: Clarifying Consent – CARE at SARC
In this workshop, participants gained a robust understanding of consent by exploring the FRIES model of consent and discussing situations in which consent cannot be given. Participants learned how to ask for, listen for, and respect consent through the usage of scenarios and group dialogue on navigating rejection. FRIES stands for:

- **F - Freely Given:** Consent is a choice made without pressure, manipulation, guilt, coercion, or under the influence of drugs or alcohol.
- **R - Reversible:** Anyone can change their mind and revoke consent at any point, even if they have engaged in the activity previously.
- **I - Informed:** A person can only truly consent if they are given the full picture (e.g., agreeing to safer sex practices like condom use).
- **E - Enthusiastic:** Consent should be an active, comfortable "yes" rather than a reluctant submission or the mere absence of a "no."
- **S - Specific:** Consenting to one activity (e.g., making out) does not mean consent to other activities (e.g., sexual intercourse). Each step requires its own agreement.

Sexual Assault Awareness Month (SAAM)

CARE at SARC and campus partners offer extensive programs and activities during April, which is Sexual Assault Awareness Month. In 2025, these activities included:

- April 1: SAAM Day of Action Tabling
    - CARE at SARC tabled at the Farmer's Market to provide information about SAAM and

discuss the theme "Tritons Together: Cultivating Community Resilience." Tritons were encouraged to wear teal and reflect on why preventing sexual violence is important.

- April 8: Succulents for SAAM *in collaboration with The Zone*
    - Tritons were invited to join and learn about SAAM, recognize the resilience of sexual assault survivors, and identify on campus resources by decorating pots and planting succulents.

- April 9: Cafecito on Consent in Spanish *in collaboration with FSAP*
    - CARE at SARC worked with FSAP to host a facilitated dialogue with HDH staff about consent and how to practice it in the workplace and in their personal lives.

- April 14: How to Support a Student Survivor *offered through the UC Learning Center*
    - CARE at SARC invited staff and faculty to learn how to best support survivors while fulfilling their reporting responsibilities. The training provided a brief overview of CARE services, the dynamics of interpersonal violence, the reasons survivors choose not to seek support, and CARE's Five Steps of Responding to Disclosures. Participants then applied this knowledge through case studies and skills-practice scenarios to gain confidence in supporting survivors as responsible employees.

- April 17: Pleasure Isn't a Dirty Word: Incorporating Pleasure Into Everyday Life *in collaboration with Health Promotion Services* (CARE Intern Capstone Project)
    - Tritons were invited to learn about what sex positivity is and how to incorporate it in their daily lives. Participants created collages about what sex positivity meant to them, then stopped by the Condom Concierge pop-up to build their own condom kit.

- April 21: Yes, No, Maybe? Clarifying Consent: SAAM Edition *in collaboration with the Center for Student Involvement's iLead: Leadership My Way Program*
    - Tritons participated in this workshop to gain a robust understanding of consent by exploring the FRIES model of consent and discussing situations in which consent cannot be given. Participants learned how to ask for, listen for, and respect consent through the usage of scenarios and group dialogue on navigating rejection.

- April 21: SAAM Tabling
    - CARE at SARC tabled at the Farmer's Market to provide information about SAAM and discuss the theme "Tritons Together: Cultivating Community Resilience." Tritons were encouraged to wear teal and reflect on why preventing sexual violence is important.

- April 24: Rainbow Reef: Healing as Community *in observation of Out & Proud Week and in collaboration with the LGBT Resource Center*
    - CARE at SARC hosted Rainbow Reef as a space that centered the intersections of LGBTQIA+ folx and topics of sexual violence, relationship violence, and stalking.

- April 30: Denim Day Tabling *in collaboration with Sorority and Fraternity Life (SFL)*
    - Tritons were encouraged to join CARE at SARC and SFL to learn about SAAM and Denim Day.

- April 30: Denim Day Workshop *in collaboration with the Women's Center*
    - Tritons were invited to attend the Denim Day Workshop hosted by the Women's Center.

Attendees learned about the history of Denim Day, consent in a digital age, and challenging rape culture.

- May 6: SAAM Book Club
    - CARE at SARC launched a book club in recognition of SAAM. Tritons were invited to read Know My Name: A Memoir by Chanel Miller. The memoir is a powerful account of resilience and healing, detailing the author's journey to reclaim her identity after experiencing sexual assault. Participants received free copies of the book leading up to the event.

Rape Aggression Defense – UC San Diego Police Department
Rape Aggression Defense (R.A.D.) is a national program designed to provide women with the concepts and methods needed for self-defense. The program enables women to take a more active role in protecting themselves and their psychological well-being.

Take a R.A.D. class to learn:

- Effective and proven self-defense techniques
- Awareness and prevention
- Risk reduction and avoidance

R.A.D. was offered on:

- 1/25/2025 – 1/27/2025
- 4/7/2025 – 4/9/2025

R.A.D. continues to be offered in 2026.



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2. Faculty and Staff Program Descriptions

Sexual Violence and Sexual Harassment Prevention Training – University of California
The University of California provides Sexual Violence and Sexual Harassment Prevention Training for Supervisors for supervisors, non-supervisors, and faculty online through the UC Learning Center. This training includes information on dating violence, domestic violence, sexual assault and stalking. Beginning in Summer 2025, supplemental content was added to the mandatory Sexual Violence and Sexual Harassment mandatory training for responsible employees, and it has been rebranded as "SHAPE: Sexual Violence and Harassment and Anti-Discrimination Prevention and Education" training. In addition to material covering sexual assault and relationship violence, it also describes the University's responsibilities and procedures for resolving complaints of Discrimination, Harassment (including hostile environment harassment), based on a variety of Protected Categories that jeopardize equal educational opportunities as guaranteed by the California and United States Constitutions as well as federal laws, and related Retaliation ("Prohibited Conduct"), as defined in the Anti-Discrimination Policy.

How to Support a Student Survivor – CARE at SARC
This course is offered quarterly through the UC Learning Center. Staff and faculty are invited to learn how to

best support survivors while fulfilling their reporting responsibilities. The training includes a brief overview of CARE services, the dynamics of interpersonal violence, the reasons survivors choose not to seek support, and CARE's Five Steps of Responding to Disclosures. Participants then apply this knowledge through case studies and skills-practice scenarios to gain confidence in supporting survivors as responsible employees.

Rape Aggression Defense – UC San Diego Police Department
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3. Risk Reduction

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. Risk reduction strategies include knowledge or actions to use in-the-moment should an act of violence take place. Please note that it is never a victim's fault if they experience an act of violence, but some individuals may feel safer knowing that risk reduction strategies exist. Some also may feel more empowered to address situations after learning different risk reduction strategies. Below are some risk reduction strategies to consider:

- Understand consent.
    - Consent is a mutual, affirmative, voluntary, and revocable agreement by each participant to engage in sexual activity or intimacy. Planned Parenthood's FRIES model for consent can help explain what consent should sound and feel like.
        - Freely given - there is no pressure, force or manipulation and everyone is sober and aware of what is going on.
        - Reversible - anyone can change their mind about what they want to do, at any time, even if they have engaged in sexual activity with each other before or are in the middle of sexual activity.
        - Informed - each person should be honest about safer sex practices while engaging in sexual activity and about their boundaries.
        - Enthusiastic - everyone involved has to be excited or into it; if a person is not responding or not reacting, the other person must stop and check in.
        - Specific - saying yes to one thing, like making out, doesn't mean they said yes to having sex; people should check in before initiating a different intimate or sexual activity.
    - A conscious, aware, and informed verbal "yes" must accompany positive and engaging

body language. The initiator of sexual activity or intimacy is responsible for receiving consent from their partner. Obtaining consent is a continuous process, meaning consent to one activity doesn't mean consent to other acts.

- Understand the influence of alcohol and other substances.
    - Alcohol or drugs are never an excuse for choosing to violate another person or cross boundaries.
    - Consent cannot be given when someone is incapacitated by drugs and/or alcohol; and, perpetrators may attempt to use alcohol and/or drugs to facilitate a sexual assault. Statistically, the majority of reported sexual assaults occur while one or both parties are under the influence of alcohol or drugs.
    - There are several drugs that may be added to beverages with the intent of altering the consciousness or incapacitating a person without their knowledge. Substances are particularly dangerous when combined with alcohol, and can interfere with memory creation, storage, and/or recall, leaving a victim unclear about what occurred. These drugs can facilitate criminal activity, most often acts of sexual misconduct or sexual assault.
    - It is important to note that although drugs may be used to facilitate sexual assault, the most common substance used in drug-facilitated sexual assault is alcohol.

- Know the definition of non-consensual sexual contact.
    - Non-consensual sexual contact is any unwanted, non-consensual behavior from kissing and fondling to rape. Ignorance of the law or of University policy concerning sexual assault, sexual misconduct and sexual harassment is never an excuse for non-consensual sexual behavior.

- Identify common behaviors that often precede an assault.
    - Recognizable red flags include seeing someone who is attempting to separate an intoxicated individual from their friends, or continuing to pour drinks for an individual who is clearly beyond their limit. Tritons can take action as a responsive bystander and use IDEAS (Interrupt, Distract, Engage Peers, Alert Authorities, Safety First). Friends, peers, or CSOs can help support a person in need and can also help escort folks home.

4. Bystander Intervention Techniques

Bystander intervention is when someone chooses to take action when witnessing an uncomfortable, risky, or potentially harmful situation. It encompasses 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.

Created by UC San Diego students and staff, the IDEAS Bystander Intervention Techniques model can empower Tritons with the skills needed to become a responsive bystander in everyday situations. See below how IDEAS strategies can be used to intervene:

- Interrupt – Ask a question to directly engage the situation. "Excuse me, do you need help?"
- Distract – Draw attention to something else. "Hey, your car is getting towed!"
- Engage Peers – Involve a friend or someone else around you. "Something is going on. Let's do something to help."
- Alert an Authority Figure – In some situations, an authority figure or someone with more power may be the best source for help (e.g., Deans, RAs, party hosts, bar staff, designated drivers, and/or first responders like the police or EMTs).
- Safety First – Keep your safety and the safety of others in mind and let that determine how you respond.

Take a moment to identify any possible risks to inform which strategy to use.

Primary and ongoing prevention and awareness programs at UC San Diego emphasize that community members are not limited to just these IDEAS. All campus affiliates are encouraged to choose their own strategy or technique to intervene. Bystander intervention is included in the programming provided by UC San Diego.

C. Options, Rights and Procedures for Victims/Survivors of Dating Violence, Domestic Violence, Sexual Assault and Stalking

UC San Diego 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, activities and services can work and learn together in an atmosphere free of harassment, exploitation or intimidation. Sexual violence, which includes sexual assault, domestic violence, dating violence and stalking, and other behavior prohibited by the University of California *Sexual Violence and Sexual Harassment Policy* interferes with these goals. Prohibited Conduct, as defined in the University of California *Sexual Violence and Sexual Harassment Policy,* is a violation of University Policy and may violate law.



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The safety and well-being of our students, faculty and staff are among the University's highest priorities. Anyone who has been affected by sexual violence, whether on or off campus, is encouraged to utilize the support services provided by the University and in the community. Victims/Survivors of dating violence, domestic violence, sexual assault and stalking have the right to choose whether they want to pursue criminal or civil remedies in court and/or administrative remedies through the University.

Victims/Survivors also have the right not to pursue a criminal, civil or administrative remedy. CARE at SARC is available to provide support services to all victims/survivors.

When a student or employee victim/survivor reports to the University that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the Office for the Prevention of Harassment & Discrimination (OPHD) will provide the victim/survivor with a written explanation of their rights or options relating to the following:

- Resources for victims/survivors both within and outside of the community (including resources in the areas of victim advocacy, counseling, health, mental health, legal assistance, visa and

immigration assistance, student financial aid and other areas);
- Non-reporting options;
- Confidentiality/privacy and obtaining supportive and remedial measures and public recordkeeping;
- Law enforcement reporting options, including medical exams and the importance of preserving evidence;
- Civil reporting options & protective orders;
- University reporting options, including the investigative and disciplinary process;
- University-issued no contact orders; and
- University-facilitated supportive measures and remedies.

This information is also summarized below.

1. Resources for Victims/Survivors

The following is a list of on-campus and off-campus resources that offer a variety of services in the areas of victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid and other areas.

CARE at SARC can serve as a referral source or support with any of these resources if requested.

On-Campus Resources (in alphabetical order):

Service Provider	Types of Services	Contact
Academic Personnel Services	Provides proactive problem-solving for departments and divisions in situations involving issues of faculty conduct, faculty performance, and faculty complaints about discrimination or treatment. This program serves campus administrators seeking resolution for academic personnel performance, attendance and behavioral issues. Available for Deans, Chairs, Provosts and other administrators.	**General Campus/SIO: (858) 822-4564** **Health Sciences: (858) 534-3159** APS Website
CARE at the Sexual Assault Resource Center	Provides confidential & free survivor support, accompaniment, and crisis intervention services to UC San Diego students, staff, and faculty who are victims/survivors.	**(858) 534-5793** CARE website
Counseling and Psychological Services (CAPS)	Offers confidential counseling and mental health services for currently registered UC San Diego students.	**(858) 534-3755** CAPS website

Service Provider	Types of Services	Contact
Employee Assistance Program (EAP) (Health System, School of Medicine, School of Pharmacy, and Student Health program employees)	For all benefits-eligible UC San Diego Health employees, the Employee Assistance Program (EAP), managed by Optum Live and Work Well, offers assistance and referral services for those who may be experiencing issues that are affecting their personal well-being and/or job performance. Services include assessment, referral to outside resources, consultation, supervisory training, return to work assistance, and follow up. All services are free and employees are encouraged to self-refer and seek this confidential assistance.	**(866) 808-6205 (code: UCSDMC)** Liveandworkwell website (operated by Optum) University of California Behavioral Benefits website
Employee Relations (Health Based Staff)	UC's medical coverage also includes behavioral health benefits for mental health services and substance abuse treatment. Additional resources are offered through an employee's individual medical plan. Provides neutral services for employees who have questions or need assistance related to conflict in the workplace, policy interpretation, referrals, and consultation on a wide range of matters related to work.	**(619) 543-3200** UC San Diego Health Benefits portal
Employee Relations (Non-Health Based Staff)	Provides neutral services for employees who have questions or need assistance related to conflict in the workplace, policy interpretation, referrals, and consultation on a wide range of matters related to work.	**(858) 534-4115** UC San Diego Employee Relations website
Faculty and Staff Assistance Program (FSAP) (campus faculty and staff, post-doctoral faculty and visiting scholars)	Offers confidential counseling and referrals for UC San Diego campus staff and faculty, post-doctoral faculty and visiting scholars.	**(858) 534-5523** UC San Diego FSAP website
Financial Aid Office	Provides financial aid services to current UC San Diego students.	**(858) 534-4480** UC San Diego Financial Aid & Scholarships Office website

Service Provider	Types of Services	Contact
Healer Education Assessment and Referral Program (HEAR) (medical and pharmacy students, residents, fellows, health faculty, hospital staff and all health trainees)	Offers confidential counseling and referrals for UC San Diego Health students, staff and faculty.	**(858) 905-2342** **(858) 933-6409** **(858) 905-2734** HEAR website
International Services & Engagements Office	Provides advising and immigration services, and facilitates global education through programs and services to the UC San Diego community.	**(858) 534-3730** International Services & Engagements Office website
Office of the Ombuds	Offers confidential, neutral and informal dispute resolution services for faculty, staff, students, non-Senate academics, postdoctoral trainees and employees of the UC San Diego Health System.	**(858) 534-0777** Ombuds website
Office for the Prevention of Harassment & Discrimination (OPHD) (Title IX)	Receives reports of allegations of discrimination, sexual violence, dating violence domestic violence, and stalking, and conducts the administrative fact-finding investigation and non-investigation processes.	**(858) 534-8298** OPHD website
Center for Student Accountability, Growth, and Education	Receives, processes and resolves student conduct complaints.	**(858) 534-6225** SAGE website
Student Health Services	Provides medical services to registered UC San Diego students.	**(858) 534-3300** Student Health Services website
Student Legal Services (SLS)	Offers confidential services and advice to registered UC San Diego students and referrals to private attorneys.	**(858) 534-4374** Student Legal Services website
Undocumented Student Services	Provides services for UC San Diego students who are undocumented or from mixed-status families regarding legal and financial concerns and visa and immigration services.	**(858) 822-6916** Undocumented Student Services website

Law Enforcement Resources:

Service Provider	Types of Services	Contact
UC San Diego Police Department	Conducts patrol, investigation, crime prevention education and related law enforcement duties for the UC San Diego community.	**(858) 534-4357 (non-emergency)** **9-1-1 (emergency)** UC San Diego Police Department website
San Diego Police Department	Conducts patrol, investigation, crime prevention, and related law enforcement duties for neighborhoods surrounding UC San Diego.	**(619) 531-2000 (non-emergency)** **9-1-1 (emergency)** San Diego Police Department website
San Diego County Sheriff's Department	Provides general law enforcement, detention and court services for the people of San Diego County.	**(858) 868-3200 (non-emergency)** **9-1-1 (emergency)** San Diego County Sheriff website

Community, National, Global Resources:

Service Provider	Types of Services	Contact
California Civil Rights Department	Receives and investigates complaints related to discrimination, harassment, or retaliation in the workplace.	**(800) 884-1684** California Civil Rights Department website
Casa Cornelia Law Center	Offers free legal services to victims of human and civil rights violations. Provides assistance with visa and immigration issues for undocumented victims of crime.	**(619) 231-7788** Casa Cornelia Law Center website
Center for Community Solutions (CCS)	Provides a confidential 24-hour crisis hotline, emergency shelter, accompaniment, legal, counseling services for victims of sexual assault and domestic violence in San Diego County.	**(888) 385-4657** Center for Community Solutions (CCS) website
RAINN (Rape, Abuse, and Incest National Network)	National network supporting victims/survivors of sexual assault and abuse. 24/7 free and confidential hotline and chat services.	**(800) 656-4673** RAINN website
Your Safe Place (YSP) – formerly, San Diego Family Justice Center	Provides support to victims/survivors and children of family violence, including legal services, food, shelter, clothing, spiritual support, medical services and other services.	**(619) 533-6000** YSP website
San Diego Stalking Information Line	Offers support and information for victims of stalking.	**(619) 515-8900** San Diego County District Attorney Stalking Unit website

Service Provider	Types of Services	Contact
Women's Resource Center	Provides confidential 24-hour crisis hotline, support services, counseling, shelter and education for north San Diego County residents involved in or threatened by domestic violence or sexual assault.	**(760) 757-3500** Women's Resource Center website
U.S. Department of Education Financial Aid	Provides federal financial aid assistance.	**(800) 733-3243** US Department of Education Financial Aid website
U.S. Department of Education Office for Civil Rights	Receives and investigates complaints related to discrimination based on race, color, national origin, sex, disability, and age.	**(800) 421-3481** US Department of Education Office for Civil Rights website
U.S. Department of State – Office of Overseas Citizens Services	Assists victims/survivors who are overseas with local and/or US-based resources for victims of crime, including local legal representation.	**From the U.S. or Canada: 1 (888) 407-4747** **From overseas: +1 (202) 501-4444** US Department of State - Office of Overseas Citizens Services website

2. Non-Reporting Options

Not reporting or declining to notify authorities is always an option. Victims/Survivors who choose not to report or notify may still utilize any of the confidential resources listed above. CARE at SARC is always available to victims/survivors to provide information, emotional support, crisis intervention support, support groups, and/or assistance with obtaining a forensic medical exam. If the victim/survivor would like to seek support off campus, the Center for Community Solutions (CCS) and Your Safe Place (YSP) provide confidential services to victims/ survivors in San Diego County. Other confidential resources on campus include Counseling and Psychological Services (CAPS), Faculty and Staff Assistance Program (FSAP) and the Office of the Ombuds.

If a victim/survivor chooses not to report to or notify law enforcement or to the University, they still have the right to receive medical treatment, support services and an optional sexual assault forensic exam. In San Diego County, this exam is called a Non-Participatory Report (NPR).[59] The evidence will not include the victim/survivor's name. The victim/survivor can decline a copy of the report (history, findings) to be included with evidence. The NPR may or may not trigger an investigation (without the participation of the victim/survivor). The NPR is free of cost to the victim/survivor. If the victim/survivor decides that they want to participate with law enforcement, the victim/survivor must call Palomar Health Services and sign a release. This release allows Palomar Health Services to provide identifying information to law enforcement. Physical evidence will be held by law enforcement for at least 20 years. The victim/survivor will be given written notice if law enforcement decides to destroy evidence. The evidence collected will be tested, unless the victim/survivor chooses to not have it tested at the time of the exam. The victim/survivor has the right to contact law enforcement to learn the status of DNA testing of the kit and other evidence. Under California Penal Code Section 11160, healthcare providers are mandated reporters and must report cases of sexual assault to law enforcement.

[59] In the state of California, the NPR is referred to as the "VAWA Exam" or the "924".

The NPR option for UC San Diego students, faculty and staff can be requested by contacting CARE at SARC at (858) 534-5793. CARE at SARC can provide free transportation to the Sexual Assault Response Team (SART) facility for victims who choose the NPR. Victims/Survivors also have the option of requesting the NPR through the county rape crisis hotline: (858) 385-4657.

3. Confidentiality/Privacy and Obtaining Supportive and Remedial Measures and Public Recordkeeping

A. Confidentiality and Obtaining Supportive and Remedial Measures:

The University will protect the privacy of everyone involved in a report of sexual violence to the greatest degree possible under applicable law and University policy. Personally identifiable information about the complainant and other necessary parties will be shared only on a need-to-know basis, e.g., to those who are investigating/ adjudicating the report or those involved in providing support services to the complainant, including Supportive and Remedial Measures (as defined in the *University of California Sexual Violence and Sexual Harassment Policy*, attached as **Appendix C**). By only sharing personally identifiable information with individuals on a need-to-know basis, the University will maintain as confidential any Supportive and Remedial Measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the University to provide Supportive and Remedial Measures, and to the extent permissible under applicable law and policy.

B. Privacy and Public Recordkeeping:

UC San Diego completes publicly available recordkeeping, including Clery Act reporting and disclosures, without including personally identifiable information about the victim/survivor as defined in Section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)). Specifically, UC San Diego does not publish the name of victims/survivors or other identifiable information regarding victims/survivors in the Daily Crime and Fire Log or in the crime statistics that are disclosed in the *Annual Security and Fire Safety Report*. Furthermore, if a Timely Warning is issued on the basis of a report of dating violence, domestic violence, sexual assault or stalking, the name of the victim/survivor and other personally identifiable information about the complainant will be withheld.

4. Law Enforcement Reporting Options

It is a victim's/survivor's choice to report a crime. A victim/survivor may report an incident to law enforcement at any time. In the event of an emergency where immediate assistance is required, a victim/survivor should dial 9-1-1 to be connected with the nearest police department. If there is no emergency, victims/survivors can file a police report at any time in the jurisdiction where the assault occurred. Victims/Survivors can reach the UC San Diego Police Department at (858) 534-HELP (4357) or the San Diego Police Department at (619) 531-2000. To file a non-emergency police report, a victim/survivor can contact the dispatch lines (858) 534-4357 for the UC San Diego Police Department or (619) 531-2000 for the San Diego Police Department and request an officer meet them at the location of their choosing. An officer will then meet with the victim/survivor and take their statement about the incident. This may include the gathering of physical evidence and/or photographing of injuries. The officer will then provide any necessary follow-up materials or information. CARE at SARC will assist the victim/survivor in filing the report if requested.

A. Confidential Victim:

A victim/survivor of specific offenses (enumerated in California Government Code Section 6254(f)(2)(A)) has

the right to request to be listed as a confidential victim in a law enforcement agency's report. Being listed as a confidential victim in a law enforcement agency's report prevents the law enforcement agency from disclosing the confidential victim's name and address as a matter of public record. However, the confidential victim's information can be released to the prosecutor, parole officers of the Department of Corrections and Rehabilitation, hearing officers of the parole authority, probation officers of county probation departments, or other persons or public agencies where authorized or required by law. Please see California Penal Code Section 293 for more information.

B. Medical Exams:

Regardless of whether an incident of sexual violence is reported to the police, it is important to seek immediate medical attention, even if there is no evidence of serious injury. A medical examination is important to check for sexually transmitted infections or other infections/injuries and for pregnancy. CARE at SARC can help victims find an appropriate medical provider.

C. Preserving Evidence:

Victims/Survivors of sexual assault are encouraged to preserve all physical evidence, including but not limited to: clothing worn during the assault, bed sheets, and/or photos of any injuries. This evidence may be helpful in proving that a crime occurred, in the event the victim/survivor chooses to report now or in the future. It may also be helpful in obtaining a court-ordered protective or restraining order. If a victim/survivor does not have any evidence preserved, they still have an option to report the crime and request a medical evidentiary examination. In San Diego County, this exam is known as a Sexual Assault Forensic Exam (SAFE). It is recommended that the examination occurs within a reasonable timeframe (roughly 5 days) after the assault for optimal evidence collection. If a sexual assault victim/survivor chooses to make a police report, the law enforcement official will meet with the victim/survivor, determine whether the report as given would constitute a crime, and then alert the Sexual Assault Response Team (SART) facility where the SAFE will be conducted. Law enforcement or CARE at SARC will coordinate transportation to the facility, depending on the victim's/survivor's preference, and the victim/survivor has the option and right to meet with a victim advocate before the exam begins. A specially trained medical provider, called a Sexual Assault Nurse Examiner (SANE), will conduct the exam.

If a victim/survivor chooses not to report to law enforcement, they still have the right to receive medical treatment, support services and an optional sexual assault forensic exam. In San Diego County, this exam is called a Non-Participatory Report (NPR).[60] The evidence will not include the victim's/survivor's name. The victim/survivor can decline a copy of the report (history, findings) to be included with evidence. The NPR may or may not trigger an investigation (without the participation of the victim/survivor). The NPR is free of cost to the victim/survivor. If the victim/survivor decides that they want to participate with law enforcement, the victim/survivor must call Palomar Health Services and sign a release. This release allows Palomar Health Services to provide identifying information to law enforcement. Physical evidence will be held by law enforcement for at least 20 years. The victim/survivor will be given written notice if law enforcement decides to destroy evidence. The evidence collected will be tested, unless the victim/survivor chooses to not have it tested at the time of the exam. The victim/survivor has the right to contact law enforcement to learn the status of DNA testing of the kit and other evidence. Under California Penal Code Section 11160, healthcare providers are mandated reporters and must report cases of sexual assault to law enforcement.

[60] In the state of California, the NPR is referred to as the "VAWA Exam" or the "924".

The NPR option for UC San Diego students, faculty and staff can be requested by contacting CARE at SARC at (858) 534-5793. CARE at SARC can provide free transportation through a ride-share service to the SART facility for victims who choose the NPR. Victims/Survivors also have the option of requesting the NPR through the county rape crisis hotline: (858) 385-4657.

SAFE and NPR forensic exams are also offered at Student Health Services (SHS) on the UC San Diego campus. These exams are available for undergraduate and graduate student victim/survivors who have experienced a sexual assault within the UC San Diego Police Department's jurisdiction and are available after business hours. These exams can be accessed by the UC San Diego Police Department directly or through CARE at SARC. The UC San Diego Police Department and/or CARE at SARC will confirm that the incident meets the jurisdictional guidelines and coordinate directly with the county SANE and SHS to initiate the process.

Jacobs Medical Center does NOT conduct SAFE/NPR forensic exams. If a victim/survivor visits a medical facility solely for the purpose of requesting a forensic exam, law enforcement will be notified. A victim/survivor has the right not to participate in the criminal justice process, either prior to the examination or at any other time.

Victims/Survivors of dating violence, domestic violence, sexual assault and stalking are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to University investigators or police should the victim/survivor decide to report now or in the future.

In San Diego County, victims/survivors of dating, domestic violence who experience strangulation or other physical injuries have the right to access a Domestic Assault Forensic Exam (DAFE). The DAFE program is free and provided by Palomar Health Services by qualified forensic nurse examiners who conduct a thorough assessment, collect evidence and document injuries (including strangulation).

5. Civil Reporting Options & Protective Orders

Victims/Survivors are encouraged to connect with CARE at SARC for assistance with civil reporting options and Protective Orders. CARE at SARC has information on how and where to make these requests and can provide support and accompaniment throughout the process.

A. Filing a Civil Lawsuit:

A victim/survivor may choose to file a civil lawsuit against the suspect, whether or not criminal charges have been filed. A civil lawsuit provides an opportunity to recover actual money damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress. CARE at SARC can assist a victim/survivor with identifying the necessary resources and processes for filing a lawsuit if requested.

B. Court-Ordered Restraining Orders:

A victim/survivor may choose to obtain a restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can protect a complainant who has experienced or is reasonably in fear of physical violence, sexual violence, domestic violence, dating violence and stalking.

C. Emergency Protective Order (EPO):

An Emergency Protective Order (EPO) is a type of restraining order that only law enforcement can ask for by calling a judge. Typically, this is done by an officer responding to the scene of a domestic violence incident. Judges are available to issue EPOs 24 hours a day. The EPO takes effect immediately and can last up to seven calendar days. The judge can order the alleged abuser to leave the domicile and stay away from the victim and their children for up to a week. This provides the victim with time to go to court to request a temporary restraining order.

D. Temporary Domestic Violence Restraining Order (TRO):

A TRO is a type of protective order. In order to obtain one, the petitioner must fill out paperwork explaining the facts and why a protective order is needed. If a judge agrees that protection is needed, the judge will issue a temporary restraining order. Temporary restraining orders usually last until the court hearing date, typically 20 to 25 days after the petition is filed.

E. Criminal Protective Order (CPO):

When there is a claim that a domestic violence incident occurred, a criminal charge (or charges) may be filed by a prosecutor (such as the City Attorney or District Attorney) against the person who allegedly committed the criminal act. The prosecutor commonly asks a judge to issue a Criminal Protective Order while the criminal case proceeds. A CPO typically requires the defendant (the person who allegedly committed the criminal act) to stay away from and not to hurt, threaten, or communicate with the victim/accuser. If the defendant is convicted of or pleads guilty to the criminal charge(s), the CPO may last for up to ten years after the case is over.

F. Gun Violence Emergency Protective Order:

A Gun Violence Emergency Protective Order is a court order requested by law enforcement that prohibits someone from having any firearms, firearm parts, ammunition and magazines if they are posing an imminent threat/danger to self/others or community. The court order has to be issued by a judicial officer based on the statements made under penalty of perjury in the protective order.

G. Gun Violence Restraining Order:

A Gun Violence Restraining Order is a court order that temporarily prohibits someone from having or buying any firearms, firearms parts and ammunition. This can be requested if you are connected to the person you think is dangerous as: an immediate family member (spouse or domestic partner, your children, your spouse's parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces, nephews etc.); an employer; an employee; law enforcement officer or agency; a roommate who resided in the household in the past six months and has had substantial and regular interaction with person for at least a year; somebody in a dating relationship; or somebody who shares a child with the person.

H. Civil Harassment Restraining Order:

A type of court order available to individuals who have been harassed by any of the following: a neighbor, roommate (as long as no dating/romantic relationship existed or exists), friend, family member more than two degrees removed (e.g., an aunt/uncle, niece/nephew, cousin, or more distant relative), stranger, or another person not closely related to the victim of the harassment.

An individual who has been civilly harassed by a current or former spouse/partner, or someone with whom a dating/romantic relationship existed, or a close relative (parent, child, brother, sister, grandmother, grandfather, in-law) may qualify for a domestic violence restraining order, but would not qualify for a civil harassment restraining order.

UC San Diego complies with California law in recognizing restraining orders and protective orders. A complainant who obtains a restraining order should provide a copy of the order to the UC San Diego Police Department. In order to comply with the restraining order, CARE at SARC and the UC San Diego Police Department will assist a complainant with setting up escorts, establishing special parking arrangements, changing classroom or employment locations, or additional measures as needed. UC San Diego cannot apply for a restraining order for a complainant in California. However, CARE at SARC can offer assistance with obtaining a restraining order.

6. University Reporting Options

Complaints of sexual violence, dating violence, domestic violence, or stalking may be addressed through the University administrative process. A complainant or reporting party can report an incident to the University by contacting the Office for the Prevention of Harassment & Discrimination (OPHD) in person, by email, by phone call or by filing a report online at OPHD Web Form. OPHD is the UC San Diego Title IX Office. A complainant has the right to have an advisor and/or a support person or advocate present with them while making a complaint to OPHD. Please note that the University administrative process is separate from any criminal or civil process (see Law Enforcement Reporting Options and/or Civil Reporting Options for more information).

If the complainant requests of OPHD or another University employee that their identity remain completely confidential, OPHD or the employee will explain that the University cannot always honor that request and cannot guarantee complete confidentiality. If the complainant wishes to maintain confidentiality or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, nondiscriminatory environment for all students, employees and third parties, including the complainant.



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Under those circumstances, the University will determine whether the complainant's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. The University may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual or about the same location; whether a weapon was used; whether the school possesses other means to obtain relevant evidence; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g; 34 C.F.R. Part 99. Without information about the complainant's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be severely limited.

To the extent possible, information reported to OPHD or other University employees will be shared only with individuals responsible for handling the University's response to the incident. The University must balance the privacy interests of people involved in a report of "Prohibited Conduct" as defined under the University of California *Sexual Violence and Sexual Harassment Policy*, against the need to gather information, ensure a fair process, and stop, prevent and remedy "Prohibited Conduct" as defined under the *Sexual Violence and Sexual Harassment Policy*. In this context, the University tries to protect people's privacy to the extent permitted by law and University policies. The University protects the privacy of personally identifiable information per all applicable state and federal privacy laws, and University policies.

The University will not require the complainant to participate in any investigation or disciplinary proceeding if they do not wish to participate. The entire investigation process from initial investigation to final result shall be prompt, fair and impartial. Both the complainant and the respondent will be notified of the investigation. The investigator will meet separately with the complainant, the respondent and other potential witnesses to gather information. When that process is complete (usually within 90 business days; please see **Section XII.D** below for more detailed information), the investigator will prepare and submit a report addressing whether or not a University policy was violated. The standard of evidence in these cases is preponderance of the evidence, with the University bearing the burden of proof. Preponderance of the evidence means that it is "more likely than not" that the respondent is responsible for the charged violation.

For an overview of the University complaint process as it pertains to sexual violence, dating violence, domestic violence, and stalking, please see the University of California *Sexual Violence and Sexual Harassment Policy* attached at **Appendix C**.

7. University No Contact Orders, Supportive Measures and Remedies

A. University-Issued No Contact Orders:

A complainant, respondent, and/or OPHD staff member may request the Center for Student Accountability, Growth, and Education (SAGE) issue a no contact order relating to a sexual violence and sexual harassment incident involving a UC San Diego student respondent. The request must specify the reasons the requesting party wants the no contact order issued. CARE at SARC can assist victims/survivors and Respondent Support Advisors can assist respondents with requesting no contact orders.

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 wellbeing, or to respond to interference with a Sexual Violence Sexual Harassment Resolution Process.

SAGE will evaluate the no contact order request, determine whether it should be issued, and notify the parties of its determination via email.

The complainant, respondent, and/or investigator may request SAGE to consider modifying the no contact order after its issuance and until the order is removed or expires. Modification requests may be made when the circumstances necessitating the order change and/or new information becomes available to support/not support the order. If a no contact order is violated, the University may initiate student conduct proceedings appropriate to the status of the party violating the order (student, faculty, staff) and may assign sanctions if the party is found responsible for violating the no contact order.



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For staff and faculty at UC San Diego, no contact orders are implemented and facilitated through the department leadership or Employee or Labor Relations, as appropriate.

B. University-Facilitated Supportive Measures:

The University will provide Supportive Measures[61] if a complainant requests them, and if they are reasonably available, regardless of whether a complainant chooses to report to the police or to the University. If reasonably available, a complainant may be offered changes to academic, living, working or transportation situations. Examples of options for a potential change include the following:

- Academic – obtaining an extension on a class project, paper or exam; transferring to a different section of a class; or withdrawing and taking a class at another time.
- Living – moving to a different room or residential facility.

[61] Supportive Measures include both Interim Measures and Mitigating Measures. The University provides Supportive Measures as appropriate and reasonably available, without fee or charge.
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 of the *Sexual Violence Sexual Harassment Policy*) 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.
Mitigating Measures: Services, accommodations or other measures for a Complainant who is not in a Resolution Process (see Section V.A.5 of the *Sexual Violence and Sexual Harassment Policy*), 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. *See Sexual Violence and Sexual Harassment Policy Section II.C.3.a.*

- Working – changing work hours or office space; taking an investigative leave.
- Transportation – assigning different parking spots; obtaining safety escorts.

The University will work with a complainant to identify the appropriate Supportive Measures after considering a variety of factors, such as the specific need expressed by a complainant; the age of the individuals involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether a complainant and alleged respondent share the same residence hall, dining hall, class, transportation or job location; and whether other judicial measures have been taken to protect a complainant (e.g., civil protection orders).

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[62], the Title IX Officer will ensure Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

CARE at SARC can assist a victim in requesting Supportive Measures to the appropriate department. CARE at SARC can also serve as liaisons to instructors, housing coordinators, supervisors, human resources, financial aid, and other departments as needed to assist with changes to academic, living, working and transportation situations with a complainant's consent. If a victim/survivor chooses not to report to OPHD, it may affect their ability to obtain Supportive Measures. For a complainant who has chosen to report to OPHD, OPHD will determine with them whether any Supportive Measures need to be put into place.

D. Administrative Process for Incidents Involving Dating Violence, Domestic Violence, Sexual Assault and Stalking

1. Assessment/Resolution Overview

UC San Diego takes all complaints of dating violence, domestic violence, sexual assault and stalking very seriously. Your safety and well-being are among the University's highest priorities, and you have the right to a learning or work environment that is free from any type of harassment or discrimination. UC San Diego responds to reports of dating violence, domestic violence, sexual assault, and stalking according to the University's *Sexual Violence and Sexual Harassment Policy* available online and at **Appendix C**. The University of California *Sexual Violence and Sexual Harassment Policy* contains the definition of "consent" governing the entire University of California system.

Students, faculty, and staff who choose to make an administrative report to the University will be referred to the Office for the Prevention of Harassment & Discrimination (OPHD). Students, faculty and staff may file a complaint with OPHD in person, by email, by phone call or online by submitting an OPHD Web Form.

OPHD will explain the UC San Diego administrative procedures for responding to complaints of dating violence, domestic violence, sexual assault and stalking. OPHD case handlers receive annual training on issues related to dating violence, domestic violence, sexual assault and stalking and how to conduct an investigation that is trauma-informed, protects the safety of complainants, and promotes accountability. This training is done

[62] 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. The *Sexual Violence and Sexual Harassment Policy* refers to this conduct as "DOE-Covered Conduct."

online, during in-person and Zoom meetings conducted with other University of California campuses, and via external agencies/organizations.

OPHD will also determine with the complainant whether any Supportive and Remedial Measures need to be put into place. The University may implement measures, such as:

- Creating a plan to limit or prevent contact between the complainant and the respondent. This may include making changes to academic, work or housing situations for the complainant or the respondent;
- Taking steps to increase the complainant's sense of safety and security while they continue with classes, work and other activities; and
- Referring the complainant to confidential emotional support services through Counseling and Psychological Services, the Faculty and Staff Assistance Program, and/or CARE at SARC.

The specific procedures for investigating and resolving complaints of dating violence, domestic violence, sexual assault and stalking depend on the respondent's identity and relationship to the University. Following is a summary of the assessment and resolution processes. Capitalized terms are defined in the *Sexual Violence and Sexual Harassment Policy* attached as **Appendix C**. The entire process shall be prompt, fair and impartial.

A. 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 of the *Sexual Violence and Sexual Harassment Policy*. 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 under the University of California *Sexual Violence and Sexual Harassment Policy*; and
- if so, whether the Prohibited Conduct is covered by that *Policy*, including Appendix B covering Prohibited Conduct in the Context of Patient Care (see **Section XII.A.3.B**).

The Title IX Officer or designee, in coordination with the Case Management Team, 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), and
- provide to the Complainant a written explanation of rights and reporting options (including the right to report to the police), a request to meet with the Title IX Officer or designee, and available campus and community resources.

The Title IX Officer or designee will also inform the Complainant of the range of possible outcomes of the report, including Supportive Measures and Remedial Measures[63] and disciplinary action, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

[63] Remedial Measures: Services, accommodations, or other measures put in place as a result of a completed Resolution Process (see Section V.A.5). *See Sexual Violence and Sexual Harassment Policy Section II.C.3.b.*

B. Closure After Initial Assessment:

Not all reports the Title IX Officer or designee 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 or designee determines that:

- even if true, the alleged conduct is not Prohibited Conduct;
- the conduct is not covered by University Policy;
- 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; 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).



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The Title IX Officer or designee will close such matters per written guidelines issued by the UC Systemwide Title IX Office. The Title IX Officer or designee 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[64] 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 or designee 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 or designee 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.

[64] See Footnote 61.

C. Overview of Resolution Processes:

Reports of Prohibited Conduct that are not closed after the Title IX Officer or designee'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. At the beginning of any Resolution Process, the Title IX Officer will inform parties of the University's rules of conduct during the process. Each of these is described below. Resolution Processes are non-adversarial proceedings.

i. 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 the *Sexual Violence and Sexual Harassment Policy* (with the exception of Sexual Exploitation is defined in the *Sexual Violence and Sexual Harassment Policy*.) In other cases, after an initial assessment of the alleged facts, the Title IX Officer or designee may—if the Complainant and Respondent agree in writing—begin an Alternative Resolution process. Alternative Resolution is *not* an investigative process. 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 or designee 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 or designee will provide timely written notice to both parties that includes:

- the allegations;
- the Title IX Officer or designee 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;
- they may be accompanied by an advisor throughout the process;
- the Title IX Officer or designee 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 or designee 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 (e.g., the Chancellor). The Chancellor may not delegate this responsibility.

The Title IX Officer or designee 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 or designee may extend past 60 days for good cause. The Title IX Officer or designee 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 or designee will consider, approve, and communicate extensions per written guidelines from the UC 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 or designee 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 or designee will keep records of all reports and conduct addressed through Alternative Resolution.

ii. 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 of the University of California *Sexual Violence and Sexual Harassment Policy*. 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 or designee will begin a Formal Investigation when they decide not to close a report after an 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: If the Complainant does not want an investigation, the Title IX Officer or designee will seriously consider this preference. However, the Title IX Officer or designee may determine an investigation is necessary to mitigate a risk to the campus community. If the Title IX Officer or designee decides to open an investigation despite the Complainant's request, the Title IX Officer or designee 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 the *Sexual Violence and Sexual Harassment 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 or designee does not begin an investigation, they will inform the Complainant that this

limits possible remedies. The Title IX Officer or designee will nonetheless provide Mitigating Measures as appropriate and consistent with Complainant's privacy and the absence of an investigation.

When the Title IX Officer or designee 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 the University of California *Sexual Violence and Sexual Harassment 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.

- *Timeframe*. The Title IX Officer or designee 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 or designee may extend the timeframe past 90 days for good cause. The Title IX Officer or designee 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 or designee will consider, approve, and communicate extensions per written guidelines from the UC Systemwide Title IX Office. If the police are also investigating the alleged conduct, the Title IX Officer or designee will coordinate with the police but must nonetheless act promptly without delaying the investigation until the end of the criminal investigation.

- *Disclosure of Information*. The investigation generally includes interviews with the parties and any witnesses, and a review of evidence. The Title IX Officer or designee 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.

- *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 students. 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 designee or as required by University policy or a collective bargaining agreement. The right to an advisor under the *Sexual Violence and Sexual Harassment Policy* does not infringe upon the rights of parties under applicable laws or other policies related to collective bargaining agreements.

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

- *Initiation of Investigation by University*. The Title IX Officer or designee 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 the University of California *Sexual Violence and Sexual Harassment Policy*) for a reasonable person; or
    - allegations of Prohibited Conduct covered by the University of California *Sexual Violence and Sexual Harassment Policy* in the public realm (such as reports in the news or social media).

- *Administrative Closure.* The Title IX Officer or designee 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 or designee 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 and Mitigating Measures to the Complainant.

iii. Grievance/Complaint Procedures for Employees

Instead of, or in addition to, reporting to the Title IX Officer or designee 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* of the University of California *Sexual Violence and Sexual Harassment Policy* attached as **Appendix C**.

Any such grievance or complaint will be forwarded to the Title IX Officer or designee for processing under the University of California *Sexual Violence and Sexual Harassment Policy*, and the grievance or complaint procedure will be held in abeyance pending resolution under that *Policy*, unless the applicable collective bargaining agreement provides otherwise. After completion of the process under the University of California *Sexual Violence and Sexual Harassment Policy*, the grievance or complaint may be reactivated under the applicable grievance or complaint procedure.

iv. 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 or designee has jurisdiction, the Title IX Officer or designee 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 or designee 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.

v. Notifications and Documentation

When engaging in a Resolution Process, the Title IX Officer or designee will provide written notices to the parties and keep records per guidelines issued by the UC 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.

vi. The Investigation Report and Outcome

If either a Formal Investigation or DOE Grievance Process investigation is conducted, the Title IX Officer or designee 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 the University of California *Sexual Violence and Sexual Harassment Policy* was violated.

The report will also include the Title IX Officer's determination of whether the Respondent violated the University of California *Sexual Violence and Sexual Harassment Policy*. However, in a DOE Grievance Process (except for "No-Title IX Hearing DOE-Covered Conduct"),[65] and any time the Respondent is a student, the determination is only preliminary. (See **Appendix D**, **Appendix E**, **Appendix F** and **Appendix G** attached.)

In determining whether the University of California *Sexual Violence and Sexual Harassment Policy* was violated, the Title IX Officer or designee will apply the preponderance of evidence standard. At the end of the investigation, the Title IX Officer or designee 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 or designee 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 (except for "No Title IX Hearing DOE-Covered Conduct"), 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, unless certain exceptions apply.[66] If they do, the next stage of the DOE

[65] When the Respondent is a faculty or staff member, there are certain circumstances in which alleged conduct may constitute DOE-Covered Conduct but a hearing is not required. This applies when the alleged conduct 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, 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. See **Appendix F** and **Appendix G**.

[66] *Id.*

Grievance Process or Formal Investigation is a hearing, unless certain exceptions apply.[67]

vii. Remedy

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 of the University of California *Sexual Violence and Sexual Harassment Policy* attached as **Appendix C**.

If the remedy has not already been provided, the Title IX Officer or designee 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.

viii. Discipline

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

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) of the University of California *Sexual Violence and Sexual Harassment Policy* or other policy.

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;
- any subsequent change to the results; and
- when results become final.

The University tries to finalize and notify parties of 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.

2. Student Adjudication Procedures

The University has established standards intended to ensure the consistent application of conduct sanctions by the University in responding to conduct that violates the University of California *Sexual Violence and Sexual Harassment Policy*, University of California Policy on Student Conduct and Discipline, and the UC San Diego Student Conduct Procedures. Please see **Appendix D** and **Appendix E** for the full description of the hearing procedures and appeals process, including the timing of each step.

Staff at the Center for Student Accountability, Growth, and Education (SAGE) receive annual training on issues related to dating violence, domestic violence, sexual assault and stalking and how to conduct a proceeding/hearing that protects the safety of victims and promotes accountability.

[67] *Id.*

A. Proposed Sanctions:

In cases where the OPHD investigator preliminarily determines a policy violation has occurred, each party may schedule a meeting with or submit a written statement to SAGE to provide input on sanctions. SAGE 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 in-person or written comments about potential sanctions submitted by the parties, and any other information relevant to the applicable sanctioning factors. SAGE will then propose sanctions in all cases where there is a preliminary determination that the *Policy* was violated regardless of whether the preliminary determination is contested.

B. Opportunity to Contest Preliminary Determination:

i. Non-DOE-Covered Conduct

If either party wishes to discuss the possibility and implications of contesting the preliminary determination, including the hearing that will result if either party contests, they may discuss their options with SAGE (even if the investigator's preliminary determination was that no policy violation occurred).

If either party contests the investigator's preliminary determinations whether the policy was violated within 20 business days of the notice of the investigative findings and preliminary determination, there will be a fact-finding hearing to determine whether the *Sexual Violence and Sexual Harassment Policy* or other student conduct policies have been violated, after which SAGE will determine any sanctions.

In cases where SAGE proposes suspension or dismissal as a sanction, the Respondent is presumed to contest unless they provide SAGE with a written acknowledgement stating they do not contest, accepts the preliminary determination, and waives their right to a hearing. If the Respondent does not provide SAGE with the written acknowledgement during the 20 business days, the matter will proceed to a hearing to determine if a policy violation occurred.

If the Respondent provides the written acknowledgement and the Complainant does not contest during the 20 business days, then the preliminary determination becomes final, and SAGE will assign the proposed sanctions and the parties will have a right to appeal. SAGE must notify the parties of the sanction within 5 business days of the preliminary determination becoming final. If the Respondent provides the written acknowledgment and the Complainant contests **for any reason** during the 20 business days, the matter will proceed to a hearing to determine if a policy violation occurred.

In cases where SAGE does not propose suspension or dismissal, if either party provides written notice to SAGE that they contest during the 20 business days, the matter will proceed to a hearing to determine if a policy violation occurred. If neither party informs SAGE that they contest during the 20 business days, then the preliminary determination becomes final, and SAGE will assign the proposed sanction, and the parties have the right to appeal. SAGE must notify the parties of the sanction within 5 business days of the preliminary determination becoming final.

ii. DOE-Covered Conduct

If either party wishes to discuss the possibility and 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 SAGE (even if the investigator's preliminary determination

was that no policy violation occurred).

Unless both parties accept the investigator's preliminary determinations whether the policy was violated within 20 business days of the notice of the investigative findings and preliminary determination, there will be a fact-finding hearing to determine whether the *Sexual Violence and Sexual Harassment Policy* or other student conduct policies have been violated, after which SAGE will determine any sanctions.

A party may accept the preliminary determination by providing SAGE 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 SAGE with a written response stating that the party does not accept the preliminary determination.

If both parties provide written response that they do not wish to proceed during the 20 business days, then the preliminary determination becomes final, SAGE will assign the proposed sanctions, and the parties will have the right to appeal the sanction.

C. Hearing to Determine Policy Violations:

i. Non-DOE-Covered Conduct

If either party contests, or is presumed to contest 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 *Sexual Violence and Sexual Harassment Policy* (and any non-*Sexual Violence and Sexual Harassment Policy* violations charged in conjunction with them) occurred. The University's main role is neutral. The University will consider relevant evidence available, including relevant evidence presented by the parties, to make factual findings and determine whether a policy violation occurred.

The hearing officer may be a University employee or outside contractor appropriately trained as coordinated by OPHD. Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

The hearing will be conducted in a respectful manner that promotes fairness and accurate fact findings. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer may question witnesses and parties, and they will determine the order of questioning. The hearing officer will also implement measures they deem appropriate to protect the well-being of parties and witnesses, including separation of the parties, breaks, and the participation of support persons.

The investigation file will be entered as evidence at the hearing. The hearing officer may rely on findings in the report that are not disputed, while independently evaluating any disputed and material issues. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer.

After the hearing, the hearing officer will decide whether a violation of the *Sexual Violence and Sexual Harassment Policy* (or related non-*Sexual Violence and Sexual Harassment Policy* violation) occurred based on a preponderance of the evidence standard. The hearing officer will take into account the investigative file and evidence presented and accepted at the hearing. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all the evidence before them.

If the hearing officer decides that any policy violation has occurred, they will send their determination and

findings to SAGE within 10 business days of the hearing. Based on the hearing officer's findings and determinations, and other information relevant to sanctioning, SAGE will determine appropriate sanctions.

Within 15 business days of the hearing, the hearing coordinator will send written notice to both parties setting forth the hearing officer's determinations about violations and if any, SAGE's determination of any assigned sanctions. The written notice will also include the findings on each disputed, material fact and an analysis of the evidence supporting the findings, a summary of facts found by the investigator that the parties did not dispute, the rationale for the determination of any charge, the rationale for any sanctions, a statement of the right to appeal and relevant information about the appeals process, and an explanation that both parties will receive a copy of any appeal submitted.



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ii. DOE-Covered Conduct

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 *Sexual Violence and Sexual Harassment Policy* (and any non-*Sexual Violence and Sexual Harassment Policy* violations charged in conjunction with them) occurred. The University's role in the hearing is neutral. The University will consider relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

The hearing officer may be a University employee or outside contractor appropriately trained as coordinated by OPHD, and may not be the same person as the Title IX Officer or the investigator. Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

The hearing will be conducted in a respectful manner that promotes fairness and accurate fact findings 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 the framework may question witnesses and parties and they will determine the order of questioning.

The hearing will be conducted remotely with any modifications the hearing coordinator has made in response to a party's request for assistance. The hearing officer will also implement measures they deem appropriate to protect the well-being of parties and witnesses, including separation of the parties, breaks, and the participation of support persons.

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. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer.

After the hearing, the hearing officer will decide whether a violation of the *Sexual Violence and Sexual Harassment Policy* (or related non-*Sexual Violence and Sexual Harassment Policy* violation) occurred based on a preponderance of the evidence standard. The hearing officer will consider the investigative file and evidence presented and accepted at the hearing. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all the evidence before them.

If the hearing officer decides that any policy violation has occurred, they will send their determination and findings to SAGE within 10 business days of the hearing. Based on the hearing officer's findings and determinations, and other information relevant to sanctioning, SAGE will determine appropriate sanctions.

Within 15 business days of the hearing, the hearing coordinator will send simultaneous written notice to both parties setting forth the hearing officer's determinations about violations and if any, SAGE's determination of any assigned sanctions. The written notice will also include the following:

1. A summary of the allegations that would constitute DOE-Covered Conduct and other Prohibited Conduct under the *Sexual Violence and Sexual Harassment Policy* and any other related student conduct violations;
2. The determinations of whether the *Sexual Violence and Sexual Harassment Policy* and/or other student conduct policies have been violated and assigned sanctions (if any);
3. A statement that the Title IX Officer will determine whether Complainant will be provided additional remedies, and will inform 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 facts found by the investigator that the parties did not dispute;
7. The rationale for the determination of any charge;
8. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of whether other charged conduct, including other *Sexual Violence and Sexual Harassment Policy* violations occurred;
9. The rationale for any sanctions;
10. A statement of the right to appeal and relevant information about the appeals process; and
11. An explanation that both parties will receive a copy of any appeal submitted.

D. Appeal Process:

i. Non-DOE-Covered Conduct

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.

In cases where there was a hearing, the parties submit appeals regarding procedural error in the hearing process that materially affected the outcome, the determination regarding policy violations was unreasonable based on the evidence before the hearing officer, and/or the sanctions were disproportionate to the hearing officer's findings. In cases where there was no hearing, the parties may submit appeals regarding the sanctions being disproportionate to the preliminary determinations.

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 appeals regarding disproportionate sanctions, the parties may meet separately with the appeal officer to provide input on their desired sanction outcomes. If this occurs, the appeal officer may consider the statements made by the parties in these meetings in their review of the appeal. The appeal officer will summarize their decision in a written report that includes a statement on the grounds identified on appeal, a summary of the information considered by the appeal officer, and the decision of the appeal officer. The decision will include 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. The decision of the appeal officer will be final.

ii. DOE-Covered Conduct

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.

In cases where there was a hearing, the parties may submit appeals regarding:

- A procedural error in the hearing process that materially affected the outcome;
- New evidence that was not reasonably available at the time of the hearing and that could have materially affected the outcome;
- The hearing officer had a conflict of interest or bias that could have affected the outcome;
- The determination regarding policy violations was unreasonable based on the evidence before the hearing officer; and/or
- The sanctions were disproportionate to the hearing officer's findings.

In cases where there was no hearing because both parties decided to accept the preliminary determination, the parties may submit appeals regarding the sanctions being disproportionate to the preliminary determinations that were accepted.

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 appeals regarding disproportionate sanctions, the parties may meet separately with the appeal officer to provide input on their desired sanction outcomes. If this occurs, the appeal officer may consider the statements made by the parties in these meetings in their review of the appeal.

The appeal officer will summarize their decision in a written report that includes a statement on the grounds identified on appeal, a summary of the information considered by the appeal officer, and the decision of the appeal officer. The decision will include the rationale for the decision, including where the findings or sanctions are overturned or modified, and an explanation of why the ground(s) for appeal were proven. The decision of the appeal officer will be final.

E. Advisors and Support Persons:

i. Non-DOE-Covered Conduct

At all stages of the process, the Complainant and Respondent 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 the University's 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.

ii. DOE-Covered Conduct

At all stages of the process, the Complainant and Respondent have the right to select an advisor of their choice or to request that 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 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 the framework. 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. 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.

The support person's primary role is to provide emotional support. Generally, the support person may not speak on behalf of a party. 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 the 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.

F. Results:

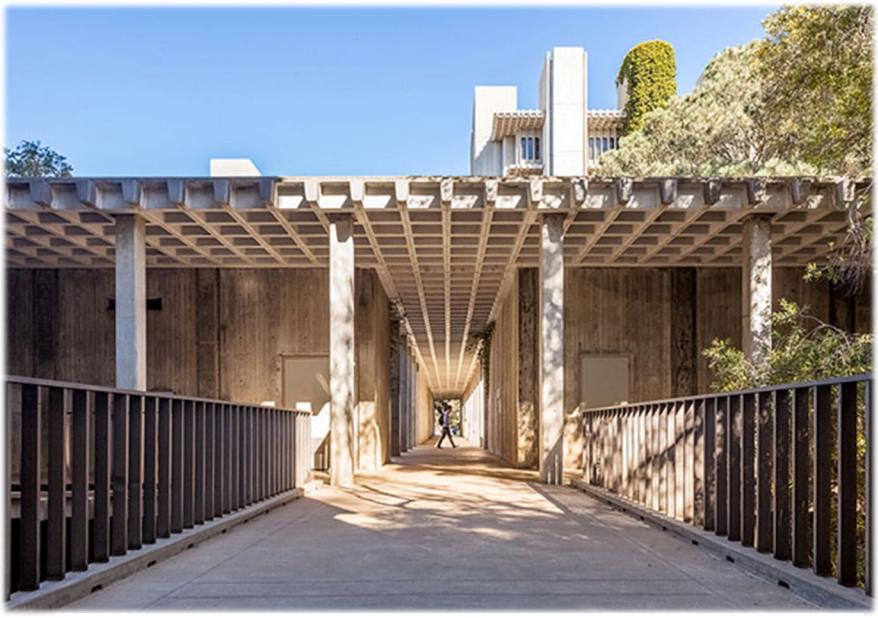
Both parties will be simultaneously informed in writing of the result of any disciplinary proceeding relating from an allegation of dating violence, domestic violence, sexual assault or stalking; the procedures for appealing the results of the disciplinary proceeding; any change to the results that occurs before the results become final; and when such results become final.

G. Sanctions:

When a student is found responsible for violating these policies, the University will assign sanctions that are proportionate and appropriate to the violation, taking into consideration the context and seriousness of the violation. 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 the behavior that violated the policies and preventing its recurrence.

University sanctions include, but are not limited to:

- Dismissal (Expulsion) from the University of California;
- Suspension from the University of California;
- Exclusion from areas of the campus and/or from official University functions;
- Loss of privileges and/or exclusion from activities;
- Restitution;
- Probation;
- Censure/Warning; and/or
- Other actions as set forth in University policy and campus regulations.



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Minimum sanctions for sexual violence and sexual harassment violations will be assigned as follows:

- Sexual Assault – Penetration or Sexual Assault – Contact that is aggravated as defined in the *Sexual Violence and Sexual Harassment Policy* will result in a minimum sanction of suspension for two calendar years.
- 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.
- Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year, unless there are exceptional circumstances.
- Sexual Harassment and Other Prohibited Behavior, as defined by the *Sexual Violence and Sexual Harassment Policy*, will not result in any minimum sanction but will be sanctioned in accordance with the factors identified below.

In determining the appropriate and proportionate sanction, the following factors will be considered when applicable:

- 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; presence of weapons, use of force, violence; physical injury; menace; deliberately causing or taking advantage of a person's incapacitation; and recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.
- Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; use of authority to abuse trust or confidence; planned or predatory conduct; hate or bias based on the complainant's membership or perceived membership in a protected group as defined in UC PACAOS Section 104.90.
- Whether the conduct is aggravated, as defined in the *Sexual Violence and Sexual Harassment Policy*.
- 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.
- Disciplinary history: prior violations unrelated, prior violations related. A Respondent's disciplinary history is cumulative. Therefore, increased sanctions may be assigned to take into consideration the Respondent's overall record of violations of all types, not just those of a similar type. Violations of

University policies during the period of an active sanction may be cause for further action.
- Impact on others: input from the complainant, protection or safety of the community.

3. Faculty/Staff Adjudication Procedures

The following is an outline of UC San Diego's adjudication process and sanctioning for employee (staff and faculty) respondents. Please see **Appendix F** ***SVSH Investigation and Adjudication Framework for Senate and Non-Senate Faculty*** and **Appendix G** ***SVSH Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel*** for the University's procedures for resolving both DOE and non-DOE-Covered Conduct.

A. Assessment and Consultation:

At the conclusion of a Formal Investigation by OPHD, the appropriate administrative authority will decide what action to take in response to the findings of the Investigative Report. The 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 OPHD.

At the conclusion of a 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 appropriate administrative authority will propose a resolution, in consultation with the appropriate office, as described below, and the parties will decide whether to accept the preliminary determination and the proposed resolution.
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.

The appropriate administrative authority may consult with OPHD, Human Resources, Academic Personnel Services, or any other appropriate entities at any time during the decision-making process.

The Complainant and the Respondent will have an opportunity to respond to the notice of investigation outcome and accompanying Investigative Report through an in-person meeting and/or a written statement submitted to the appropriate administrative authority. The purpose of this response is not to challenge the factual findings in the Investigative 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 for Staff and Non-Faculty Academic Personnel:

In the event that an investigation determines or preliminarily determines that a Respondent is responsible for violating the University of California *Sexual Violence and Sexual Harassment 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 OPHD and Human Resources or Academic Personnel Services (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 University of California *Sexual Violence and Sexual Harassment Policy*. Human Resources or Academic Personnel Services 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 discipline before approving or disapproving it.

C. 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 University of California *Sexual Violence and Sexual Harassment Policy*, the Chancellor or Chancellor's designee will engage the campus Peer Review Committee (PRC) to advise on appropriate resolution.

The PRC will advise the Chancellor or Chancellor's designee regarding how to resolve the matter. At the conclusion of a Formal Investigation or a 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 PRC should provide advice on the appropriate discipline or other corrective or remedial measures.

The PRC will be trained by OPHD on the University of California *Sexual Violence and Sexual Harassment Policy* and Response Procedures, the application of a trauma-informed approach, and how to analyze the elements of sexual violence or sexual harassment charges. The PRC will be engaged in all cases where the Title IX investigator has determined or preliminarily determined that a Senate faculty respondent has violated the University of California *Sexual Violence and Sexual Harassment Policy*.

D. Peer Review Committee or Consultation with Academic Personnel Services 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 University of California *Sexual Violence and Sexual Harassment Policy*, the Chancellor or Chancellor's designee will engage the Peer Review Committee or consult with Academic Personnel Services. Such consultation, as decided by the campus, will occur in all cases where the OPHD investigation has determined or preliminarily determined that the non-Senate faculty respondent has violated the University of California *Sexual Violence and Sexual Harassment Policy*.

E. Title IX Officer Consultation for Senate and Non-Senate Faculty:

In all cases where the investigation determines or preliminarily determines that a Senate or non-Senate faculty respondent is responsible for violating the University of California *Sexual Violence and Sexual Harassment 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.

F. DOE Grievance Process - Hearing and Appeal:

The DOE Grievance Process (except No-Title IX Hearing DOE-Covered Conduct) may include a fact-finding hearing and option to appeal the hearing officer's finding. After the assessment and consultation described above, the appropriate administrative authority will inform Human Resources or Academic Personnel Services, and Title IX Officer, of the proposed decision and its rationale, and Human Resources, Academic Personnel Services, or the 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 preliminary determination. Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing to determine whether the University of California *Sexual Violence and Sexual Harassment Policy* was violated.

i. Opportunity to Accept the Preliminary Determination

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. If both parties provide written acknowledgment that they accept the preliminary determination and proposed resolution during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and the appropriate administrative authority will impose the proposed resolution, including any discipline or corrective measures.

ii. Hearing Procedures

Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing before a single hearing officer (not the Title IX Officer) to determine whether the University of California *Sexual Violence and Sexual Harassment Policy* was violated. 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. Within 15 business days of the hearing, the Complainant and Respondent will be sent written notice setting forth the hearing officer's determination on whether the University of California *Sexual Violence and Sexual Harassment Policy* has been violated.

iii. Appeal Process

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.

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 their right to submit a written statement in response to the appeal within 3 business days with supporting documentation, as appropriate.

Within 10 business days of receiving the appeal, the appeal officer will send their written decision to the Complainant and Respondent. Unless the appeal officer remands the matter to the hearing officer, the matter is

closed at this point, with no further right to appeal. If the appeal officer remands the matter to the hearing officer, they will issue their decision within 10 business days of receiving the hearing officer's additional factual findings; this decision will be final.

iv. Additional Assessment and Consultation for Staff

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 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. They may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reconsider the findings and determinations regarding University of California *Sexual Violence and Sexual Harassment Policy* violations made through the hearing and any appeal. If the final finding is that a Respondent is responsible for violating the University of California *Sexual Violence and Sexual Harassment 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 the Assessment and Consultation section above.

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.

Human Resources or Academic Personnel Services 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. Additional Assessment and Consultation for Faculty

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 violations of other policies occurred, but will not reconsider the findings and determinations regarding the University of California *Sexual Violence and Sexual Harassment Policy* violations made through the hearing and any appeal. If the final finding is that a faculty Respondent violated the University of California *Sexual Violence and Sexual Harassment 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 Academic Personnel Services, as described in the Assessment and Consultation section above. The Chancellor or Chancellor's designee will decide what action to take to resolve the matter.



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G. Corrective or Other Actions for Staff and Non-Faculty Academic Personnel:

The below provisions apply when a Respondent is found in violation of the *Sexual Violence and Sexual Harassment Policy* following a Formal Investigation, following an investigation and any appeal in a DOE Grievance Process addressing No-Title IX Hearing DOE-Covered Conduct, or following a hearing and any appeal in any other DOE Grievance Process.

i. Decision Approval and Implementation for Personnel Policy for Staff Members (PPSM) Covered Staff

Following approval by the Chancellor's designee (in a Formal Investigation) or final adjudication (in a DOE Grievance Process), the Respondent's supervisor will implement the approved decision in accordance with applicable Collective Bargaining Agreements (CBAs) or PPSMs, including PPSM-62 and PPSM-64.

- **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.

- **Action Not Requiring Notice of Intent:** The supervisor may propose corrective or remedial actions that do not amount to corrective action or termination. 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 will be communicated to both the Complainant and the Respondent within five business days of the decision.

- **Notice of Intent:** The supervisor may propose to issue a Notice of Intent to institute corrective action or Notice of Intent to terminate. 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 be issued. Following the provision of a Notice of Intent, corrective action will be taken and/or actions to terminate will be taken. 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.

ii. Decision Approval and Implementation for Non-Faculty Academic Personnel

Following approval by the Chancellor's designee (in a Formal Investigation) or final adjudication (in a DOE Grievance Process), the respondent's supervisor or other appropriate administrative authority will implement the approved action in accordance with APM-150.

- **No Further Action:** The supervisor or other 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.

- **Informal Resolution:** The supervisor or other appropriate administrative authority may propose an informal resolution, 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 where an employee Respondent is found 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 *Policy*) 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 for these terms within five business days of the Respondent's agreement to the terms.

- **Notice of Intent:** The supervisor or other appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action. 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. 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.

H. Timeframe for Implementation of Decision; Extension for Good Cause:

The supervisor or other appropriate administrative authority should implement their approved decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (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.

I. Process Following Action Taken:

In the event that a PPSM-covered Respondent submits a complaint or a non-faculty academic appointee Respondent submits a grievance, 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.

J. Decision on Sanctions for Senate Faculty:

The steps outlined below apply when a Senate faculty Respondent is found in violation of the University of California *Sexual Violence and Sexual Harassment Policy* following a Formal Investigation or following a hearing and any appeal in a DOE Grievance Process.

Following consultation with the Peer Review Committee and Title IX Officer, the Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

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. For 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 Office.

- **No Formal Discipline:** The Chancellor or Chancellor's designee may determine 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 Respondent within five business days of the decision.

- **Early Resolution:** The Chancellor or Chancellor's designee can enter into an early resolution with the Respondent. 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 *Sexual Violence and Sexual Harassment Policy* (with the exception of "Sexual Exploitation" as defined in the *Policy*) 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.

- **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 the Respondent does not agree to early resolution. The Complainant and Respondent will be informed of the decision regarding discipline and its rationale within five business days of the decision.

The Chancellor or Chancellor's designee should implement their decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (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 for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

The Investigative 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 the Complainant and Respondent receive regular updates regarding the status of the proceedings. Within fourteen (14) calendar days of receiving the recommendation from the Academic Senate's Committee on Privilege & Tenure, the Chancellor will make a final decision regarding discipline, unless the decision involves dismissal for a faculty member who has tenure or security of employment. 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. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

K. Decision on Sanctions for Non-Senate Faculty:

The below provisions apply when a non-Senate faculty Respondent is found in violation of the University of California *Sexual Violence and Sexual Harassment Policy* following a Formal Investigation or following a hearing and any appeal in a DOE Grievance Process.

Following consultation with the Title IX Officer and Peer Review Committee or Academic Personnel Services, and in accordance with APM-150, the Chancellor or Chancellor's designee shall decide what action to take to resolve the matter. 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.

For 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.

- **No Disciplinary Action:** The Chancellor or Chancellor's designee may determine 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.

- **Informal Resolution:** The Chancellor or Chancellor's designee can pursue an informal resolution, 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 *Sexual Violence and Sexual Harassment Policy* (with the exception of "Sexual Exploitation" as defined in the *Policy*) or when the proposed terms include a nondisclosure agreement. Subsequent to the 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 agreement being reached.

- **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.

The Chancellor or Chancellor's designee should implement their decision promptly and simultaneously, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (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.

Should the Respondent submit a grievance under APM-140 alleging a violation of APM-150 or otherwise challenging an administrative decision, the Chancellor's designee will ensure that both the Complainant and Respondent receive regular updates regarding the status of the grievance. When a non-Senate faculty member receives notice of termination before the expiration of their appointment, they may select as a grievance mechanism either APM-140 or Section 103.9 of the Standing Orders of The Regents. Subsequent to any final decision, the Chancellor or Chancellor's designee will inform Complainant and the Respondent of decision including any final decision on discipline and its rationale, within five business days of the agreement being reached.

L. Disciplinary Procedures from Staff and Faculty Policies:

i. The Faculty Code of Conduct (APM-015)

The Faculty Code of Conduct (APM-015) 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 of California *Sexual Violence and Sexual Harassment Policy* may constitute a violation of the Faculty Code of Conduct. The University Policy on Faculty Conduct and the Administration of Discipline (APM-016) outlines sanctions and disciplinary procedures for faculty. The types of discipline that may be imposed on a member of the faculty are as follows, in order of increasing severity:



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- **Written Censure:** A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.

- **Reduction in Salary:** Reduction to lower salary without change in rank or step. The authority to reduce the salary of any faculty member rests with the Chancellor. This authority may not be re-delegated. The amount and duration of the reduced salary shall be specified.

- **Demotion:** Reduction to lower rank or step with corresponding reduction in salary. Demotion as a disciplinary action should be imposed in a manner consistent with the merit-based system for advancement. Generally, demotion is an appropriate sanction when the misconduct is relevant to the academic advancement process of the faculty member. The authority to reduce the rank of a faculty member who does not have tenure or security of employment rests with the Chancellor. The authority to reduce, within rank, the step of any faculty member to a lower step rests with the Chancellor. This authority may not be re-delegated. Authority for demoting a faculty member with tenure or with security of employment to a lower rank, also with tenure or with security of employment, rests with the President, on recommendation of the Chancellor. Demotion of a faculty member with tenure or with security of employment to a lower rank without tenure or security of employment is not an option.

- **Suspension:** Suspension of a faculty member without pay for some stated period of time from the continuance of the appointment on its normal terms. Unless otherwise noted, the terms of a suspension will include loss of normal faculty privileges such as access to University property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students, and use of University administrative staff, and may include loss of other campus privileges such as parking and library privileges. The degree and duration of the suspension shall be specified. Authority for the suspension of a faculty member rests with the Chancellor and may not be re-delegated. Suspension as a disciplinary action is to be distinguished from involuntary leave, which is a precautionary action.

- **Denial or Curtailment of Emeritus Status:** Denial or curtailment of current or future emeritus status of a faculty member, including the privileges associated with the emeritus status. The denial or curtailment of emeritus status does not affect the faculty member's entitlement to earned retirement benefits. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

- **Dismissal from the Employ of the University:** The Chancellor has authority to dismiss a faculty member who does not have tenure or security of employment. This authority may not be re-delegated. 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.

Prior to the imposition of any disciplinary sanction(s) as described above, the Chancellor may waive or limit any or all disciplinary sanction(s) on the condition that the respondent faculty member performs some specified action(s) designed to address the harm and/or to prevent future harm. Such actions may include, but are not limited to, monetary restitution, repayment of misappropriated resources, compliance with a commitment not to repeat the misconduct, or other act to make whole injury caused by the faculty member's professional misconduct or to prevent future misconduct. If the imposition of a disciplinary sanction is waived, the subsequent

failure to perform the required act or otherwise comply with the conditions of the waiver will immediately subject the faculty member to the implementation of the underlying sanction without an additional hearing. The authority to determine whether the faculty member has complied with the conditions of the waiver rests with the Chancellor. The Chancellor may designate a fixed time period for compliance with the terms of the waiver, after which the authority to impose discipline will lapse. If a faculty member disputes the Chancellor's determination, the faculty member may grieve under applicable faculty grievance procedures.

A Chancellor is authorized to 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 faculty member's continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University community or impede the investigation of their wrongdoing, or in situations where the faculty member's conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency. When such action is necessary, it must be possible to impose the involuntary leave swiftly, without resorting to normal disciplinary procedures. In rare and egregious cases, a Chancellor may be authorized by special action of The Regents to suspend the pay of a faculty member on involuntary leave pending a disciplinary action. This is in addition to the Chancellor's power to suspend the pay of a faculty member who is absent without authorization and fails to perform their duties for an extended period of time, pending the resolution of the faculty member's employment status with the University. Thereafter, the faculty member may grieve the decision to place them on involuntary leave pursuant to applicable faculty grievance procedures. The Divisional Committee on Privilege and Tenure shall handle such grievances on an expedited basis and may recommend reinstatement of pay and back pay in cases where pay status was suspended. Within five (5) working days after the imposition of involuntary leave, the Chancellor must explain to the faculty member in writing the reasons for the involuntary leave and initiate disciplinary procedures by bringing charges against the faculty member on leave.

The Faculty Code of Conduct applies to all faculty members, Senate and non-Senate. For members of the Academic Senate, the procedures for disciplinary actions are governed by Senate Bylaws and Divisional rules. For academic appointees who are not members of the Academic Senate (and this group includes certain categories of faculty members), there are procedures for disciplinary actions separate from that of the Senate's committees. Those procedures are found in the Faculty Code of Conduct and relevant collective bargaining agreements or Memoranda of Understanding.

A disciplinary action against a faculty member holding an administrative title may proceed in two parts. One part involves the removal of an administrative title or other administrative action under procedures established by The Regents and the administration. Such action need not adhere to the disciplinary procedures set forth in this policy.

The other part involves the proposed imposition of any type of disciplinary sanction set forth in this policy, which must proceed in accordance with the procedures for discipline outlined in the Faculty Code of Conduct and the applicable Senate Bylaws and Divisional rules.

The removal of the administrative title or other administrative action does not preclude or require the imposition of a disciplinary sanction under this policy. Administrative incompetence does not in itself constitute a violation of the Faculty Code of Conduct.

ii. General University Policy Regarding Academic Appointees: Non-Senate Academic Appointees/Corrective Action and Dismissal (APM-150)

APM-150 applies to all academic appointees who are not members of the Academic Senate. Student academic

appointees not covered by an MOU are subject to this policy to the extent that corrective action or dismissal are based solely upon their employment relationship with the University. Non-Senate faculty appointees are also subject to the standards set forth in the Faculty Code of Conduct.

Corrective action or dismissal may be instituted for good cause, including but not limited to misconduct, unsatisfactory work performance, dereliction of duty, or violation of University policy. Corrective action or dismissal may be instituted and implemented by the department chair, unit head, supervisor, or other appropriate administrative authority in accordance with campus procedures. Campus procedures shall outline appropriate consultation requirements for corrective action and dismissal.

The types of corrective action and dismissal that may be imposed are as follows:

- **Written Warning:** A communication that informs the appointee of the nature of the misconduct or deficiency, the method of correction, and the probable consequence of continued misconduct or deficiency. A written warning is to be distinguished from an informal spoken warning. An informal spoken warning or a letter outlining performance expectations is not an official corrective action.

- **Written Censure:** A formal written expression of institutional rebuke which contains a description of the censured conduct. A written censure must be delivered to the recipient, and a copy must be maintained in a designated file or files, or for the period of time specified in the writing.

- **Suspension without Pay:** Debarment without pay from appointment responsibilities for stated period of time. Unless otherwise noted, the terms of a suspension will include loss of normal employee privileges such as access to University property and parking and library privileges.

- **Reduction in Salary:** A reduction to a lower salary without a change in rank or step. The amount and duration of the reduced salary shall be specified.

- **Demotion:** A reduction to a lower rank or step with a corresponding reduction in salary.

- **Dismissal:** The termination of an appointment for good cause initiated by the University prior to the ending date of appointment. Good cause includes, but is not limited to, misconduct, continued unsatisfactory work performance, dereliction of duty, or serious violation of University policy.

The procedures for corrective action are as follows:

- **Informal Resolution:** Prior to instituting corrective action or dismissal, efforts to resolve the issue(s) informally should be attempted where appropriate.

- **Investigatory Leave:** An appointee may be placed on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing or investigating conduct which in the judgment of the Chancellor requires removing the appointee from University premises. While on such leave, the appointee's return to University premises without written permission may create independent grounds for dismissal. Such investigatory leave must be documented in writing after it is instituted.

- **Written Notice of Intent:** The University shall provide a written Notice of Intent to the appointee prior to initiating the actions of written censure, suspension without pay, reduction in salary, demotion, or 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 fourteen (14) calendar days of the date of issuance of the written Notice of Intent; and the name of the person to whom the appointee should respond. No Notice of Intent is required for a written warning. Prior to instituting the dismissal of a non-Senate faculty member, the appointee should be apprised of the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate.

- **Response to Written Notice of Intent:** The appointee who receives a written Notice of Intent shall be entitled to respond, either orally or in writing, within fourteen (14) calendar days of the date of issuance of the written Notice of Intent. The response, if any, shall be reviewed by the administration.

- **Written Notice of Action:** If the University determines to institute the corrective action or dismissal following the review of a timely response, if any, from the appointee, and within thirty (30) calendar days of the date of issuance of the written Notice of Intent, the University shall issue a written Notice of Action to the appointee of the corrective action or dismissal to be taken and its effective date. The Notice of Action also shall notify the appointee of the right to grieve the action. The Notice of Action may not include an action more severe than that described in the Notice of Intent. A copy of the Notice of Action also shall be placed in the employee's personnel file(s).

- **Representation:** Appointees may represent themselves or may be represented by another person at any stage of the corrective action or dismissal process.

- **Extension of Time:** Upon written request and prior to the expiration of any time limit stated in this policy, the Chancellor may grant extensions, as appropriate.

The procedures for dismissal of a non-Senate faculty appointee are as follows: Termination of the appointment of any member of the faculty before the expiration of their appointment shall be only for good cause, after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate, except as otherwise provided in a MOU for faculty who are not members of the Academic Senate. A non-Senate faculty appointee is entitled to select only one grievance review mechanism. If a non-Senate faculty appointee elects an Academic Senate hearing, good cause shall be defined. For a non-Senate faculty appointee with a term appointment if the hearing has not commenced by the ending date of the appointment, the dismissal becomes a non-reappointment effective at the end of the appointment. The appointee has thirty (30) calendar days from the ending date of the appointment to grieve the non-reappointment.

iii. Personnel Policies for Staff Members

The following policies for staff address responding to conduct that violates the University of California *Sexual Violence and Sexual Harassment Policy*.

- **PPSM-62: Corrective Action**

Prior to taking any corrective action, managers and supervisors shall review the need for corrective action with Employee & Labor Relations. The types of corrective action that can be used to provide an opportunity for an employee to correct conduct or work performance standards are written warning, corrective salary decrease, suspension, and demotion. These four types of corrective action can be used in the progressive discipline process; however, corrective action does not need to follow a specific order. As appropriate, the corrective action taken should correspond to the severity and circumstances of the situation.

- **Written Warning:** Generally, at least one written warning will be given to an employee prior to proceeding with any other corrective action; however, no written warning will be needed if the corrective action is a result of misconduct or work performance that an employee knows or reasonably should have known was unacceptable. The written warning must describe how the employee failed to meet acceptable conduct or work performance standards.

- **Corrective Salary Decrease:** An employee may be subject to a temporary or permanent corrective salary decrease when removal from the workplace is not appropriate, yet discipline is warranted.

- **Suspension:** An employee may be subject to removal from the workplace and suspended for a defined period of time without pay. For exempt employees, suspension without pay must be imposed in a minimum increment of one workday.

- **Demotion:** An employee may be subject to a temporary or permanent demotion for disciplinary reasons.

- **PPSM-63: Investigatory Leave**

An employee may be placed on an investigatory leave, with or without prior written notice, to permit the University to review or investigate actions including, but not limited to dishonesty; theft or misappropriation of University property; insubordination; violation of federal or state law; exploitation, intimidation, discrimination, or harassment; acts endangering employees, students, visitors, or other University constituents; sexual violence, sexual harassment, or other prohibited behavior; or any other conduct which warrants removing the employee from the work site to conduct a University investigation.

Employees placed on investigatory leave must be notified in writing no later than three (3) working days after commencement of the leave if the written notice is not provided when the leave commenced. The written notice must include the reason(s) for the leave and the expected duration. Such leaves may be extended by written notice to the employee. It should also direct the employee to remain available to speak with and provide information to the University investigator upon request. Such leaves may be extended by written notice to the employee.

Upon conclusion of the University's investigation, the employee must be notified in writing of the outcome of the investigation and whether the investigation's findings will result in continued employment, corrective action, or termination of employment.

- **PPSM-64: Termination of Career Employees**

  - **Professional and Support Staff:** Regular status professional and support staff may be terminated from employment because of misconduct or failure to maintain appropriate work performance standards. Normally, termination is preceded by corrective action unless immediate dismissal is warranted.
  - **Managers & Senior Professionals:** Managers and senior professionals (Manager 3 and Below and Equivalent Positions) who hold career appointments may be terminated when, in management's judgment, the needs or resources of the department or the performance or conduct of the employee do not justify the continuation of the employee's appointment.
  - **Managers & Senior Professionals:** Managers and senior professionals (above Manager 3 and

Equivalent Positions) who hold career appointments serve at the discretion of the Chancellor and may be terminated at will and at any time with or without cause.

Sanctioning and Investigatory Leave for Represented Employees

The bargaining units for employees represented by a union have separate employment contracts that include provisions covering corrective action and discipline, as well as investigatory leave.

Disciplinary Procedures for Faculty and Staff:

Policies for Faculty:

The Faculty Code of Conduct (APM – 015) available here.

University Policy on Faculty Conduct and the Administration of Discipline (APM 016) available here.

Non-Senate Academic Appointees/Corrective Action and Dismissal (APM 150) available here.

University Policy on Non-Senate Academic Appointees/Grievances (APM 140) available here.

Personnel Policies for Staff Members:

Corrective Action (PPSM-62) available here.

Investigatory Leave (PPSM-63) available here.

Termination of Career Employees (PPSM-64) available here.

Termination of Appointment – Senior Management Group (PPSM II-64) available here.

Complaint Resolution (PPSM-70) available here.

M. Settlement Agreements:

Effective April 14, 2026, the Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty (**Appendix F**) and the Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel (**Appendix G**) were updated to add a "Settlements" Addendum consistent with AB 1905 and California Education Code section 66284(c). The addendum defines a settlement as an agreement between the

University and a respondent to resolve a sexual harassment or sexual violence complaint, excluding civil actions brought by the respondent against the University. Settlements are prohibited when the complainant is a student and the respondent is an employee, when the employee is accused of sexual assault, sexual violence, or stalking, or when the agreement includes a nondisclosure provision. Any other allowable settlement must receive non-delegable preliminary approval from the Chancellor and final approval from the Regents.

N. Disciplinary Procedures when the Respondent is a Physician/Healthcare Provider:

When 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 (e.g., medical staff bylaws and school-based policies) potentially resulting in corrective action or termination.

O. Incident Response Team – Medical Centers:

On December 9, 2019, the University of California Office of the President issued guidelines and directives collectively entitled *Prevention, Detection, and Response to Sexual Violence and Sexual Harassment in the Context of Patient Care*. As part of that issuance, and in response to the *Guidelines on Investigating Prohibited Conduct in the Context of Patient Care*, UC San Diego has established an Incident Response Team (IRT) to help coordinate a trauma-informed, fair, effective and timely response to reports of Prohibited Conduct in the context of patient care; review trends; and identify areas of concern and recommend action to address them within our medical centers and clinical locations. The IRT is chaired by the Title IX Officer, and includes the Chief Medical Officer and the Chief Clinical Officer as members.

E. 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.

Students:

Student conduct procedures define stalking 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 their safety, or the safety of their 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."[68]

Reports of non-sex-based stalking should be reported to the Police, Center for Student Accountability, Growth, and Education, Academic Personnel Services, Employee Relations or the Whistleblower Hotline, as appropriate.

[68] See PACAOS 102.10 available here.

For incidents charged on or after January 1, 2026:

Effective January 1, 2026, UC PACAOS 100, Appendix H (See **Appendix H**) describes the minimum procedural requirements for all campuses when conducting a formal hearing into alleged social misconduct such as non-sex-based stalking:

- **Initial Assessment -** As soon as practicable after receiving a report alleging student misconduct, and typically within 30 business days from receipt of all necessary information, SAGE shall conduct a preliminary assessment to determine whether the report falls within the scope of Appendix H and whether the allegations, if true, may constitute a policy violation. If SAGE determines that the report does not provide sufficient information to support further review or investigation, does not fall within the scope of these procedures, or otherwise does not warrant proceeding, SAGE may close the matter, issue an Advisory Notice, or take no further action.
- **Notice of Allegations -** If a policy violation may have occurred, the student will receive a written Notice of Allegations, which will include information related to the procedures for resolution. The student shall be informed of the alleged misconduct, the specific policy or policies allegedly violated, and of the opportunity to review the information submitted that is directly related to whether a policy violation has occurred. A copy of UC San Diego's Interim Student Conduct Procedures (PPM 160-10) shall be provided to the student. The student will be informed of their right to an advisor.
- **Notice of Informal Warning (NIW)[69]-** As an alternative to resolving alleged policy violations of the Policy on Student Conduct and Discipline, SAGE may issue a written notification to a student that the student's alleged behavior, if it occurred, would have violated University policy, and could have been subject to the conduct process. The NIW is not a determination that the allegations are true, does not result in a conduct record, and therefore is not appealable. However, the alleged behavior as detailed in the NIW may be introduced in a subsequent conduct process for the purpose of establishing that the student was advised that such behavior violates University policy. SAGE may issue an NIW in cases where alleged misconduct suggests a violation, but information is limited or may be inconclusive or incomplete. Normally the issuing of an NIW will close the matter, however, should additional relevant information be discovered in the future the matter may be reopened.
- **Interim Actions -** Consistent with PACAOS 107.00, the University may take Interim Actions before a final determination of an alleged violation.
- **Advisors -** At all stages of this process, the student has the right to an Advisor. A student may select an Advisor of their choosing or request the University to provide them one. The Advisor may be any person (including an advocate, attorney, friend, or parent), except a person with information relevant to the alleged policy violation.
  1. The Advisor's primary role is to provide guidance to the student throughout the process. The Advisor may not speak on behalf of the student at any time in the conduct process.
  2. Advisors may not disrupt any meetings or the process in any manner. At all stages of the process, Advisors must comply with the expectations within these procedures for participants in this process. The University reserves the right to exclude an Advisor who does not abide by these procedures.
  3. All communication with SAGE must come from the student; an Advisor cannot communicate with SAGE on the student's behalf.
  4. In the interest of expediency, the student conduct process may not be delayed due to the unavailability of an Advisor.
  5. The Advisor selected by the student or provided by the campus will have access to training provided

[69] Respective campuses may use different terminology, but the intent of this response is to communicate with a student that the institution has been made aware of a potential violation and the action/behavior should not be repeated or continued.

by the campus regarding its procedures for student conduct investigation and resolution.
6. A student may give written permission for the Advisor to be copied on SAGE's communications to the student during the investigation and resolution process.

- **Investigation -** Allegations of misconduct will be investigated by SAGE or their designee. The Student Conduct Administrator will offer a meeting for the purpose of explaining the alleged violation(s), discussing information that was received in relation to the allegation(s), and providing the student with an opportunity to respond to the allegation(s) and to present any information that may assist in investigation and resolution of the case. The Student Conduct Administrator will review the facts and information available and shall determine, based on the preponderance of the evidence, whether it is more likely than not the student violated University policy. All investigations shall be concluded promptly, generally within 60 to 90 business days of issuing a Notice of Allegations, unless there is good cause for an extension. The investigation timeframe is concluded when an Administrative Resolution has been issued by SAGE. The investigation timeframe may also be concluded if an Alternative Resolution process is initiated.
- **Extension of Timelines** - SAGE has the discretion to extend timelines for good cause. "Good cause" means significant or unforeseen circumstances that impede completion of the process within the projected timeframe.

Resolution Pathways: The following resolution pathways serve as the general outcome of the investigation. A determination on which pathway to follow will typically be made within the 60-90 business day investigation timeframe.

1. Closure Following Investigation - No Responsibility or Insufficient Information. If, following an investigation, the Student Conduct Administrator's determination is that the student is not responsible for violating University policy, or if there is insufficient information to make a determination, SAGE will notify the student accordingly and may issue a Notice of Informal Warning (NIW) or take no further action.

A closure does not constitute a finding of responsibility. Consistent with campus procedures, a matter that has been closed due to insufficient information may be reopened if new relevant information becomes available.

2. Alternative Resolution - At any point during the process, SAGE may offer an Alternative Resolution option (e.g., mediated dialogue, restorative justice, educational agreement), subject to the following conditions:

- The student does not dispute the facts relevant to whether the policy violation occurred, and/or acknowledges responsibility;
- All involved parties who are willing to participate in any process, including any impacted individuals, consent in writing to participate. The Student Conduct Administrator will determine who is an "involved party."

Not all allegations are eligible for Alternative Resolution. The Student Conduct Administrator or designee is responsible for making the final decision regarding whether or not Alternative Resolution is appropriate and may change their determination if additional information is received. Upon acceptance of the Alternative Resolution Agreement, the student waives the right to a hearing and appeal. The Agreement will be in writing and likely include educational or restorative components. Records of Alternative Resolution will be maintained as a non-disciplinary record (unless otherwise agreed to within the resolution plan), but failure to accept the Agreement or to comply with the terms of the

Agreement may lead to a cancellation of the Alternative Resolution Agreement and a return to the investigation and/or resolution process. SAGE will complete the Alternative Resolution process typically within 30 to 60 business days of notifying the student in writing of the beginning of the Alternative Resolution process. However, SAGE may extend past 60 business days for good cause.

3. Administrative Resolution - If the Student Conduct Administrator has determined that the student is responsible for violating University policy, SAGE will determine what University Action and/or sanction should be taken and will issue an Administrative Resolution.

- If the student accepts the Administrative Resolution, the outcome is final, and no hearing or appeal will follow.
- If the student does not accept the Administrative Resolution and:
  - The Administrative Resolution does not include suspension or dismissal, the student may elect to appeal the Administrative Resolution finding(s) and/or University Actions/Sanction(s) within 10 business days of the issuance of the Administrative Resolution, via written communication to the designated appeal body identified in PPM 160-11 – Interim Student Conduct Procedures. The student may appeal on the grounds described in this section. The appeal should identify the reason(s) why the student is challenging the Administrative Resolution under one or more of the following:
    - i. new information not available at the time of the investigation, the absence of which can be shown to have materially affected the outcome;
    - ii. there was procedural error in the process that materially affected the outcome;
    - iii. the proposed sanction is disproportionate given the findings of fact.
  - The Administrative Resolution includes suspension or dismissal, the student may elect to contest SAGE's determination of responsibility by proceeding to a Formal Hearing. Within 5 business days of the issuance of the Administrative Resolution, the student must indicate via written communication to SAGE or their designee if they wish to contest SAGE's determination of responsibility.
- If the Administrative Resolution includes suspension or dismissal, and the student accepts responsibility for the policy violation, but wishes to appeal the sanction (suspension or dismissal), they may submit a written appeal on only one ground, that the proposed sanction is disproportionate given the findings of fact. The student must submit the written intent to appeal the sanctions within five (5) days of the issuance of the Administrative Resolution and must submit the written appeal within ten (10) days of the issuance of the Administrative Resolution.
- When an appeal is permitted under the procedures outlined above, the implementation of sanctions will be deferred pending the outcome of the appeal. SAGE may submit a written response to the designated appeal body within 7 business days of receiving a copy of the appeal. Absent good cause for an extension, the appeal body will issue a written decision to the student within 20 business days of receiving the appeal and all related documents. The decision of the appeal body is final.
- Following the issuance of the Administrative Resolution, if the student does not respond within the timelines listed above, the outcome is final, and no hearing or appeal will follow.

4. Formal Hearing. When the outcome of the Administrative Resolution includes suspension or dismissal, and the student has contested SAGE's determination of responsibility, the case will proceed to a formal hearing. Campus implementing regulations shall provide the following minimum procedural standards to assure the student a fair hearing:

- 1. Written notice (via the Notice of Allegations or subsequent Administrative Resolution), including a brief statement of the factual basis of the charges, the University policies or campus

regulations allegedly violated, and the time and place of the hearing, no less than 10 business days before the hearing;
- 2. The opportunity for a fair hearing where the University will bear the burden of proof, and at which the student will have the opportunity to present documents and witnesses and to question witnesses presented by the University;
- 3. A record of the hearing; a written decision based upon the preponderance of evidence, that includes a summary of the relevant facts and a conclusion for each alleged policy violation, sanctions, if applicable, and information about the right to appeal, within 20 business days of the hearing.
- 4. An appeals process that requires a student dissatisfied with the written decision and who wishes to challenge it to submit an appeal in writing to the designated appeal body within 10 business days of the hearing outcome notice. The student may appeal via written communication to the designated appeal body identified in campus implementing regulations. The student may appeal on the grounds described in this section. The appeal should identify the reason(s) why the student is challenging the hearing body decision under one or more of the following: a. new information not available at the time of the hearing, the absence of which can be shown to have materially affected the outcome; b. there was procedural error in the process that materially affected the outcome; c. the proposed sanction is disproportionate given the findings of fact. When an appeal is permitted under the procedures outlined above, the implementation of sanctions will be deferred pending the outcome of the appeal. SAGE may submit a written response to the designated appeal body within 7 business days of receiving a copy of the appeal. Absent good cause for an extension, the appeal body will issue a written decision to the student within 20 business days of receiving the appeal and all related documents. Once issued, the decision of the appeal body is final.

Sanctions

Sanctions for students relating to incidents of non-sex-based stalking could include any of the following:

- Suspension or Dismissal and/or University Actions
- University Actions include but are not limited to:
    - i. Alternative Resolution
    - ii. Supplemental Education
    - iii. Educational conversation

<u>For incidents charged before January 1, 2026:</u>

For incidents occurring prior to January 1, 2026, reports of non-sex-based stalking should be reported to the Police, Center for Student Accountability, Growth, and Education, Academic Personnel Services, Employee Relations or the Whistleblower Hotline, as appropriate. UC PACAOS 100, Section 103.11 describes the minimum procedural requirements for all campuses when conducting a formal hearing into alleged social misconduct, including non-sex-based stalking:

- (a) Written notice, including a brief statement of the factual basis of the charges, the University policies or campus regulations allegedly violated, and the time and place of the hearing, within a reasonable time before the hearing;
- (b) The opportunity for a prompt and fair hearing where the University shall bear the burden of proof, and at which the student shall have the opportunity to present documents and witnesses and to confront and cross-examine witnesses presented by the University; no inference shall be drawn from the silence of the accused;
- (c) A record of the hearing; an expeditious written decision based upon the preponderance of

evidence, that shall be accompanied by a written summary of the findings of fact; and
- (d) An appeals process.

Sanctions
Sanctions for students relating to incidents of non-sex-based stalking occurring prior to January 1, 2026 could include any of the following:
- Suspension (minimum one year) plus probation for tenure
- Practical Decision Making Assessment and Reflection
- No Contact Order with Complainant(s)
- Exclusion from areas or activities
- Creative/other sanctions
- Expulsion (egregious violations)
- Meetings
- Probation (minimum tenure, only if significant mitigating factors are present)

Faculty and Employees:

The University of California *Abusive Conduct in the Workplace* policy applies to employees, unpaid interns and third parties. This policy does not define "stalking", but it does include a definition of "Abusive Conduct." Some forms of "Abusive Conduct" could meet the threshold of stalking under the Clery Act. "Abusive Conduct" includes but is not limited to "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. The conduct creates an environment, whether intended or not, that a reasonable person would find to be intimidating or offensive and unrelated to the University's legitimate educational, employment, and business interests . . . ."[70] "Abusive Conduct" can be reported using the UC San Diego Abusive Conduct in the Workplace Submission, to an employee's manager or supervisor or through the whistleblower hotline.

California law requires employers to implement a Workplace Violence Prevention Program. Some forms of "Workplace Violence" could meet the threshold of stalking under the Clery Act.

The statute defines "Workplace Violence" as "any act of violence or threat of violence that occurs in a place of employment: . . . (B)"Workplace violence" includes, but is not limited to, the following:

- The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury.
- (ii) An incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury. . . ."[71]

Note: Any acts of violence or threats indicating an imminent risk of violence should be reported directly to the UC San Diego Police Department or to the local police department if an employee is away from campus.

While faculty policies do not specifically define stalking, they provide guidance for "unacceptable conduct," which includes "[f]orcible detention, threats of physical harm to, or harassment of another member of the

[70] See Section II of the University of California Abusive Conduct in the Workplace policy.
[71] Cal. Labor Code § 6401.9(6).

University community, that interferes with that person's performance of University activities."[72] Similarly, staff related policies do not specifically define non-sex-based stalking, but do cover "violations of federal or state law" or "acts endangering employees, students, visitors, or other University constituents."[73] The California Penal Code does not distinguish between sex or non-sex-based stalking.[74]

For Senate Appointees, in conjunction with the applicable policies noted above, the process provided for in Academic Senate Bylaw 336 also applies.

Disciplinary charges shall be filed by the appropriate Chancellor or Chancellor's designee, once probable cause has been established. The disciplinary charges shall be in writing and shall contain notice of proposed disciplinary sanctions and a full statement of the facts underlying the charges. The Chancellor must file disciplinary charges by delivering notice of proposed disciplinary action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation. The accused shall have 14 calendar days from the date of receipt of the disciplinary charges in which to file an answer in writing with the Committee on Privilege and Tenure.

Within five business days after receiving the disciplinary charges, the Chair of the Committee on Privilege and Tenure shall contact the accused, the Chancellor or Chancellor's designee and/or their representatives in writing in order to schedule the hearing. The hearing shall begin no later than 60 calendar days from the date disciplinary charges are filed with the Committee on Privilege and Tenure. The Chancellor or Chancellor's designee, the accused, and/or their representatives shall be entitled to be present at all sessions of the Hearing Committee when evidence is being received.

Each party shall have the right to be represented by counsel, to present its case by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts.

A full text of the procedures can be found within Academic Senate Bylaw 336.

The disciplinary process for staff mirrors that for *Sexual Violence and Sexual Harassment Policy* violations. Please see **Section XII.D.3.L.iii** above.

Sanctions for non-sex-based stalking for faculty and staff are generally the same as for sex-based stalking. See **Section XII.D.3.L**.

XIII. Victim Notification Policy

UC San Diego will provide both the complainant and the respondent with simultaneous written notification of any disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault (including non-forcible sex offenses, which are classified as statutory rape or incest for Clery reporting purposes) or stalking pursuant to federal law and the University of California *Sexual Violence and Sexual Harassment Policy*.

[72] See General University Policy Regarding Academic Appointees: APM - 015 - The Faculty Code of Conduct Part II.C.4.
[73] See PPSM 63: Investigative Leave Section III.B and PPSM 64: Termination and Job Abandonment Section VII.4.
[74] Cal Penal Code § 646.9.

UC San Diego will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in 18 U.S.C. § 16), or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is an alleged perpetrator of such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the alleged victim.

XIV. Sex Offender Registration Information

The Adam Walsh Child Protection and Safety Act of 2006 provides for the registration and tracking of sex offenders. Institutions of higher education are required to issue a statement advising the campus community of where to obtain law enforcement agency information provided by a state concerning registered sex offenders. The law also requires sex offenders already required to register in a State, to provide notice, as required under State law, to each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. In addition, California law requires sex offenders who reside on campus, and all campus affiliated sex offenders, to register with campus law enforcement.

Members of the public may access sex offender information at the Megan's Law website maintained by the Department of Justice. For information concerning offenders who have registered with the UC San Diego Police Department, please contact Investigations at (858) 534-4359.

XV. Hazing

A. Hazing Prevention Procedures

1. Scope

The Hazing Prevention Procedures ("Procedures") apply to all UC San Diego Students, Academic Appointees, Staff, and Volunteers, including those working or studying at UC San Diego Health.

2. Policy Summary

These Procedures serve as UC San Diego's implementing procedures for the Stop Campus Hazing Act, Public Law 118-173.

3. Definitions

For purposes of these Procedures, the following definitions are incorporated by reference:

"**Student**" from UC Policies Applying to Campus Activities, Organizations and Students (PACAOS) 14.40.

"**Academic Appointee**" from APM 110-4(2).

"Staff employees" (which include Career Appointment, Casual/Restricted Appointment, Contract Appointment, Floater Appointment, Limited Appointment, Partial-Year Career Appointment, and Per Diem Appointment as defined in PPSM-3 Types of Appointment, and herein collectively referred to as "**Staff**").

"**Volunteer**" as defined in UC San Diego Implementing Procedures Types of Appointment, Staff Volunteer Appointment.

"**Hazing**" as defined in PACAOS 102.12.

"**Student Organization**" as defined in PACAOS 102.12 for purposes of hazing.

"Student Group": All Student Organization(s) as defined in PPM 160-10, all Registered Campus Organization(s) as defined in PACAOS 14.30, and 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.

4. Responsibilities

A. Reporting Acts of Hazing:

Any person may report alleged Hazing, including anonymously, as follows:

- Hazing conduct by Student(s) or Student Group(s) may be reported to the Center for Student Accountability, Growth and Education (SAGE) by:
  - Completing an incident report online at sage.ucsd.edu, OR
  - Calling (858) 534-6225.
- Hazing crimes committed by any person may be reported to the UC San Diego Police Department by:
  - Calling 9-1-1 (in case of an emergency) or (858) 534-HELP, OR
  - Filing a Clery Campus Security Authority Report Form.
- Hazing conduct by Academic Appointees, Staff, and Volunteers (including student employees acting in the course of their employment) may be reported by:
  - Filing a complaint online at UC San Diego Abusive Conduct in the Workplace Submission.
- Hazing conduct involving any individual may also be reported by:
  - Reporting the activities to the Locally Designated Official at LDO@ucsd.edu, OR
  - Submitting a complaint in writing via the UC Whistleblower Hotline, OR
  - Calling (800) 403-4744.
- Certain employees have specific reporting responsibilities for Hazing conduct that may also violate other policies, including but not limited to the University of California Sexual Violence and Sexual Harassment Policy, University of California Anti-Discrimination Policy, University of California Abusive Conduct in the Workplace Policy, University of California Clery Act – Campus Safety and Security Policy, UC San Diego Reporting Child Abuse and Neglect Procedures, UC San Diego Workplace Violence Prevention Plan, UCSDHP 305.4 - Abuse Screening, Assessment and Reporting and UCSDHP 539 -Workplace Violence Prevention Program. Individuals should refer to those policies and procedures to understand their reporting obligations.

B. Process Used to Investigate Allegations of Hazing:

Acts of Hazing Involving Student Respondents and Student Group Respondents

Allegations of Hazing by Student(s) and Student Group(s), regardless of location, will be investigated through the student conduct process. See PPM 160-10: Student Conduct Procedures and PACAOS - Appendix H Student Conduct and Resolution Framework.

Acts of Hazing Involving Respondents Who Are Staff, Academic Appointees, or Volunteers

Allegations of Hazing by Staff, Academic Appointees, and Volunteers will be investigated through the Abusive Conduct process. See PPM 200-27: Interim Abusive Conduct in the Workplace Policy UC San Diego Implementing Procedures.

C. Consequences of Policy Violations:

Students and Student Groups found responsible for Hazing are subject to sanctions pursuant to PPM 160-10 and PACAOS - Appendix H Student Conduct and Resolution Framework. Any Academic Appointee, Staff, or Volunteer found to be in violation of these Procedures may be subject to disciplinary action in accordance with applicable academic personnel and staff personnel policies, including collective bargaining agreements. Academic Appointees subject to APM-015, the Faculty Code of Conduct, will be subject to the disciplinary process and sanctions outlined in APM-016, the University Policy on Faculty Conduct and the Administration of Discipline or APM-150 in the case of non-Senate, non-represented Academic Appointees.

Volunteers who are found to be in violation of these Procedures may be subject to termination of volunteer service.

D. Programming Related to Preventing Hazing:

Prevention and awareness programs relating to the identification, reporting, investigation, prohibition and intervention and prevention of Hazing will be required of first year undergraduate and first year graduate/professional Students; new transfers into undergraduate, graduate, and professional programs; and annually for intercollegiate athletes. The programs also shall be offered annually to registered sororities and fraternities. Hazing prevention and awareness programs will be available for all Students, Academic Appointees and Staff.

5. Related Information

Stop Campus Hazing Act, Public Law 118-173

Stop Campus Hazing Act, Cal. Educ. Code Sec. 66305-66309

Jeanne Clery Campus Safety Act, 20 U.S.C. 1092(f)

UC Clery Act Policy – Campus Safety and Security Reporting

University of California San Diego Policy and Procedures Manual section:
PPM 160-10 Student Conduct Procedures

University of California Policies Applying to Campus Activities, Organizations, and Students Section: 100.00 Policy on Student Conduct and Discipline

6. Forms

Incident Report Form

UC Whistleblower Hotline OR
800-403-4744

Abusive Conduct Form: UC San Diego Abusive Conduct in the Workplace Submission

Clery Campus Security Authority Report Form

UC San Diego's Campus Hazing Transparency Report can be found here.

B. Programming Related to Hazing Prevention

***StandUp to Hazing™* - Online Program – StopHazing**
Beginning Fall Quarter 2025, all incoming students are required to complete a 20-minute self-guided online course called *StandUp to Hazing™*. This training will be provided annually to Sorority and Fraternity Life, Athletics, and other student organizations. This interactive and research-based course covers how to recognize hazing, leadership development, hazing intervention, and applicable campus policies, as well as local, state, and federal laws. It also includes information on the University's reporting options.

UC Abusive Conduct in the Workplace – Online Program – University of California
This training covers employees' rights and responsibilities with respect to the University of California Abusive Conduct in the Workplace policy. Topics include an overview of what is and isn't abusive conduct, guidance on how to prevent abusive conduct, guidance on how to respond to and report abusive conduct if it occurs, and resources and reporting options available to UC community members who have experienced or witnessed abusive conduct. This training is being revised to include information on hazing prevention.

C. California State Laws Regarding Hazing

Cal. Educ. Code § 66306. Definitions
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.

Cal. Educ. Code § 66307. Prohibition of hazing; state financial assistance or financial aid
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.

Cal. Educ. Code § 66308. Civil action for hazing damages; presumption of reasonable steps taken
(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 of 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 of 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 other law and shall not be construed to relieve any party from any duties or obligations imposed

under other law, and do not limit any rights or remedies under existing law.

Cal. Educ. Code § 66309. Report to legislature; number of hazing incidents

(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.



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Cal. Educ. Code § 66312. Definitions; reporting requirements for campus recognition of campus-recognized sorority or fraternity; publication of annual report on Greek Life internet homepage

(a) As used in this chapter, the following definitions apply:

(1) "Academic year" has the same meaning as in Section 69432.7.

(2) (A) "Campus-recognized sorority or fraternity" means a sorority or fraternity that has officially met the formal chartering and recognition requirements at the institution where it operates.

(B) As used in this chapter, this definition does not include a collegiate honor society.

(3) "Chapter house" means any residence located on or off campus that is owned by the institution of higher education but occupied by a campus-recognized sorority or fraternity, or any residence located on or off campus that is owned and occupied by the campus-recognized sorority or fraternity.

(4) "Institution of higher education" or "institution" means a campus of the California Community Colleges, the California State University, or the University of California, a private postsecondary educational institution, or an independent institution of higher education.

(5) "Misconduct" means any conduct in violation of institutional policies reportable under Section 1092(f)(1)(F)(i)(II) and (IX) of Title 20 of the United States Code, as it read on January 1, 2022, or hazing as defined in subdivision (b) of Section 245.6 of the Penal Code.

(6) “Participating sorority or fraternity” means a sorority or fraternity described in subdivision (c).
(7) “Sanctioned event” means any event in which one of the following occurs:
(A) The institution deems the event to be sanctioned by a fraternity or sorority according to their campus policies and practices.
(B) The name of a campus-recognized sorority or fraternity or participating sorority or fraternity is used to market or publicize the event.
(C) The name of a campus-recognized sorority or fraternity or participating sorority or fraternity is displayed at the event.
(D) Official funds of a campus-recognized sorority or fraternity or participating sorority or fraternity are used for the purchase and reimbursement of food, beverages, supplies, venue-related costs, publicity, party rentals, damages or cleanup fees, or any other costs associated with the event.
(E) A campus-recognized sorority or fraternity or participating sorority or fraternity, or a benefactor officially affiliated with the sorority or fraternity, receives any portion of funds raised from attendance fees, ticket sales, or other forms of admission fees associated with the event.

(b) Notwithstanding Section 67400, each institution of higher education shall include in the institution’s requirements for campus recognition of each campus-recognized sorority or fraternity, both of the following requirements:
(1) (A) A requirement that the campus-recognized sorority or fraternity shall submit to the institution on or before July 1, 2023, and annually thereafter, all of the following:
(i) The number of active members in the campus-recognized sorority or fraternity.
(ii) The number of new members added to the campus-recognized sorority or fraternity.
(iii) The average grade point average of the membership of the campus-recognized sorority or fraternity.
(iv) The average grade point average of new members of the campus-recognized sorority or fraternity.
(v) The number of community service hours the campus-recognized sorority or fraternity completed as an organization.
(vi) The total amount of money fundraised by the campus-recognized sorority or fraternity.
(vii) The current recognition status of the campus-recognized sorority or fraternity, as determined by the institution.
(viii) The current conduct status of the campus-recognized sorority or fraternity, as determined by the institution.
(ix) The addresses of all chapter houses affiliated with the campus-recognized sorority or fraternity.
(x) The location, date, and time of any sanctioned event.
(xi) Any additional information the institution may require.
(B) Unless otherwise specified, the information collected pursuant to subparagraph (A) shall be for the academic year immediately preceding the reporting deadline.
(2) A requirement that any campus-recognized sorority or fraternity that does not comply with paragraph (1) be suspended from campus recognition.

(c) A sorority or fraternity that satisfies both of the following is encouraged to comply with the reporting requirements of subdivision (b):
(1) The sorority or fraternity has more than 50 percent of its members enrolled at the institution of higher education.
(2) The sorority or fraternity is not recognized as an affiliated sorority or fraternity of the institution by the official authorizing body of that institution.

(d) (1) (A) The institution shall compile and maintain the information collected pursuant to subdivisions (b) and (c) into a publicly accessible report published on each campus Greek Life internet homepage or its equivalent in a prominent location on or before October 1, 2023, and annually thereafter. The report shall include a list of available mental health resources and the residence addresses of all campus-recognized sorority and fraternity

chapter houses. Each annual report shall be available on the campus Greek Life internet homepage or its equivalent for a minimum of 10 years.
(B) The institution shall send the report for the academic year immediately preceding the reporting deadline through a campuswide email to all enrolled students on or before October 1, 2023, and annually thereafter.
(2) An institution that does not have any campus-recognized sorority or fraternity or participating sorority or fraternity shall be exempt from the reporting requirement of this subdivision.
(3) The institution of higher education shall include in the annual report the following for each campus-recognized sorority and fraternity and participating sorority or fraternity described in subdivision (c) for the academic year immediately preceding the reporting deadline:
(A) The number of citations, or disciplinary actions taken, relating to misconduct at a chapter house or sanctioned event.
(B) The addresses of chapter houses and sanctioned events and names of sororities and fraternities where misconduct occurred.
(4) Notwithstanding any other requirement of this section, a report required pursuant to this subdivision 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).

Cal. Penal Code § 245.6. Hazing; punishment
(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 this 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 ($5,000), 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 bodily 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 pursuant to subdivision (h) of Section 1170.
(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.

For a full list of state laws, please visit the following:

- **California Education Code – Stop Campus Hazing Act - Sections 66305-66309**
- **California Education Code - Campus-Recognized Sorority and Fraternity Transparency Act - Sections 66310 – 66312**
- **California Penal Code – Assault and Battery - Section 245.6**

XVI. Crime Statistics

A. Sources for Crime Statistics

This report contains crime statistics compiled for the 2025, 2024 and 2023 calendar years. The statistics provided in the *Annual Security and Fire Safety Report* are based upon reports of Clery Act crimes occurring on Clery geography that are (1) reported directly to the UC San Diego Police Department; (2) reported to Campus Security Authorities, who then submit reports of the crimes to the UC San Diego Police Department; or (3) reported to local law enforcement agencies.

The Stop Campus Hazing Act amended the Clery Act and effective January 1, 2025, hazing is a Clery reportable incident. Hazing statistics for the calendar year 2025 are included in the *Annual Security and Fire Safety Report*.



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B. Crime Statistics

1. Criminal Offenses Reporting Table

Offense	Year	On-Campus Student Housing Facilities	On-Campus Total (includes On-Campus Student Housing Facilities)	Non-Campus	Public Property	Total
Murder/Non-Negligent Manslaughter	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Manslaughter by Negligence	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Rape	2025	24	29	3	1	33
	2024	20	28	7	0	35
	2023	11	19	8	0	27
Fondling	2025	8	24	17	0	41
	2024	7	14	11	0	25
	2023	6	21	4	1	26
Incest	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2025	0	0	0	0	0
	2024	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2025	1	4	0	0	4
	2024	2	4	0	0	4
	2023	0	1	2	1	4
Aggravated Assault	2025	6	11	5	0	16
	2024	4	10	11	3	24
	2023	5	9	7	4	20
Burglary	2025	8	24	1	0	25
	2024	5	21	3	0	24
	2023	18	37	1	0	38
Motor Vehicle Theft	2025	9	434	3	2	439^
	2024	8	444	3	10	457
	2023	6	489	4	6	499
Arson	2025	0	0	1	0	1
	2024	6	7	0	0	7
	2023	5	7	2	1	10
Hazing	2025	0	9	0	0	9
	2024	N/A	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A	N/A

^ As noted in prior *Annual Security and Fire Safety Reports,* the increase in motor vehicle thefts is largely due to the thefts of electric scooters and electric bicycles, which have become more prevalent on campus.

2. VAWA Offenses Reporting Table

Offense	Year	On-Campus Student Housing Facilities	On-Campus Total (includes On-Campus Student Housing Facilities)	Non-Campus	Public Property	Total
Domestic Violence	2025	21	22	2	0	24*
	2024	7	11	3	0	14
	2023	13	17	0	1	18
Dating Violence	2025	11	20	1	0	21
	2024	14	22	3	0	25
	2023	7	10	0	0	10
Stalking	2025	7	28	0	0	28
	2024	12	36	1	0	37
	2023	5	16	2	0	18

* The 2026 *Annual Security and Fire Safety Report* reflects an increase in the number of reported incidents of domestic violence in 2025. This is primarily due to a report in 2025 of multiple allegations of abuse spanning several years. In accordance with the Clery Act, the recurring incidents were all included in the year in which they were reported, 2025.

3. Arrests and Disciplinary Referrals Reporting Table

Offense	Year	On-Campus Student Housing Facilities	On-Campus Total (includes On-Campus Student Housing Facilities)	Non-Campus	Public Property	Total
Weapons Law Arrests	2025	0	12	1	0	13
	2024	1	21	0	1	22
	2023	0	14	0	2	16
Weapons Law Disciplinary Referrals	2025	0	1	0	0	1
	2024	0	0	0	0	0
	2023	0	1	2	0	3
Drug Abuse Arrests	2025	0	29	0	5	34
	2024	2	44	5	11	60
	2023	4	58	4	5	67
Drug Abuse Disciplinary Referrals	2025	37	40	1	0	41
	2024	48	59	2	0	61
	2023	55	68	1	0	69
Liquor Law Arrests	2025	0	6	0	3	9
	2024	1	4	0	1	5
	2023	0	2	0	0	2
Liquor Law Disciplinary Referrals	2025	335	379	0	0	379
	2024	268	322	0	0	322
	2023	282	333	0	0	333

4. Hate Crimes

2025: Four hate crimes were reported in 2025:

- One on-campus Destruction/Damage/Vandalism of Property characterized by race bias.
- One on-campus Intimidation incident characterized by race bias.
- One on-campus Simple Assault incident characterized by race bias.
- One non-campus Simple Assault incident characterized by race bias.

2024: Two hate crimes were reported in 2024:

- Two on-campus Intimidation incidents characterized by race bias.

2023: Two hate crimes were reported in 2023:

- One on-campus Simple Assault incident characterized by sexual orientation bias.
- One on-campus Intimidation incident characterized by religion bias.

5. Unfounded Crimes

2025: Three unfounded crimes.

2024: Two unfounded crimes.

2023: Five unfounded crimes.



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C. Offense Definitions

The following definitions come from the Summary Reporting System (SRS) User Manual from the FBI's Uniform Crime Reporting Program and are used for purposes of reporting crimes under the Clery Act.

Criminal Homicide - Murder and Non-negligent Manslaughter - The willful (non-negligent) killing of one human being by another.

Criminal Homicide - Manslaughter by Negligence - The killing of another person through gross negligence.

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.

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)

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.

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:
    - Physical abuse
    - Sleep deprivation
    - Substance ingestion
    - Sexual violence
    - Intimidation
    - Criminal conduct

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.

Drug Abuse 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.

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.

Please see **Section XII.A** for the federal definitions of ***dating violence***, ***domestic violence***, ***sexual assault (rape, fondling, incest and statutory rape)*** and ***stalking***.

The following definitions come from the U.S. Department of Education Code of Federal Regulations implementing the Clery Act as they relate to hate crimes and are used for purposes of reporting hate crimes under the Clery Act.

Hate Crime - A crime that is reported to local police agencies or to a Campus Security Authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. (34 CFR § 668.46(a))

For purposes of Clery Act reporting, hate crimes are reported for the following crimes: ***criminal homicide: murder and non-negligent manslaughter, sex offenses (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***. See above for definitions of ***criminal homicide, robbery, aggravated assault, burglary, motor vehicle theft,*** and ***arson***. See **Section XII.A** for definitions of ***sex offenses***.
The definitions for ***larceny-theft, simple assault, intimidation,*** and the ***destruction/damage/vandalism of property*** come from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's Uniform Crime Reporting Program:

Larceny - Theft (Except Motor Vehicle Theft) - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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.

D. Geographic Definitions

Crimes are reported according to the following geographic definitions:

On Campus (34 CFR § 668.46(a))

- (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing Facility (subset of On Campus) (The Handbook for Campus Safety and Security Reporting 2016)

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Non-campus Building or Property (34 CFR § 668.46(a))

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

Public Property (34 CFR § 668.46(a))

All public property (including thoroughfares, streets, sidewalks, and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus. UC San Diego's campus Clery map is available online.

XVII. Annual Fire Safety Report

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all academic institutions of higher education with on-campus student housing facilities to produce a fire safety report outlining fire safety practices, standards, and fire statistics for on-campus student housing facilities for the three most recent calendar years.

If you have any questions relating to fire safety policies, procedures or statistics, please contact: Chuck Weber, Campus Fire Marshal at (858) 534-7525, jweber@ucsd.edu.

The UC San Diego Police Department maintains a Daily Crime and Fire Log. The fire log entries include any fire that occurred in an on-campus student housing facility, including the nature, date, time, and general location of each fire. The log for the most recent 60-day period is open for public inspection during normal business hours at Campus Services Complex, Bldg. B. The Daily Crime and Fire Log is also available online.

Subject to applicable federal and state retention periods, any portion of the log that is older than 60 days will be made available within two business days of a request for public inspection. See also **Section III.E**.

A. On-Campus Student Housing Facility Fire Safety Systems

Every UC San Diego building designated as on-campus student housing facility has an early detection and warning system consisting of automatic fire sprinklers, fire alarm pull stations, audible/visual alarms, and smoke detection. The majority of the UC San Diego graduate and family housing facilities have automatic fire sprinkler systems. These systems help ensure the safety and well-being of each student and faculty member. Fire and Life safety systems are monitored by a constantly attended location (Campus Police Dispatch Center) and work together to alert occupants of an emergency.

Automatic fire sprinklers provide protection and are reliable up to 99%. Each fire sprinkler system in a UC San Diego on-campus student housing facility is equipped with waterflow and valve tamper switches that are monitored by the Fire Alarm Control Panel (FACP) within each building. All automatic fire sprinkler systems in UC San Diego on-campus student housing facilities are maintained, inspected, and tested in accordance with the National Fire Protection Association (NFPA) 13 standards.

Fire detection systems exist to provide early warnings and the opportunity to safely evacuate the building should it be necessary. There are automatic fire detection systems in every UC San Diego on-campus student housing facility. These systems include smoke detectors located in bedrooms and hallways, horns/strobes to notify occupants, manual pull stations as well as smoke/heat detectors in mechanical rooms, custodial closets and lounges. All fire alarms in UC San Diego on-campus student housing facilities are tested regularly per the requirements of the National Fire Protection Association (NFPA), Standard 72.

Residents are encouraged to report mechanical problems that might arise with the equipment to Residential, Retail and Supply Chain Services Fix It Hotline.

Please see **Appendix A**, which details the fire protection systems and number of fire drills in 2025 for each UC San Diego on-campus student housing facility.

B. Fire Evacuation Policies and Procedures

If a resident discovers a fire in a UC San Diego on-campus student housing facility, they are directed to activate a pull alarm, which initiates an audible alarm to notify building occupants and/or the fire department; evacuate the building to the designated assembly area; and to contact the UC San Diego Police Department via 9-1-1. Fire Safety Emergency Guidelines are posted in the UC San Diego Emergency Guide. Please visit our emergency preparedness webpage.

1. General Policies and Procedures

Actions to Take in the Event of a Fire:

- Activate a local alarm station which will cause the alarm to sound. This action will also send an automatic notification alarm to the UC San Diego Police Dispatcher who will respond with an officer to assist and will notify the Fire Department.
- If you can control the fire without personal danger, take action with available firefighting equipment. If not, leave the area and report the fire immediately. Never allow the fire to come between you and an exit.
- Remove all persons from the area of danger. Close, but do not lock doors behind you to help confine the

fire.

Response to an Audible Fire Alarm:

- If an audible fire alarm sounds, evacuate the building immediately through the nearest door with an exit sign. Wear closed-toe shoes and take your keys and ID with you.
- Do not use the elevator; do utilize the nearest safe stairway.
- If requested, accompany and assist persons with disabilities who appear to need assistance.
- Touch closed doors before opening. If the surface is hot, do not open — use another exit route.
- Close, but do not lock, all doors as you leave.
- Walk, do not run.
- Report to your designated assembly area.
- Stay in your designated outdoor assembly area for a head count.
- Report any missing individuals and last known locations to emergency responders.
- Notify emergency responders about sensitive research, operating equipment, animals left in buildings, etc.
- Wait for instructions from emergency responders.
- Remain outside at your designated assembly area.
- Do not block the access of police, fire fighters, or University staff to the building.
- Do not re-enter the building until authorized to do so by an appropriate authority (police, fire department, etc.).
- Learn about your emergency exit routes now.
- Check the emergency evacuation exit for your unit.
- Find the outside assembly area for your unit.

It is mandatory that all residents evacuate if a fire alarm is activated. Other policies, procedures and guidelines as listed below are available online.

Fire Extinguisher Training
Frequently Asked Questions About Fire Sprinklers
Corridor Safety Requirements
Electrical Safety Requirements

2. Evacuation of On-Campus Housing Facilities

A. Emergency Exit Plan:

Review the Emergency Plan prior to an emergency.

In case of fire, use stairs for exit. Do not use the elevator. Quickly move to the outside of the building using the nearest door marked with an EXIT sign. Be certain all persons in the area are evacuated immediately. Help those who need special assistance. Report immediately to the designated assembly area to do a headcount (see evacuation locations below). Do not reenter the building and wait for instructions from emergency response personnel.

Emergency Phone Numbers:

- Fire, Police, Medical – 911
- UC San Diego Police – 911
- Emergency Services: La Jolla Sulpizio Cardiovascular Center – (858) 657-8530
- Emergency Services: Hillcrest UC San Diego Medical Center – (858) 657-7000

- Poison Control Center – (800) 222-1222
- UC San Diego Emergency Status – (888) 308-8273
- EH&S Front Office – (858) 534-3660

Calmly state:

- Your name;
- Building and room location of emergency;
- Nature of the emergency: fire, chemical spill, etc.;
- Injuries;
- Hazards present which may affect responding emergency personnel; and
- A phone number near the scene where you can be reached.

Fire Procedures:

- Fire Alarm: Bell/Horn with flashing light;
- Pull the fire alarm and call UC San Diego Police at 9-1-1;
- Alert people in the area to evacuate; and
- Close door to confine the fire.

In case of small fire:

- IF YOU HAVE BEEN TRAINED to use a fire extinguisher, while keeping an exit behind you, position yourself within six feet of the fire.
- Pull the pin located in the extinguisher's handle, aim the nozzle at the base of the fire, squeeze the handle and sweep from side to side at the base of the fire until it is out.
- Have persons knowledgeable about the incident and location assist emergency personnel.

Evacuation maps are included in the following housing locations:

- Eleanor Roosevelt College: Residence Halls
- Eighth College, Building 1 (Pulse)
- Eighth College, Building 2 (Azad)
- Eighth College, Building 3 (Survivance)
- Eighth College, Building 4 (Sankofa)
- Eighth College, Building 5 (Podemos)
- Mesa Nueva Apartments
- Muir College: Apartments and Residence Halls
- Nuevo East Apartments
- Nuevo West Apartments
- One Miramar Street Apartments
- Pangea Residence Halls
- Pepper Canyon West - Rya
- Pepper Canyon West - Vela
- Revelle College: Argo and Blake Residence Halls and Keeling Apartments
- Ridge Walk Living-Learning Neighborhood – Building A (Alianza)
- Ridge Walk Living-Learning Neighborhood – Building B (Umoja)
- Ridge Walk Living-Learning Neighborhood – Building C (Coalition)
- Rita Atkinson Residences
- Seventh College East and West Apartments
- Sixth College Apartments and Residence Halls at North Torrey Pines Living Learning Neighborhood

- Warren College: Apartments and Residence Halls

Evacuation maps may not be removed or altered. Take time to familiarize yourself with the evacuation plan for your residence. It is each resident's responsibility to evacuate to designated assembly areas when the fire alarm sounds. Failure to evacuate immediately is dangerous and a violation of the California Fire Code.

Fire alarm testing and evacuation drills are generally conducted annually.

B. Evacuation Locations:

Please note: Evacuees should gather ***at least 50 feet away from any structure***. Please see below for individual housing evacuation locations. ***Please note that these locations are subject to change based on the particular emergency. Follow directions of local officials.***

Undergraduate Housing	Evacuation Location
Eighth College – Building 1 (Pulse)	South Galbraith Hall Lawn
Eighth College – Building 2 (Azad)	South Galbraith Hall Lawn
Eighth College – Building 3 (Survivance)	South Galbraith Hall Lawn
Eighth College – Building 4 (Sankofa)	South Galbraith Hall Lawn
Eighth College – Building 5 (Podemos)	South Galbraith Hall Lawn
ERC Apartments – Africa Hall	ERC Green
ERC Apartments – Asante Hall	International Lane, directly east of building
ERC Apartments – Asia Hall	ERC Green
ERC Apartments – Cuzco Hall	International Lane, directly east of building
ERC Apartments – Earth Hall North	ERC Green
ERC Apartments – Earth Hall South	ERC Green
ERC Apartments – Europe Hall	ERC Green

Undergraduate Housing	Evacuation Location
ERC Apartments – Geneva Hall	Plaza in front of ERC Administration Building
ERC Apartments – Kathmandu Hall	International Lane, directly east of building
ERC Apartments – Latin America Hall	ERC Green
ERC Apartments – Mesa Verde Hall	Plaza in front of ERC Administration Building
ERC Apartments – Middle East Hall	ERC Green
ERC Apartments – North America Hall	ERC Green
ERC Apartments – Oceania Hall	ERC Green
Matthews Apartments	Parking Lot 401
Muir Apartments and Residence Halls	Muir Field
Pangea Apartments	Pangea Cul-de-Sac
Pangea Residence Halls	Parking Lot P304 on North Scholars Drive
Pepper Canyon Apartments	Parking Lot 401
Pepper Canyon West – Rya	Central Campus Trolley Station
Pepper Canyon West – Vela	Central Campus Trolley Station
Revelle Apartments and Residence Halls	Revelle Plaza
Ridge Walk Living-Learning Neighborhood – Building A (Alianza)	Voices Courtyard
Ridge Walk Living-Learning Neighborhood – Building B (Umoja)	Third Plaza

Undergraduate Housing	Evacuation Location
Ridge Walk Living-Learning Neighborhood – Building C (Coalition)	Third Plaza
Rita Atkinson Residences	100 Osler Lane, Parking Lot P603
Sixth College – Building 2 (Catalyst)	East Quad
Sixth College – Building 3 (Kaleidoscope)	West Quad and Basketball Court
Sixth College – Building 4 (Tapestry)	West Quad and Basketball Court
Sixth College – Building 5 (Mosaic)	East Quad
Seventh College East Apartments	Parking Lot P357 (east of building)
Seventh College West Apartments	South of Village West Building #3 (along the Wedge; rocky landscape)
Warren Apartments and Residence Halls	Walkway between Engineering Building Unit II (EBU II) and Computer Science and Engineering Building (EBU III)—immediately across the Paseo Walkway leading to the Warren residential complex

Graduate and Family Housing	Evacuation Location
Central Mesa Apartments	9146 Regents Road
Coast Apartments	9350 Redwood Drive
La Jolla del Sol Apartments	8046 Regents Road
Mesa Nueva Apartments	Northwest parking lot outside of Cala Building
Nuevo East Apartments	Parking Lot, Exchange Building

Graduate and Family Housing	Evacuation Location
Nuevo West Apartments	3739 Miramar St. (Grassy Area between Viento and Brisa)
One Miramar Street Apartments	One Miramar Street, Building 5
South Mesa Apartments	9146 Regents Road

C. Policies Related to Smoking, Portable Electrical Devices and Open Flames in On-Campus Student Housing Facilities

Smoke and Tobacco Free Environment:

- **Undergraduate Community Standard:** Per the University's *Smoke & Tobacco Free Environment Policy*, smoking, vaping, and tobacco use of any kind is not permitted in any area owned, leased, or operated by UC San Diego.
- **Graduate and Family Housing (GFH) Community Standard:** Consistent with University Policy PPM 270-7 Smoke & Tobacco-Free Policy, smoking, vaping, and tobacco use of any kind is not permitted in any area within or around GFH.



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Appliances: Electrical appliances must be UL-listed and may only be used within the limitations of that listing. All appliances (e.g., cooking, portable heaters) with exposed heating elements are prohibited. Microwaves must be 750 watts or less and refrigerators must be 5.0 cubic feet or less. Heat producing cooking appliances (e.g., toasters, electric grills, air fryers, water boilers, coffee makers, rice cookers) must be used in kitchen areas only. Portable or installed air conditioning or heating units are prohibited.

Open Flames:

- **Undergraduate Community Standard:** Use of candles, charcoal grills, incense, tiki torches, or any other open flames are prohibited in or around RRSS facilities. Personal barbecues, including, but not limited to, electric barbecues, smokers, and similar products, are prohibited in all facilities. Propane gas and charcoal for barbecues may not be stored in or around any RRSS facility. Gas barbecues are available for Resident use in designated locations.
- **Graduate and Family Housing (GFH) Community Standard:** Use of candles, charcoal grills, incense, tiki torches, or any other open flames are prohibited in or around GFH facilities. Personal barbecues,

including, but not limited to, electric barbecues, smokers, and similar products, are prohibited in all GFH facilities. Propane gas and charcoal for barbecues may not be stored in or around any GFH facility. Gas barbecues are available for resident use in designated locations.

D. Fire Safety Education and Training

All students who occupy a UC San Diego on-campus student housing facility receive instruction on how to evacuate the building when a fire alarm is activated, the evacuation location, and they participate in an exercise assuring their understanding of this process. Resident Assistants are trained regarding conducting an orderly evacuation.

If a fire occurs, residents are instructed to evacuate the building immediately through the nearest door with an exit sign and to proceed to their designated assembly area. They are to remain at the designated assembly area until emergency responders give authorization to return.

Emergency First Responder Training: The first responders and public safety agency that is responsible for responding to emergency incidents on the UC San Diego campus, is the City of San Diego Fire-Rescue Department. As a result, they frequently train and familiarize their personnel with the physical layout of the University. This effort allows them to become familiar with the buildings' construction and design, chemical inventories of laboratories, and the campus personnel who work in these facilities. The Campus Fire Marshal's Office has a designated liaison to the City of San Diego Fire-Rescue Department. This keeps the fire department up-to-date on issues relating to fire safety and response to the campus.

Buildings and facilities scheduled for demolition have been provided to the San Diego Fire-Rescue Department for training and exercises. In addition, the University personnel who respond to hazardous materials incidents work carefully with other regional hazardous materials response teams to better prepare them for a unified approach on larger emergency incidents which require all teams to work collaboratively.

See **Section XVII.B** for a description of the procedures students and employees should follow in the event of a fire.

E. Plans for Future Improvements in Fire Safety

Fire alarms are continually being upgraded and modernized to be addressable systems. This pinpoints which devices have been activated along with the location within the building. UC San Diego renewed a contract for the annual testing and maintenance of fire sprinkler systems, standpipes, and fire pumps. Contracts have also been awarded for testing and maintenance of fire alarm systems.

The University's multi-year plan for installing fire protection (fire sprinkler) systems in all on-campus residential housing facilities has been achieved. As of now, all undergraduate housing is fully protected by fire sprinklers. The plan for installing fire protection in the remaining UC San Diego graduate and family housing is currently in progress.

The campus alarm system and how alarms are received has been upgraded and modernized. KELTRON Wireless transceivers are part of an active network radio system, which provide a two-way alarm transmission from monitored locations to a central receiving station at UC San Diego Police Department dispatch. Replacing expensive and unreliable telephone lines, active network radio is a self-routing and self-healing solution that ensures instant life safety event monitoring over a wide geographic area. Each transceiver serves as both a transceiver and a repeater to improve the strength and range of the entire network. The two-way transceiver

provides high integrity communications that ensure every signal is authenticated and acknowledged. This five-year plan to transition to the wireless system is now complete. Redundancy for the system server is the next step in the project. Another priority is to install Emergency Responder Radio Communications Systems (ERRCS). ERRCS is a network that re-transmits police and fire radio frequencies inside buildings to improve radio signal strength. These systems have been mandated on all new buildings and added to any requiring major renovations.

As the student population grows with more residential buildings and the opening of the new residential neighborhoods, the University's efforts in fire safety education grow. As UC San Diego welcomes students, faculty, and staff, improvements in the area of fire prevention education will be provided. This is to include ongoing training for students, faculty, and staff in the safe use of fire extinguishers. An electronic fire extinguisher training device has been acquired to provide training in any setting. A fire safe cooking practices and housing safety program has been provided to the Residential, Retail and Supply Chain Services group. This interactive web-based training will also be provided to students living in campus housing. The University's goal is to have students take the course as part of their lease agreement. UC San Diego continues to educate students, faculty and staff regarding the fire dangers around campus and how to improve their safety awareness.

UC San Diego also continues to improve the wildland urban interface fuel modification program to remove undergrowth and prune trees to reduce ladder fuels and provide defensible space. Past projects include the removal of dead or fallen eucalyptus trees along the wooded areas on campus.

There are no additional plans for future improvements in fire safety for the 2026-2027 academic year.

F. Reporting Fires for Annual Statistics

Pursuant to federal law, UC San Diego is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. In the event of an emergency/active fire, call 9-1-1. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing facilities. These are fires of which you are unsure whether the UC San Diego Police Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact the UC San Diego Police Department at 9-1-1 if the fire is active, (858) 534-4357 or the Campus Fire Marshal at (858) 534-7525 if it is an inactive fire. When calling, please provide as much information as possible about the location, date, time and cause of the fire. You may also report a non-emergency fire by using the Fire Incident Form.

Please see **Appendix B** for fire statistics for UC San Diego's on-campus student housing facilities for the three most recent calendar years.

Appendix A

UC San Diego On-Campus Student Housing Facilities: Fire Protection Systems and 2025 Fire Drills

UNDERGRADUATE HOUSING

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Eleanor Roosevelt College						
Eleanor Roosevelt College (ERC) Apartments						
Asante Hall East 9826 International Ln., La Jolla, CA	X	X	X	X		1
Asante Hall West 9822 International Ln., La Jolla, CA	X	X	X	X		1
Cuzco Hall East 9856 International Ln., La Jolla, CA	X	X	X	X		1
Cuzco Hall West 9852 International Ln., La Jolla, CA	X	X	X	X		1
Earth Hall North 9906 Scholars Dr. N., La Jolla, CA	X	X	X	X		1
Earth Hall South 9906 Scholars Dr. N., La Jolla, CA	X	X	X	X		1
Geneva Hall East 9956 International Ln., La Jolla, CA	X	X	X	X		1
Geneva Hall West 9952 International Ln., La Jolla, CA	X	X	X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Kathmandu Hall East 9876 International Ln., La Jolla, CA	X	X	X	X		1
Kathmandu Hall West 9872 International Ln., La Jolla, CA	X	X	X	X		1
Mesa Verde Hall North 9997 International Ln., La Jolla, CA	X	X	X	X		1
Mesa Verde Hall South 9995 International Ln., La Jolla, CA	X	X	X	X		1
Middle East Hall 9958 Scholars Dr. N., La Jolla, CA	X	X	X	X		1
Oceania Hall 9878 Scholars Dr. N., La Jolla, CA	X	X	X	X		1
Eleanor Roosevelt College (ERC) Residence Halls						
Africa Hall 10002 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Asia Hall 9982 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Europe Hall 9922 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Latin America Hall 9882 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
North America Hall 9862 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Thurgood Marshall College						
Ridge Walk Living-Learning Neighborhood (opened September 2025)						
Bldg. A – Alianza 3035 Voigt Dr. La Jolla, CA	X	X	X	X	X	1
Bldg. B – Umoja 3025 Voigt Dr. La Jolla, CA	X	X	X	X	X	1
Bldg. C – Coalition 3015 Voight Dr. La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
John Muir College						
Muir Apartments						
Tamarack Apts. East 2948 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tamarack Apts. West 2942 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – S House East 2914 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – S House North 2918 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – S House South 2902 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – S House West 2906 Scholars Ln., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Tuolumne Apts. – T House East 2932 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – T House North 2922 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – T House South 2930 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Tuolumne Apts. – T House West 2920 Scholars Ln., La Jolla, CA	X	X	X	X	X	1
Muir Residence Halls						
Tenaya Hall 9505 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Tioga Hall 9485 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Revelle College						
Revelle Keeling Apartments						
Bldg. 1 9231 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 2 9203 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Bldg. 3 9201 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Revelle Residence Halls						
Argo Hall 9257 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Atlantis Hall 9211 Scholars Dr. S., La Jolla, CA	X	X	X	X		1
Beagle Hall 9217 Scholars Dr. S., La Jolla, CA	X	X	X	X		1
Blake Hall 9259 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Challenger Hall 9219 Scholars Dr. S., La Jolla, CA	X	X	X	X		1
Discovery Hall 9225 Scholars Dr. S., La Jolla, CA	X	X	X	X		1
Galathea Hall 9223 Scholars Dr. S., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Meteor Hall 9221 Scholars Dr. S., La Jolla, CA	X	X	X	X		1
Sixth College						
Sixth College Apartments and Residence Halls						
Catalyst 9685 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Kaleidoscope 9690 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Mosaic 9605 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Tapestry 9610 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Seventh College						
Seventh College East Apartments						
Bldg. 1 (Seventh College East Tower) 10195 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 2 10185 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 3 10165 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 4 10155 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 5 10135 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Seventh College West Apartments						
Bldg. 1 (Seventh College West Tower) 10176 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 2 10156 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 3 10116 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 4 10114 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 5 10112 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 6 10152 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 7 10154 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Bldg. 8 10172 Scholars Dr. N., La Jolla, CA	X	X	X	X	X	1
Earl Warren College						
Warren Apartments						
Bates Hall 9820 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Black Hall 9770 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Brennan Hall 9780 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Brown Hall 9800 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Douglas Hall 9790 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Goldberg Hall 9781 Equality Ln., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Warren Residence Halls						
Frankfurter Hall 9851 Equality Ln., La Jolla, CA	X	X	X	X	X	1
Harlan Hall 9860 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Stewart Hall 9840 Justice Ln., La Jolla, CA	X	X	X	X	X	1
Eighth College						
Building 1 – Pulse 9155 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Building 2 – Azad 9145 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Building 3 – Survivance 9175 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Building 4 – Sankofa 9165 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Building 5 - Podemos 9185 Scholars Dr. S., La Jolla, CA	X	X	X	X	X	1
Upper Division Housing (formerly The Village at Pepper Canyon)						
Matthews Apartments						
Bldg. A 9475 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. B 9465 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. C 9445 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. D 9450 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. E 9460 Innovation Ln., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Pangea Apartments (Upper Division Housing as of September 2025; formerly Marshall Upper Apartments)						
Bldg. G 2997 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1
Bldg. H 2995 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1
Bldg. J 2973 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1
Bldg. K 2957 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1
Bldg. L 2955 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1
Bldg. M 2953 Thurgood Marshall Ln., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Pangea Residence Halls (Upper Division Housing as of September 2025; formerly Marshall Residence Halls)						
Bldg. N 2947 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. O 2943 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. P 2933 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. Q 2923 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. R 2917 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. S 2913 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. T 2911 Pangea Dr., La Jolla, CA	X	X	X	X		1
Bldg. U 2915 Pangea Dr., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. V 2921 Pangea Dr., La Jolla, CA	X	X	X	X		1
Pepper Canyon Apartments						
Bldg. 100 9409 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 200 9413 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 300 9405 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 400 9411 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 500 9403 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 600 9401 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 700 9400 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 800 9402 Innovation Ln., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 900 9412 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1000 9414 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1100 9404 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1200 9406 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1300 9424 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1400 9426 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1500 9420 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1600 9422 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1700 9410 Innovation Ln., La Jolla, CA	X	X	X	X		1
Bldg. 1800 9408 Innovation Ln., La Jolla, CA	X	X	X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Pepper Canyon West						
Rya 9620 Gilman Dr., La Jolla, CA	X	X	X	X	X	1
Vela 9610 Gilman Dr., La Jolla, CA	X	X	X	X	X	1
Rita Atkinson Residences						
Rita Atkinson Residences 9165 Pharmacy Ln., La Jolla, CA	X	X	X	X	X	1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

GRADUATE AND FAMILY HOUSING

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Central Mesa Apartments						
Bldg. 9226 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9228 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9230 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9232 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9234 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9236 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9240 Regents Rd., La Jolla, CA	X		X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 9242 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9244 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9246 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9248 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9250 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9252 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9254 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9256 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9258 Regents Rd., La Jolla, CA	X		X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 9260 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9262 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9266 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9268 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9270 Regents Rd., La Jolla, CA	X		X	X		1
Coast Apartments						
Bldg. 9310 Redwood Dr., La Jolla, CA	X		X	X		1
Bldg. 9321 Discovery Wy., La Jolla, CA	X		X	X		1
Bldg. 9331 Discovery Wy., La Jolla, CA	X		X	X		1
Bldg. 9334 Redwood Dr., La Jolla, CA	X		X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 9344 Redwood Dr., La Jolla, CA	X		X	X		1
Bldg. 9355 Discovery Wy., La Jolla, CA	X		X	X		1
Bldg. 9366 Redwood Dr., La Jolla, CA	X		X	X		1
Bldg. 9369 Discovery Wy., La Jolla, CA	X		X	X		1
Bldg. 9383 Discovery Wy., La Jolla, CA	X		X	X		1
Bldg. 9388 Redwood Dr., La Jolla, CA	X		X	X		1
Bldg. 9393 Discovery Wy., La Jolla, CA	X		X	X		1
La Jolla del Sol Apartments						
Bldg. 3353 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3355 Lebon Dr., San Diego, CA	X		X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 3357 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3359 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3363 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3365 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3367 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3371 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3373 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3381 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3383 Lebon Dr., San Diego, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 3391 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3393 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 3395 Lebon Dr., San Diego, CA	X		X	X		1
Bldg. 8006 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8018 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8030 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8042 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8054 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8066 Regents Rd., San Diego, CA	X		X	X		1

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Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 8078 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8090 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8098 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8114 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8126 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8138 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8150 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8162 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8174 Regents Rd., San Diego, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 8186 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8202 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8212 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8222 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8232 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8242 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8252 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8272 Regents Rd., San Diego, CA	X		X	X		1
Bldg. 8282 Regents Rd., San Diego, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Mesa Nueva Apartments						
Bldg. A (Cala) 3869 Miramar St., La Jolla, CA	X	X	X	X	X	1
Bldg. C (Cresta) 3857 Miramar St., La Jolla, CA	X	X	X	X	X	1
Bldg. D (Arena) 3807 Miramar St., La Jolla, CA	X	X	X	X	X	1
Bldg. E (Marea) 3855 Miramar St., La Jolla, CA	X	X	X	X	X	1
Bldg. F (Artesa) 3867 Miramar St., La Jolla, CA	X	X	X	X	X	1
Nuevo East Apartments						
Porton 4059 Miramar St., La Jolla, CA	X	X	X	X	X	1
Capa 3969 Miramar St., La Jolla, CA	X	X	X	X	X	1
Piedra 3939 Miramar St., La Jolla, CA	X	X	X	X	X	1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Tierra 3927 Miramar St., La Jolla, CA	X	X	X	X	X	1
Astilla 3967 Miramar St., La Jolla, CA	X	X	X	X	X	1
Nuevo West Apartments						
Viento 3739 Miramar St., La Jolla, CA	X	X	X	X	X	1
Brisa 3787 Miramar St., La Jolla, CA	X	X	X	X	X	1
One Miramar Street Apartments						
Bldg. 1 3615 Miramar Cir., La Jolla, CA	X	X	X	X	X	1
Bldg. 2 3625 Miramar Cir., La Jolla, CA	X	X	X	X	X	1
Bldg. 3 3635 Miramar Cir., La Jolla, CA	X	X	X	X	X	1
Bldg. 4 3645 Miramar Cir., La Jolla, CA	X	X	X	X	X	1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
South Mesa Apartments						
Bldg. 9100 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9106 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9114 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9118 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9122 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9130 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9134 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9138 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9142 Regents Rd., La Jolla, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 9146 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9148 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9152 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9160 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9162 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9168 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9172 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9176 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9180 Regents Rd., La Jolla, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Facility	Fire Alarm Monitoring done on site by UC Police Department	Full Sprinkler System[1]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Fire Evacuation Drills Held in 2025
Bldg. 9188 Regents Rd., La Jolla, CA	X		X	X		1
Bldg. 9192 Regents Rd., La Jolla, CA	X		X	X		1

[1] Full sprinkler system means all portions of the building are protected by fire sprinklers.

Appendix B

UC San Diego On-Campus Student Housing Facilities: 2025, 2024 and 2023 Fire Statistics

2025 Fires

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
UNDERGRADUATE HOUSING							
Eleanor Roosevelt College							
Eleanor Roosevelt College (ERC) Apartments							
ERC – Asante Hall East	9826 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Asante Hall West	9822 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Cuzco Hall East	9856 International Ln., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$0 – $99
ERC – Cuzco Hall West	9852 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Earth Hall North	9906 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Earth Hall South	9906 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Geneva Hall East	9956 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Geneva Hall West	9952 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall East	9876 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall West	9872 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall North	9997 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall South	9995 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Middle East Hall	9958 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Oceania Hall	9878 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eleanor Roosevelt College (ERC) Residence Halls							
ERC – Africa Hall	10002 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Asia Hall	9982 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Europe Hall	9922 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Latin America Hall	9882 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – North America Hall	9862 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Thurgood Marshall College							
Ridge Walk Living-Learning Neighborhood (opened September 2025)							
Bldg. A – Alianza	3035 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. B – Umoja	3025 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. C – Coalition	3015 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
John Muir College							
Muir Apartments							
Muir – Tamarack Apts. East	2948 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tamarack Apts. West	2942 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House East	2914 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House North	2918 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House South	2902 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House West	2906 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House East	2932 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House North	2922 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Muir – Tuolumne Apts. – T House South	2930 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House West	2920 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir Residence Halls							
Muir – Tenaya Hall	9505 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tioga Hall	9485 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle College							
Revelle Keeling Apartments							
Revelle – Keeling Apts. – Bldg. 1	9231 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Keeling Apts. – Bldg. 2	9203 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Keeling Apts. – Bldg. 3	9201 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Revelle Residence Halls							
Revelle – Argo Hall	9257 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Atlantis Hall	9211 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Beagle Hall	9217 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Blake Hall	9259 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Challenger Hall	9219 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Discovery Hall	9225 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Galathea Hall	9223 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Meteor Hall	9221 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Sixth College							
Sixth College Apartments and Residence Halls							
Catalyst	9685 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Kaleidoscope	9690 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mosaic	9605 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Tapestry	9610 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Seventh College							
Seventh College East Apartments							
Bldg. 1 (Seventh College East Tower)	10195 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 2	10185 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 3	10165 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	10155 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$0 – $99
Bldg. 5	10135 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Seventh College West Apartments							
Bldg. 1 (Seventh College West Tower)	10176 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 2	10156 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – Cooking Fire	1	0	$0 – $99
Bldg. 3	10116 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	10114 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 5	10112 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 6	10152 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 7	10154 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8	10172 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Earl Warren College							
Warren Apartments							
Warren – Bates Hall	9820 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Black Hall	9770 Justice Ln., La Jolla, CA	1	1	Unintentional – Electrical Fire	0	0	$1,000 – $9,999
Warren – Brennan Hall	9780 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Brown Hall	9800 Justice Ln, La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Douglas Hall	9790 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Warren – Goldberg Hall	9781 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren Residence Halls							
Warren – Frankfurter Hall	9851 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Harlan Hall	9860 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Stewart Hall	9840 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College							
Eighth College – Bldg. 1 – Pulse	9155 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 2 – Azad	9145 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 3 – Survivance	9175 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 4 – Sankofa	9165 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Eighth College – Bldg. 5 – Podemos	9185 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Upper Division Housing (formerly The Village at Pepper Canyon)							
Matthews Apartments							
Bldg. A	9475 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. B	9465 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. C	9445 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. D	9450 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. E	9460 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Pangea Apartments (Upper Division Housing as of September 2025; formerly Marshall Upper Apartments)							
Bldg. G	2997 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. H	2995 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. J	2973 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. K	2957 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. L	2955 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. M	2953 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pangea Residence Halls (Upper Division Housing as of September 2025; formerly Marshall Residence Halls)							
Bldg. N	2947 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. O	2943 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. P	2933 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. Q	2923 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. R	2917 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. S	2913 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. T	2911 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. U	2915 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. V	2921 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pepper Canyon Apartments							
Bldg. 100	9409 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 200	9413 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 300	9405 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 400	9411 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 500	9403 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 600	9401 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 700	9400 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 800	9402 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 900	9412 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 1000	9414 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1100	9404 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1200	9406 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1300	9424 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1400	9426 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1500	9420 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1600	9422 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1700	9410 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 1800	9408 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pepper Canyon West							
Rya	9620 Gilman Dr., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$1,000 – $9,999
Vela	9610 Gilman Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Rita Atkinson Residences							
Rita Atkinson Residences	9165 Pharmacy Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
GRADUATE AND FAMILY HOUSING							
Central Mesa Apartments							
Bldg. 9226	9226 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9228	9228 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9230	9230 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9232	9232 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9234	9234 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9236	9236 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9240	9240 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9242	9242 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9244	9244 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9246	9246 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9248	9248 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9250	9250 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9252	9252 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9254	9254 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9256	9256 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9258	9258 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9260	9260 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9262	9262 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9266	9266 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9268	9268 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9270	9270 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Coast Apartments							
Bldg. 9310	9310 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9321	9321 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9331	9331 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9334	9334 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9344	9344 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9355	9355 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9366	9366 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9369	9369 Discovery Wy., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Bldg. 9383	9383 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9388	9388 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9393	9393 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
La Jolla del Sol Apartments							
Bldg. 3353	3353 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3355	3355 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3357	3357 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3359	3359 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3363	3363 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 3365	3365 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3367	3367 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3371	3371 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3373	3373 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3381	3381 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3383	3383 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3391	3391 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3393	3393 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3395	3395 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8006	8006 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8018	8018 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8030	8030 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8042	8042 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8054	8054 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8066	8066 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8078	8078 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8090	8090 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8098	8098 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8114	8114 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8126	8126 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8138	8138 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8150	8150 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8162	8162 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8174	8174 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8186	8186 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8202	8202 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8212	8212 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8222	8222 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8232	8232 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8242	8242 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8252	8252 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8272	8272 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8282	8282 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Mesa Nueva Apartments							
Mesa Nueva Apts. Bldg. A (Cala)	3869 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. C (Cresta)	3857 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. D (Arena)	3807 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. E (Marea)	3855 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. F (Artesa)	3867 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apartments							
Nuevo East Apts. (Porton)	4059 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Nuevo East Apts. (Capa)	3969 Miramar St., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$0 – $99
Nuevo East Apts. (Piedra)	3939 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Tierra)	3927 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Astilla)	3967 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apartments							
Nuevo West Apts. (Viento)	3739 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apts. (Brisa)	3787 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
One Miramar Street Apartments							
Bldg. 1	3615 Miramar Cir., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$50,000 – $99,999

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 2	3625 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	3635 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	3645 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
South Mesa Apartments							
Bldg. 9100	9100 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9106	9106 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9114	9114 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9118	9118 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9122	9122 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9130	9130 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9134	9134 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9138	9138 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9142	9142 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9146	9146 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9148	9148 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9152	9152 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9160	9160 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9162	9162 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9168	9168 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9172	9172 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9176	9176 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9180	9180 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9188	9188 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9192	9192 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

2024 Fires

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
UNDERGRADUATE HOUSING							
Eleanor Roosevelt College							
Eleanor Roosevelt College (ERC) Apartments							
ERC – Asante Hall East	9826 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Asante Hall West	9822 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Cuzco Hall East	9856 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Cuzco Hall West	9852 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Earth Hall North	9906 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Earth Hall South	9906 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Geneva Hall East	9956 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Geneva Hall West	9952 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall East	9876 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall West	9872 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall North	9997 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall South	9995 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Middle East Hall	9958 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Oceania Hall	9878 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eleanor Roosevelt College (ERC) Residence Halls							
ERC – Africa Hall	10002 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Asia Hall	9982 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Europe Hall	9922 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Latin America Hall	9882 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – North America Hall	9862 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Thurgood Marshall College							
Pangea Apartments (formerly Marshall Upper Apartments; currently Upper Division Housing as of September 2025)							
Bldg. G – Grassroots	2997 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. H – Human Rights	2995 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. J – Justice	2973 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. K – Knowledge	2957 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. L – Liberation	2955 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. M – Movement	2953 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pangea Residence Halls (formerly Marshall Residence Halls; currently Upper Division Housing as of September 2025)							
Bldg. N – Narrative	2947 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. O – Opportunity	2943 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. P – Peace	2933 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. Q – Quest	2923 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. R – Revolutionary	2917 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. S – Solidarity	2913 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. T – Truth	2911 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. U – Unity	2915 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. V – Voice	2921 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
John Muir College							
Muir Apartments							
Muir – Tamarack Apts. East	2948 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tamarack Apts. West	2942 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House East	2914 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House North	2918 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House South	2902 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House West	2906 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Muir – Tuolumne Apts. – T House East	2932 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House North	2922 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House South	2930 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House West	2920 Scholars Ln., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Muir Residence Halls							
Muir – Tenaya Hall	9505 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tioga Hall	9485 Scholars Dr. S., La Jolla, CA	1	1	Unintentional – Electrical, vacuum ignited.	0	0	$100 – $999

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Revelle College							
Revelle Keeling Apartments							
Revelle – Keeling Apts. – Bldg. 1	9231 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Keeling Apts. – Bldg. 2	9203 Scholars Dr. S., La Jolla, CA	1	1	Undetermined	0	0	$0 – $99
Revelle – Keeling Apts. – Bldg. 3	9201 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle Residence Halls							
Revelle – Argo Hall	9257 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Atlantis Hall	9211 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Beagle Hall	9217 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Blake Hall	9259 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Revelle – Challenger Hall	9219 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Discovery Hall	9225 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Galathea Hall	9223 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Meteor Hall	9221 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Sixth College							
Sixth College Apartments and Residence Halls							
Catalyst	9685 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Kaleidoscope	9690 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mosaic	9605 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Tapestry	9610 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Seventh College							
Seventh College East Apartments							
Bldg. 1 (Seventh College East Tower)	10195 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 2	10185 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	10165 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	10155 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 5	10135 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Seventh College West Apartments							
Bldg. 1 (Seventh College West Tower)	10176 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 2	10156 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Bldg. 3	10116 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	10114 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 5	10112 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 6	10152 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 7	10154 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8	10172 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Earl Warren College							
Warren Apartments							
Warren – Bates Hall	9820 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Warren – Black Hall	9770 Justice Ln., La Jolla, CA	1	1	Unintentional – Cooking Fire	1	0	$1,000 – $9,999
Warren – Brennan Hall	9780 Justice Ln., La Jolla, CA	1	1	Intentional – Person ignited a piece of clothing in residence.	0	0	$0 – $99
Warren – Brown Hall	9800 Justice Ln., La Jolla, CA	1	1	Unintentional – Cooking Fire; Pizza boxes left on stove caught on fire.	0	0	$100 – $999
Warren – Douglas Hall	9790 Justice Ln., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Warren – Goldberg Hall	9781 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren Residence Halls							
Warren – Frankfurter Hall	9851 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Harlan Hall	9860 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Stewart Hall	9840 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Eighth College							
Eighth College – Bldg. 1 – Pulse (opened 2024)	9155 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 2 – Azad (opened 2024)	9145 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 3 – Survivance (opened 2024)	9175 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 4 – Sankofa (opened 2024)	9165 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College – Bldg. 5 – Podemos	9185 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Upper Division Housing (formerly The Village at Pepper Canyon)							
Matthews Apartments							
Bldg. A	9475 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. B	9465 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. C	9445 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. D	9450 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. E	9460 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pepper Canyon Apartments							
Bldg. 100	9409 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 200	9413 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 300	9405 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 400	9411 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 500	9403 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 600	9401 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 700	9400 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 800	9402 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 900	9412 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1000	9414 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1100	9404 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 1200	9406 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1300	9424 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1400	9426 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1500	9420 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1600	9422 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1700	9410 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1800	9408 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Pepper Canyon West* (*Opened fall 2024; note Pepper Canyon West was inadvertently excluded from the 2024 statistics in the 2025 Annual Security and Fire Safety Report)							
Rya	9620 Gilman Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Vela	9610 Gilman Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Rita Atkinson Residences							
Rita Atkinson Residences	9165 Pharmacy Ln., La Jolla, CA	1	1	Unintentional – Electrical, portable speaker exploded.	0	0	$100 – $999

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
GRADUATE AND FAMILY HOUSING							
Central Mesa Apartments							
Bldg. 9226	9226 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9228	9228 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9230	9230 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9232	9232 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9234	9234 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9236	9236 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9240	9240 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9242	9242 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9244	9244 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9246	9246 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9248	9248 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9250	9250 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9252	9252 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9254	9254 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9256	9256 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9258	9258 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9260	9260 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9262	9262 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9266	9266 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9268	9268 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9270	9270 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Coast Apartments							
Bldg. 9310	9310 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9321	9321 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9331	9331 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9334	9334 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9344	9344 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9355	9355 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9366	9366 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9369	9369 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9383	9383 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9388	9388 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9393	9393 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
La Jolla del Sol Apartments							
Bldg. 3353	3353 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3355	3355 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3357	3357 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3359	3359 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3363	3363 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 3365	3365 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3367	3367 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3371	3371 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3373	3373 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3381	3381 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3383	3383 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3391	3391 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3393	3393 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3395	3395 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8006	8006 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8018	8018 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8030	8030 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8042	8042 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8054	8054 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8066	8066 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8078	8078 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8090	8090 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8098	8098 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8114	8114 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8126	8126 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8138	8138 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8150	8150 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8162	8162 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8174	8174 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8186	8186 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8202	8202 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8212	8212 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8222	8222 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8232	8232 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8242	8242 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8252	8252 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8272	8272 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8282	8282 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Mesa Nueva Apartments							
Mesa Nueva Apts. Bldg. A (Cala)	3869 Miramar St., La Jolla, CA	2	1	Intentional – Person lit backpack on fire.	0	0	$100 – $999
			2	Intentional – Person lit papers on fire.	0	0	$100 – $999
Mesa Nueva Apts. Bldg. C (Cresta)	3857 Miramar St., La Jolla, CA	2	1	Intentional – Person lit clothing on fire.	0	0	$100 – $999
			2	Intentional – Person lit trash can on fire.	0	0	$1,000 – $9,999
Mesa Nueva Apts. Bldg. D (Arena)	3807 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. E (Marea)	3855 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. F (Artesa)	3867 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apartments							
Nuevo East Apts. (Porton)	4059 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Nuevo East Apts. (Capa)	3969 Miramar St., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
			1	Unintentional – Electrical, e-scooter battery ignited.	0	0	$1,000 – $9,999
Nuevo East Apts. (Piedra)	3939 Miramar St., La Jolla, CA	2	2	Unintentional – Cooking Fire	0	0	$0 – $99
Nuevo East Apts. (Tierra)	3927 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Astilla)	3967 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apartments							
Nuevo West Apts. (Viento)	3739 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apts. (Brisa)	3787 Miramar St., La Jolla, CA	1	1	Intentional – Person set metal sign on fire.	0	0	$0 – $99
One Miramar Street Apartments							
Bldg. 1	3615 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 2	3625 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	3635 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	3645 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
South Mesa Apartments							
Bldg. 9100	9100 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9106	9106 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9114	9114 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9118	9118 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9122	9122 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9130	9130 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9134	9134 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9138	9138 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9142	9142 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9146	9146 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9148	9148 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9152	9152 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9160	9160 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9162	9162 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9168	9168 Regents Rd., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$0 – $99
Bldg. 9172	9172 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9176	9176 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9180	9180 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9188	9188 Regents Rd., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$100 – $999
Bldg. 9192	9192 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

2023 Fires

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
UNDERGRADUATE HOUSING							
Eleanor Roosevelt College							
Eleanor Roosevelt College (ERC) Apartments							
ERC – Asante Hall East	9826 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Asante Hall West	9822 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Cuzco Hall East	9856 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Cuzco Hall West	9852 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Earth Hall North	9906 Scholars Dr. N., La Jolla, CA	1	1	Intentional – Person lit restroom supplies/ equipment on fire.	0	0	$100 – $999
ERC – Earth Hall South	9906 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Geneva Hall East	9956 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Geneva Hall West	9952 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall East	9876 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Kathmandu Hall West	9872 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall North	9997 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Mesa Verde Hall South	9995 International Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Middle East Hall	9958 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Oceania Hall	9878 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eleanor Roosevelt College (ERC) Residence Halls							
ERC – Africa Hall	10002 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
ERC – Asia Hall	9982 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Europe Hall	9922 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – Latin America Hall	9882 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
ERC – North America Hall	9862 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Thurgood Marshall College							
Marshall Lower Apartments (demolished June 2023)							
Bldg. A – Activism	2937 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. B – Bravery	2963 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. C – Collective	3021 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. D – Dialogue	3031 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. E – Empower	3041 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. F – Freedom	2915 Voigt Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pangea Apartments (formerly Marshall Upper Apartments; currently Upper Division Housing as of September 2025)							
Bldg. G – Grassroots	2997 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. H – Human Rights	2995 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. J – Justice	2973 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. K – Knowledge	2957 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. L – Liberation	2955 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. M – Movement	2953 Thurgood Marshall Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Pangea Residence Halls (formerly Marshall Residence Halls; currently Upper Division Housing as of September 2025)							
Bldg. N – Narrative	2947 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. O – Opportunity	2943 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. P – Peace	2933 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. Q – Quest	2923 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. R – Revolutionary	2917 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. S – Solidarity	2913 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. T – Truth	2911 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. U – Unity	2915 Pangea Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. V – Voice	2921 Pangea Dr., La Jolla, CA	1	1	Intentional – Person lit a chicken bone on fire.	0	0	$100 – $999

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
John Muir College							
Muir Apartments							
Muir – Tamarack Apts. East	2948 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tamarack Apts. West	2942 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House East	2914 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House North	2918 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House South	2902 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – S House West	2906 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House East	2932 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House North	2922 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Muir – Tuolumne Apts. – T House South	2930 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tuolumne Apts. – T House West	2920 Scholars Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir Residence Halls							
Muir – Tenaya Hall	9505 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Muir – Tioga Hall	9485 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle College							
Revelle Keeling Apartments							
Revelle – Keeling Apts. – Bldg. 1	9231 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Keeling Apts. – Bldg. 2	9203 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Keeling Apts. – Bldg. 3	9201 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Revelle Residence Halls							
Revelle – Argo Hall	9257 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Atlantis Hall	9211 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Beagle Hall	9217 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Blake Hall	9259 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Challenger Hall	9219 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Discovery Hall	9225 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Galathea Hall	9223 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Revelle – Meteor Hall	9221 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Sixth College							
Sixth College Apartments and Residence Halls							
Catalyst	9685 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – Smoking Materials	0	0	$50,000 – $99,999
Kaleidoscope	9690 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mosaic	9605 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Tapestry	9610 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Seventh College							
Seventh College East Apartments							
Bldg. 1 (Seventh College East Tower)	10195 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 2	10185 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	10165 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 4	10155 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 5	10135 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Seventh College West Apartments							
Bldg. 1 (Seventh College West Tower)	10176 Scholars Dr. N., La Jolla, CA	1	1	Unintentional – overheated bluetooth battery caught on fire.	0	0	$100 – $999
Bldg. 2	10156 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	10116 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 4	10114 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 5	10112 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 6	10152 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 7	10154 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8	10172 Scholars Dr. N., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Earl Warren College							
Warren Apartments							
Warren – Bates Hall	9820 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Black Hall	9770 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Brennan Hall	9780 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Brown Hall	9800 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Douglas Hall	9790 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Goldberg Hall	9781 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Warren Residence Halls							
Warren – Frankfurter Hall	9851 Equality Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Harlan Hall	9860 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Warren – Stewart Hall	9840 Justice Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Eighth College (opened 2023)							
Eighth College – Bldg. 5 – Podemos	9185 Scholars Dr. S., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Upper Division Housing (formerly The Village at Pepper Canyon)							
Matthews Apartments							
Bldg. A	9475 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. B	9465 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. C	9445 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. D	9450 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. E	9460 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Pepper Canyon Apartments							
Bldg. 100	9409 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 200	9413 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 300	9405 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 400	9411 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 500	9403 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 600	9401 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 700	9400 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 800	9402 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 900	9412 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1000	9414 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1100	9404 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1200	9406 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 1300	9424 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1400	9426 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1500	9420 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1600	9422 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1700	9410 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 1800	9408 Innovation Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Rita Atkinson Residences							
Rita Atkinson Residences	9165 Pharmacy Ln., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
GRADUATE AND FAMILY HOUSING							
Central Mesa Apartments							
Bldg. 9226	9226 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9228	9228 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9230	9230 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9232	9232 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9234	9234 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9236	9236 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9240	9240 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9242	9242 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9244	9244 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9246	9246 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9248	9248 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9250	9250 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9252	9252 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9254	9254 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9256	9256 Regents Rd., La Jolla, CA	1	1	Unintentional – Electrical Fire	0	0	$100 – $999
Bldg. 9258	9258 Regents Rd., La Jolla, CA	1	1	Unintentional – Cooking Fire	0	0	$0 – $99

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9260	9260 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9262	9262 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9266	9266 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9268	9268 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9270	9270 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Coast Apartments							
Bldg. 9310	9310 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9321	9321 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9331	9331 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9334	9334 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9344	9344 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9355	9355 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9366	9366 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9369	9369 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9383	9383 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9388	9388 Redwood Dr., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9393	9393 Discovery Wy., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
La Jolla del Sol Apartments							
Bldg. 3353	3353 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3355	3355 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3357	3357 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3359	3359 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3363	3363 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 3365	3365 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3367	3367 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3371	3371 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3373	3373 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3381	3381 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3383	3383 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3391	3391 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3393	3393 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3395	3395 Lebon Dr., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8006	8006 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8018	8018 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8030	8030 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8042	8042 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8054	8054 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8066	8066 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8078	8078 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8090	8090 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8098	8098 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8114	8114 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8126	8126 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8138	8138 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8150	8150 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8162	8162 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8174	8174 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 8186	8186 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8202	8202 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8212	8212 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8222	8222 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8232	8232 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8242	8242 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8252	8252 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8272	8272 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 8282	8282 Regents Rd., San Diego, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apartments							
Mesa Nueva Apts. Bldg. A (Cala)	3869 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Mesa Nueva Apts. Bldg. C (Cresta)	3857 Miramar St., La Jolla, CA	3	1	Intentional – Person lit cardboard/paper on fire.	0	0	$50,000 – $99,999
			2	Intentional – Person lit cardboard/paper on fire.	0	0	$100 – $999
			3	Intentional – Person lit cardboard/paper on fire.	0	0	$1,000 – $9,999
Mesa Nueva Apts. Bldg. D (Arena)	3807 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. E (Marea)	3855 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Mesa Nueva Apts. Bldg. F (Artesa)	3867 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apartments							
Nuevo East Apts. (Porton)	4059 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Capa)	3969 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Nuevo East Apts. (Piedra)	3939 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Tierra)	3927 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo East Apts. (Astilla)	3967 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apartments							
Nuevo West Apts. (Viento)	3739 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Nuevo West Apts. (Brisa)	3787 Miramar St., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
One Miramar Street Apartments							
Bldg. 1	3615 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 2	3625 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 3	3635 Miramar Cir., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 4	3645 Miramar Cir., La Jolla, CA	2	1	Unintentional – Electrical Fire	0	0	$100 – $999
			2	Unintentional – Cooking Fire	0	0	$1,000 – $9,999
South Mesa Apartments							
Bldg. 9100	9100 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9106	9106 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9114	9114 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9118	9118 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9122	9122 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9130	9130 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9134	9134 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9138	9138 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
Bldg. 9142	9142 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9146	9146 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9148	9148 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9152	9152 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9160	9160 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9162	9162 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9168	9168 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9172	9172 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9176	9176 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9180	9180 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9188	9188 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A
Bldg. 9192	9192 Regents Rd., La Jolla, CA	0	N/A	N/A	N/A	N/A	N/A

Name of facility	Street address	Total fires in each building	Fire #	Cause of fire	Number of injuries related to fire that required treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by the fire
COVID Student Quarantine Housing							
Residence Inn San Diego La Jolla*							
Residence Inn San Diego La Jolla	8901 Gilman Dr. La Jolla, CA 92037	0	N/A	N/A	N/A	N/A	N/A

*Because of the Covid-19 pandemic, UC San Diego secured housing for students who needed to quarantine due to Covid-19 at the Residence Inn San Diego La Jolla in 2023, which qualified as an on-campus student housing facility because of its proximity to campus. The Residence Inn San Diego La Jolla is comprised of 36 separate buildings with guest rooms. Students could be quarantined in buildings 19-30. There were no fires in any of the buildings in 2023 (Building 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30).

Appendix C

University of California Policy: Sexual Violence and Sexual Harassment Interim Policy

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

TABLE OF CONTENTS

I. POLICY SUMMARY 2
II. DEFINITIONS 2
III. POLICY TEXT 9
IV. COMPLIANCE/RESPONSIBILITIES 11
V. PROCEDURES 13
VI. RELATED INFORMATION 25
VII. FREQUENTLY ASKED QUESTIONS 26
VIII. REVISION HISTORY 300
IX. APPENDICES 322

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 D

Sexual Violence and Sexual Harassment Student Investigation 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

I. POLICY SUMMARY 2
II. DEFINITIONS 2
III. POLICY TEXT 2
IV. COMPLIANCE/RESPONSIBILITIES 20
V. PROCEDURES 20
VI. RELATED INFORMATION 21
VII. FREQUENTLY ASKED QUESTIONS 21
VIII. REVISION HISTORY 21

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 E

Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct
(Interim 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
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TABLE OF CONTENTS

I. POLICY SUMMARY 2
II. DEFINITIONS 2
III. POLICY TEXT 2
IV. COMPLIANCE / RESPONSIBILITIES 245
V. PROCEDURES 24
VI. RELATED INFORMATION 24
VII. FREQUENTLY ASKED QUESTIONS 256
VIII. REVISION HISTORY 256

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;

[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 F

University of California Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty (Interim Revisions)

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 any 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 G

University of California
Sexual Violence and Sexual Harassment
Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel
(Interim Revisions)

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 any 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 H

University of California
PACAOS-Appendix-H: Student Conduct Investigation and Resolution Framework

PACAOS-Appendix-H: Student Conduct Investigation and Resolution Framework

Responsible Officer:	VP – Graduate, Undergraduate and Equity Affairs
Responsible Office:	Graduate, Undergraduate and Equity Affairs
Issuance Date:	July 1, 2026
Effective Date:	July 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
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TABLE OF CONTENTS

I. POLICY SUMMARY 1
II. DEFINITIONS 2
III. POLICY TEXT 2
IV. COMPLIANCE/RESPONSIBILITIES 13
V. PROCEDURES 14
VI. RELATED INFORMATION 14
VII. FREQUENTLY ASKED QUESTIONS 14
VIII. REVISION HISTORY 14

I. POLICY SUMMARY

The following describes the University's procedures for alleged student misconduct as defined in PACAOS 100.00 Policy on Student Conduct and Discipline.

When a formal investigation is deemed appropriate for cases involving reports of Sexual

Violence, Sexual Harassment or other prohibited conduct by the UC Policy on Sexual Violence and Sexual Harassment, campuses shall implement the procedures set forth in PACAOS Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework for Non-DOE-Covered Conduct or PACAOS Appendix F: Sexual Violence and Sexual Harassment Student Adjudication for DOE-Covered Conduct. Campuses may also apply PACAOS Appendix E or PACAOS Appendix F to adjudicate student conduct violations that occur in connection with violations of sexual violence and sexual harassment.

For cases involving harassment or other prohibited conduct by the University of California Anti-Discrimination Policy, campuses shall implement the procedures set forth in the University of California Anti-Discrimination Policy and adjudicate violations using the framework in PACAOS Appendix G: Student Investigation and Adjudication Framework for Prohibited Conduct: Discrimination, Harassment, and Retaliation. In the event there are violations of both the University of California Anti-Discrimination Policy and PACAOS 100.00, campuses may implement both procedures concurrently, after consultation between the Student Conduct Administrator and the Local Implementation Officer.

II. DEFINITIONS

Definitions for the *Policies Applying to Campus Activities, Organizations and Students*, and the campus implementing regulations adopted pursuant to them, are provided in Section 14.00.

Definitions for the Grounds for Discipline and Types of Student Disciplinary Action are provided in Section 100.00.

III. POLICY TEXT

I. Student Conduct Investigation and Resolution Framework

Each campus shall adopt and publish procedures consistent with these procedures to ensure the fair and timely resolution of alleged violations of University policies or campus regulations. These procedures must afford students due process, ensure impartiality, and maintain the integrity of the educational environment.

II. Scope and Applicability

These procedures apply to all students as defined in Section 14.40 of PACAOS and student organizations as defined in Section 70.10 of PACAOS.

These procedures apply to all alleged violations of the University's student conduct policies, excluding:

- cases involving allegations of conduct prohibited by the Sexual Violence Sexual Harassment Policy, adjudicated under PACAOS Appendix E and Appendix F, and

- cases involving allegations of discrimination, or harassment, and related retaliation prohibited under the Anti-Discrimination Policy, adjudicated under PACAOS Appendix G, and

- cases involving academic misconduct, as defined in Section 102.02, when campuses have adopted campus specific procedures to adjudicate academic misconduct, and

- cases involving registered student organizations, as defined in campus implementing regulations, when campuses have adopted specific procedures to adjudicate student organization misconduct.

When a formal investigation is deemed appropriate for cases involving reports of Sexual Violence, Sexual Harassment or other prohibited conduct by the UC Policy on Sexual Violence and Sexual Harassment, campuses shall implement the procedures set forth in PACAOS Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework for Non-DOE-Covered Conduct or PACAOS Appendix F: Sexual Violence and Sexual Harassment Student Adjudication for DOE-Covered Conduct.

For cases involving discrimination, harassment or related retaliation prohibited by the University of California Anti-Discrimination Policy, campuses shall implement the procedures set forth in PACAOS Appendix G: Student Investigation and Adjudication Framework for Prohibited Conduct: Discrimination, Harassment, and Retaliation.

Registered student organization responsibility is independent of individual member accountability. Registered student organizations, as defined in campus implementing regulations, may receive sanctions applicable to the group's recognized status on campus when they are found responsible for violations of University policy. If a report is made alleging that a student organization violated university policy, a responsible University officer will review the report and issue a Notice of Allegations. If the student organization is found responsible, possible sanctions may include, but are not limited to: educational sanctions (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). If a student organization relinquishes or loses its recognition during the conduct process, Student Conduct may continue or conclude the proceedings — including by reaching an Administrative Resolution — even without the participation of the organization or its signatories.

III. Response to Alleged Misconduct

A. Initial Assessment. As soon as practicable after receiving a report alleging student misconduct, and typically within 30 business days from receipt of all necessary information, Student Conduct shall conduct a preliminary assessment to determine whether the report falls within the scope of these procedures and whether the allegations, if true, may constitute a policy violation.

If Student Conduct determines that the report does not provide sufficient information to support further review or investigation, does not fall within the scope of these procedures, or otherwise does not warrant proceeding, Student Conduct may close the matter, issue an Advisory Notice, or take no further action.

In conducting the initial assessment, Student Conduct shall consider whether an alleged alcohol- or drug-related policy violation was discovered as a result of a student receiving emergency medical assistance. Where applicable, Student Conduct shall apply the amnesty provisions set forth in PACAOS 100.00, Section 104.100, and shall prioritize non-disciplinary and educational responses consistent with those provisions.

B. Notice of Allegations. If a policy violation may have occurred, the student will receive a written Notice of Allegations, which will include information related to the procedures for resolution. The student shall be informed of the alleged misconduct, the specific policy or policies allegedly violated, and of the opportunity to review the information submitted that is directly related to whether a policy violation has occurred. A copy of the campus implementing regulations for these procedures shall be provided to the student.

A student charged with a violation of the Policy on Student Conduct and Discipline, shall be informed of their right to an Advisor (See Section III.E below) when they receive the Notice of Allegations.

C. Advisory Notice[1]. As an alternative to resolving alleged policy violations of the Policy on Student Conduct and Discipline, Student Conduct may issue a written notification to a student that the student's alleged behavior, if it occurred, would have violated University policy, and could have been subject to the conduct process. The Advisory is not a determination that the allegations are true, does not result in a conduct record, and therefore is not appealable. However, the alleged behavior as detailed in the Advisory may be introduced in a subsequent conduct process for the purpose of establishing that the student was advised that such behavior violates University policy. Student Conduct may issue an Advisory Notice in cases where alleged misconduct suggests a violation, but information is limited or may be inconclusive or incomplete. Normally the issuing of an Advisory Notice will close the matter, however, should additional relevant information be discovered in the future the matter may be reopened.

D. Interim Actions. Consistent with PACAOS 107.00, the University may take Interim Actions before a final determination of an alleged violation.

E. Advisors. At all stages of this process, the student has the right to an Advisor. A student may select an Advisor of their choosing or request the University to provide them one. The Advisor may be any person (including an advocate, attorney, friend, or parent), except a person with information relevant to the alleged policy violation.

1. The Advisor's primary role is to provide guidance to the student throughout the process. The Advisor may not speak on behalf of the student at any time in the conduct process.

2. Advisors may not disrupt any meetings or the process in any manner. At all stages of the process, Advisors must comply with the expectations within these

[1] Or similar. Respective campuses may use different terminology, but the intent of this response is to communicate with a student that the institution has been made aware of a potential violation and the action/behavior should not be repeated or continued.

procedures for participants in this process. The University reserves the right to exclude an Advisor who does not abide by these procedures.

3. All communication with Student Conduct must come from the student; an Advisor cannot communicate with Student Conduct on the student's behalf.

4. The University will make reasonable efforts to accommodate Advisor availability; however, the conduct process will not be unreasonably delayed or subject to repeated rescheduling due to the ongoing unavailability or scheduling conflicts of an Advisor.

5. The Advisor selected by the student or provided by the campus will have access to training provided by the campus regarding its procedures for student conduct investigation and resolution.

6. A student may give written permission for the Advisor to be copied on Student Conduct's communications to the student during the investigation and resolution process.

F. Investigation Process. Allegations of misconduct will be investigated by Student Conduct or their designee. The Student Conduct Administrator will offer a meeting for the purpose of explaining the alleged violation(s), discussing information that was received in relation to the allegation(s), and providing the student with an opportunity to respond to the allegation(s) and to present any information that may assist in investigation and resolution of the case.

The Student Conduct Administrator will review the facts and information available and shall determine, based on the preponderance of the evidence, whether it is more likely than not the student violated University policy.

All investigations shall be concluded promptly, generally within 60 to 90 business days of issuing a Notice of Allegations, unless there is good cause for an extension. The investigation timeframe is concluded when an Administrative Resolution has been issued by Student Conduct. The investigation timeframe may also be concluded if an Alternative Resolution process is initiated.

G. Participation. If the student fails to respond or chooses not to participate by the deadlines provided by Student Conduct in the investigation and resolution process (including a formal hearing when required), Student Conduct may proceed in the student's absence. Appropriate outcomes may be applied unilaterally. Student Conduct may proceed with the investigation and resolution process even if the student is subject to concurrent University processes, criminal or civil proceedings.

The student is not required to participate in the conduct process outlined in these procedures. The University will not draw any adverse inferences from a student's decision not to participate or to remain silent during the process. A Student Conduct Administrator or Hearing Body, in the investigation or the hearing respectively, will reach findings and conclusions based on the information available.

When a student 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 information gathered in the investigation – a Student Conduct Administrator or Hearing Body may consider the selective participation in evaluating the student's credibility. In doing so, they should try to discern reasonable non-adverse explanations for the selective participation, including from the student's own explanations, and determine whether the information available supports those explanations.

H. Standard of Proof. The standard of proof for factfinding and determining whether a policy violation(s) occurred is preponderance of evidence. A preponderance of evidence is defined as "more likely to be true than not."

I. Disability-Related Accommodations. Student Conduct will consider requests from the student and witnesses for disability-related accommodations.

J. Language Interpretation. Student Conduct will consider requests from the student and witnesses for language interpretation.

K. Extension of Timelines. The Student Conduct Administrator or designee may extend any timelines contained in these procedures for good cause shown and documented. Good cause is defined for purposes of these procedures as significant or unforeseen circumstances that impede completion of the process within the projected timeframe.

IV. Resolution Pathways

The following resolution pathways are available generally as an outcome of the Student Conduct Investigation Process. A determination on which resolution pathway will be followed will typically be made within the 60 to 90 business day investigation timeframe.

A. Closure Following Investigation – No Responsibility or Insufficient Information. If, following an investigation, the Student Conduct Administrator's determination is that the student is not responsible for violating University policy, or if there is insufficient information to make a determination, Student Conduct will notify the student accordingly and may issue an Advisory Notice or take no further action.

A closure does not constitute a finding of responsibility. Consistent with campus procedures, a matter that has been closed due to insufficient information may be reopened if new relevant information becomes available.

B. Alternative Resolution. At any point during the process, Student Conduct may offer an Alternative Resolution option (e.g., mediated dialogue, restorative justice, educational agreement), subject to the following conditions:

1. The student does not dispute the facts relevant to whether the policy violation occurred and acknowledges responsibility;

2. All involved parties who are willing to participate in any process, including any impacted individuals, consent in writing to participate. The Student Conduct

Administrator will determine who is an “involved party.”

Not all allegations are eligible for Alternative Resolution. The Student Conduct Administrator or designee is responsible for making the final decision regarding whether or not Alternative Resolution is appropriate and may change their determination if additional information is received.

In cases involving alcohol- or drug-related conduct that fall within the scope of PACAOS 100.00, Section 104.100, Alternative Resolution or other non-disciplinary pathways may be particularly appropriate to support student well-being, accountability, and completion of required educational, counseling, assessment, or health-related interventions.

Upon acceptance of the Alternative Resolution Agreement, the student waives the right to a hearing and appeal. The Agreement will be in writing and likely include educational or restorative components. Records of Alternative Resolution will be maintained as a non-disciplinary record (unless otherwise agreed to within the resolution plan), but failure to accept the Agreement or to comply with the terms of the Agreement may lead to a cancellation of the Alternative Resolution Agreement and a return to the investigation and/or resolution process.

Student Conduct will complete the Alternative Resolution process typically within 30 to 60 business days of notifying the student in writing of the beginning of the Alternative Resolution process. However, Student Conduct may extend past 60 business days for good cause.

C. **Administrative Resolution.** If the Student Conduct Administrator has determined that the student is responsible for violating University policy, Student Conduct will determine what University Action and/or sanction should be taken and will issue an Administrative Resolution.

1. If the student accepts the Administrative Resolution, the outcome is final, and no hearing or appeal will follow.

2. If the student does not accept the Administrative Resolution and:

    a. The Administrative Resolution does not include suspension or dismissal, the student may elect to appeal the Administrative Resolution finding(s) and/or University Actions/Sanction(s) within 10 business days of the issuance of the Administrative Resolution, via written communication to the designated appeal body identified in campus implementing regulations. The student may appeal on the grounds described in this section. The appeal should identify the reason(s) why the student is challenging the Administrative Resolution under one or more of the following:

        i. new information not available at the time of the investigation, the absence of which can be shown to have materially affected the outcome;

ii. there was procedural error in the process that materially affected the outcome;

iii. the proposed sanction is disproportionate given the findings of fact.

b. If the Administrative Resolution includes suspension or dismissal, the student may elect to contest Student Conduct's determination of responsibility by proceeding to a Formal Hearing (see Section IV.D. below). Within 5 business days of the issuance of the Administrative Resolution, the student must indicate via written communication to Student Conduct or their designee if they wish to contest Student Conduct's determination of responsibility.

3. If the Administrative Resolution includes suspension or dismissal, and the student accepts responsibility for the policy violation, but wishes to appeal the sanction (suspension or dismissal), they may submit a written appeal on only one ground, that the proposed sanction is disproportionate given the findings of fact. The student must submit the written intent to appeal the sanctions within five (5) days of issuance of the Administrative Resolution and must submit the written appeal within ten (10) days of the issuance of the Administrative Resolution.

4. When an appeal is permitted under the procedures outlined above, the implementation of sanctions will be deferred pending the outcome of the appeal. Student Conduct may submit a written response to the designated appeal body within 7 business days of receiving a copy of the appeal. Absent good cause for an extension, the appeal body will issue a written decision to the student within 20 business days of receiving the appeal and all related documents. The decision of the appeal body is final.

5. Following the issuance of the Administrative Resolution, if the student does not respond within the timelines listed above, the outcome is final, and no hearing or appeal will follow.

D. Formal Hearing. When the outcome of the Administrative Resolution includes suspension or dismissal, and the student has contested Student Conduct's determination of responsibility, the case will proceed to a formal hearing. Campus implementing regulations shall provide the following minimum procedural standards to assure the student a fair hearing:

1. Written notice (via the Notice of Allegations or subsequent Administrative Resolution), including a brief statement of the factual basis of the charges, the University policies or campus regulations allegedly violated, and the time and place of the hearing, no less than 10 business days before the hearing;

2. The opportunity for a fair hearing where the University will bear the burden of proof, and at which the student will have the opportunity to present documents and witnesses and to question witnesses presented by the University;

3. A record of the hearing; a written decision based upon the preponderance of evidence, that includes a summary of the relevant facts and a conclusion for each alleged policy violation, sanctions, if applicable, and information about the right to appeal, within 20 business days of the hearing.

4. An appeals process that requires a student dissatisfied with the written decision and who wishes to challenge it to submit an appeal in writing to the designated appeal body within 10 business days of the hearing outcome notice. The student may appeal via written communication to the designated appeal body identified in campus implementing regulations.

   The student may appeal on the grounds described in this section. The appeal should identify the reason(s) why the student is challenging the hearing body decision under one or more of the following:

   a) new information not available at the time of the hearing, the absence of which can be shown to have materially affected the outcome;

   b) there was procedural error in the process that materially affected the outcome;

   c) the proposed sanction is disproportionate given the findings of fact.

   When an appeal is permitted under the procedures outlined above, the implementation of sanctions will be deferred pending the outcome of the appeal. Student Conduct may submit a written response to the designated appeal body within 7 business days of receiving a copy of the appeal.

   Absent good cause for an extension, the appeal body will issue a written decision to the student within 20 business days of receiving the appeal and all related documents. Once issued, the decision of the appeal body is final.

V. Guiding Framework for University Actions and Sanctions

To promote accountability, safety, and educational development within the University of California community, this framework provides a consistent yet flexible structure for assigning University Actions and/or sanctions in response to violations of PACAOS 100.00 Policy of Student Conduct and Discipline.

A. Principles

Educational Purpose: When appropriate, University Actions and/or Sanction(s) serve an educational purpose—supporting accountability, student growth and learning. They are intended to reduce the likelihood of recurrence of behavior that violates University policy. The conduct process also seeks opportunities to foster reflection and development whenever possible, while reinforcing the importance of community standards and the shared responsibility of maintaining a respectful and safe campus environment.

Consistency with Individualization: Both University Actions and sanctions are guided by consistent standards and institutional values, while also considering the unique circumstances of each case. The decision-maker will consider a range of factors to ensure that outcomes are both fair and appropriate to each situation. Depending on the circumstances, multiple University Actions and/or Sanctions, varying in type and degree, may be applied.

Proportional and Contextual Response: The student conduct process is designed to assess each case individually, with outcomes based on the nature, severity, and context of the behavior. A single severe incident may, in some circumstances, result in a more significant sanction; in others, misconduct may be addressed through educational and/or restorative—but still appropriate—responses.

In matters involving alcohol- or drug-related emergencies, University Actions and/or sanctions should be applied in a manner that does not deter students from seeking medical assistance and that supports compliance with PACAOS 100.00, Section 104.100.

B. Types of University Actions and Sanctions. Consistent with the principles above, campuses have a range of options (as defined in PACAOS 100.00, Section 105.00) available to respond to violation(s) of policy. The University Actions and sanctions are grouped into tiers of increasing severity.

In most circumstances, sanctions are accompanied by University Actions (e.g., alternative resolution, supplemental education, or educational conversations). As such, education is included as an option in each tier.

- **Tier 1:** University Actions and lower-level sanctions, including but not limited to:
  i. Alternative Resolution
  ii. Supplemental Education
  iii. Educational conversation
  iv. Warning

- **Tier 2:** Sanctions for more complex or severe violations that may not warrant separation from the institution, including but not limited to:
  i. Disciplinary Probation, with or without conditions
  ii. Loss of Privileges/Exclusion from Activities
  iii. Restitution
  iv. University Actions (supplemental with sanctions)

- **Tier 3:** Sanctions for severe or repeated violations that may warrant separation from the institution, including but not limited to:
  i. Suspension
  ii. Dismissal
  iii. Exclusion from areas of campus or University Functions
  iv. University Actions (supplemental with sanctions)

C. **Factors Considered in Determining University Actions and Sanctions .** Each violation includes a recommended range of University Actions and/or sanctions and assumes a student is being charged with a single policy violation and has no prior history of violating University policy. Sanctions may fall outside these ranges in cases involving multiple policy violations and/or a prior history of policy violations. Campus officials should determine the appropriate University Action or sanction based on a variety of factors, including but not limited to, the following:

- Whether the act was deliberate/intentional
- Severity of the policy violation, including any result in personal injury or property damage
- Student's previous conduct record
- Nature and context of the policy violation
- Impact on or harm to other members of the University community or the community as a whole
- Degree to which the student's behavior disrupted or obstructed University activities
- Abuse of authority
- Response following violation: voluntarily acknowledged wrongdoing at early stage of the process; engaging in actions that seek to disrupt the Student Conduct process (e.g., harassing witnesses, expressing hostility towards conduct staff and/or reporting persons), or failing to engage in a forthright and transparent manner
- Number and type of violations associated with the incident.

D. **Range of University Actions and/or Sanctions for Each Type of Violation.** The range of University Actions and/or sanctions for each type of violation are summarized in Table A. Consistent with the factors and tiers described above, the table is intended to serve as a guiding framework for Student Conduct Administrators when considering University Actions and/or sanctions in response to specific types of policy violations. It provides a range of possible outcomes, listed in increasing severity, that may be appropriate depending on the circumstances of each case. Table A is not prescriptive and does not represent a mandatory and/or exhaustive list of University Actions and/or sanctions. Rather, it is a starting point to support consistency and informed decision-making in the student conduct process.

Sanctioning decisions should always reflect the totality of the circumstances. Where appropriate, multiple University Actions and/or sanctions may be assigned, and more significant University Actions and/or sanctions may be warranted in cases involving repeat violations, aggravating factors, or broader community impact.

This tool is meant to assist Student Conduct Administrators in exercising their professional judgment, in alignment with institutional values and the goals of education, accountability, and harm reduction.

Table A: Guiding Framework for University Actions and Sanctions by Tier and Type of Violation

PACAOS 100.00 Violation	Tier 1	Tier 2	Tier 3
102.01 All forms of academic misconduct including but not limited to cheating, fabrication, plagiarism, or facilitating academic dishonesty.	Subject to local policy.	Subject to local policy.	Subject to local policy.
102.02 Other Forms of Dishonesty (e.g., furnishing false info, lying during investigations)	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.03 Forgery, alteration, or misuse of any University document, record, key, electronic device, or identification.	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.04 Theft or Property Damage	University Actions, Warning	Probation, or Restitution with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.05 Theft or abuse of University computers and other University electronic resources such as computer and electronic communications facilities, systems, and services.	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.06 Unauthorized Use of University Services, Equipment, or Property (e.g., misusing logos, resources, ID systems)	University Actions, Warning	Probation, Exclusion From Privileges, or Restitution with option to add University Actions	Suspension with option to add University Actions
102.07 Violation of University Housing Policies	University Actions, Warning	Housing Probation or Probation with option to add University Actions	Housing Exclusion with option to add University Actions
102.08 Physical Assault or Threat of Violence/Health and Safety	University Actions, Warning	Probation or Suspension with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.09 Harassment	–	Probation or Suspension with option to add University Actions	Suspension or Dismissal with option to add University Actions

PACAOS 100.00 Violation	Tier 1	Tier 2	Tier 3
102.10 Stalking Behavior	-	-	Suspension or Dismissal with option to add University Actions
102.12 Participation in Hazing	–	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.13 Obstruction or disruption of University Operations (teaching, research, admin)	University Actions, Warning	Probation with option to add University Actions	Suspension with option to add University Actions
102.14 Disorderly or Lewd Conduct	University Actions, Warning	Probation with option to add University Actions	Suspension with option to add University Actions
102.15 Disruption/Obstruction of University Activities	University Actions, Warning	Probation with option to add University Actions	Suspension with option to add University Actions
102.16 Failure to Comply with a University Official (including lying, resisting, obstructing)	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.17 Controlled Substance Violations*	University Actions, Warning	Probation, Alcohol and Other Drug Education or Intervention with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.18 Alcohol Violations*	University Actions, Warning	Probation or Suspension with option to add University Actions	Suspension with option to add University Actions
102.19 Possession or Use of Explosives/Firebombs	Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.20 Possession/Use/Manufacture of Firearms or Weapons (prohibited)	Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.21 Violation of Disciplinary Conditions (e.g., breaking terms of probation/sanctions)	–	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.22 Violation of Emergency Suspension or Orders (during declared emergencies)	–	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
120.23 Selling, preparing, or commercially	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add

PACAOS 100.00 Violation	Tier 1	Tier 2	Tier 3
distributing lecture notes/class recordings			University Actions
102.24 Intent to terrorize, or acts in reckless disregard of the risk of terrorizing, one or more University students, faculty, or staff	-	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.25 Recording, photographing, or viewing people without their knowledge and consent in private settings or during private conversations	University Actions, Warning	Probation with option to add University Actions	Suspension or Dismissal with option to add University Actions
102.26	See University of California Policy on Sexual Violence and Sexual Harassment and PACAOS Appendix E and F	See University of California Policy on Sexual Violence and Sexual Harassment and PACAOS Appendix E and F	See University of California Policy on Sexual Violence and Sexual Harassment and PACAOS Appendix E and F
102.27	See University of California Anti-Discrimination Policy and PACAOS Appendix G	See University of California Anti-Discrimination Policy and PACAOS Appendix G	See University of California Anti-Discrimination Policy and PACAOS Appendix G

* In circumstances where an alleged alcohol- or drug-related policy violation is discovered as a result of a student receiving emergency medical, the amnesty provisions of PACAOS 100.00, Section 104.100 may apply. In such cases, disciplinary sanctions for the alcohol- or drug-related violation may be limited or precluded, and Student Conduct should follow the procedures and requirements set forth in Section 104.100.

IV. COMPLIANCE/RESPONSIBILITIES

Chancellors shall adopt campus implementing regulations consistent with these *Policies*. The University shall publish these *Policies* and make them widely available, and Chancellors shall 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 shall consult as appropriate with Chancellors, Vice Presidents, the Office of the General Counsel, and Universitywide advisory committees prior to amending these *Policies*. Chancellors shall 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 Universitywide advisory committees to the

extent that legal requirements do not permit such consultation. (See also Section 13.10 of these *Policies.*)

Chancellors shall 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 shall 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, shall 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

See also *Policies Applying to Campus Activities, Organizations and Students* sections:

10.00 Preamble and General Provisions

11.00 Authority

12.00 Applicability

13.00 Development and Review of Universitywide Policies and Campus Implementing Regulations

14.00 Definitions

100.00 Policy on Student Conduct and Discipline

See also the University of California Policy on Sexual Violence and Sexual Harassment

See also the University of California Anti-Discrimination Policy

VII. FREQUENTLY ASKED QUESTIONS

Not applicable

VIII. REVISION HISTORY

July 1, 2026: Revised following the systemwide public comment period to rename and reframe the sanctioning section from a traditional "Sanctioning Framework" to a broader "Guiding Framework for University Actions and Sanctions," expand the concept of "University Actions" throughout the document, emphasize educational responses in addition to sanctions, incorporate changes to comply with AB 602 regarding medical amnesty and educational responses to alcohol- and drug-related conduct, clarify the student's timeline for appealing suspension and dismissal decisions, and specify the actions that may be taken when there is insufficient information to proceed.

January 1, 2026: Original Issuance of September 24, 2025 and effective January 1, 2026 as Interim Policy

Appendix I

UC San Diego at Southwestern College in Chula Vista

Appendix I - UC San Diego at Chula Vista – Separate Campus

Beginning fall 2026, UC San Diego and Southwestern College now offer a UC San Diego Bachelor of Science degree in Public Health at the Southwestern College Chula Vista campus.

UC San Diego students enrolled in the Bachelor of Science in Public Health at Southwestern College are UC San Diego students and are subject to UC San Diego policies and procedures. However, Southwestern College has different safety and security programs and procedures which apply to the Southwestern College Chula Vista campus.

I. Southwestern College Police Department

It is the policy of the Southwestern Community College District Governing Board to protect the college communities and to protect the property of the District. This responsibility is entrusted to the Southwestern College Police Department "College Police Department,"[1] which ensures that reasonable protection efforts are provided by using methods that are consistent with and contribute to the educational philosophy of this institution.

Governing Board Policy 7600 has established the College Police Department:

The Governing Board of Southwestern Community College District has established a District Police Department under the supervision of the Chief of Police, a classified administrator. The Police Department shall have jurisdiction to enforce the law on or near the Chula Vista campus, educational centers, and other facilities or properties owned, operated, controlled or administered by the District.

The mission statement of the District Police Department is as follows: "In partnership with our campus community, we provide the highest quality public safety services."

The Governing Board shall establish minimum qualifications of employment for the Chief of Police including, but not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officers' Standards and Training (POST).

District Police Officers shall be employed as members of the classified service but shall, when duly sworn, be peace officers as defined by law. Prior to employment, police officers shall satisfy the POST training requirements set forth in Penal Code Sections 830, et seq.

The Southwestern College Police Department is responsible for meeting the District's policy of providing protection for its campus communities and property. The College Police Department is also committed to achieving excellence through professional and unbiased law enforcement services to our students, staff, faculty as well as the surrounding community by treating everyone with dignity, respect, and performing our duties in line with the college community's values and priorities. We value the civil rights guaranteed to all persons by the Constitution of the United States and the Constitution of the State of California and recognize the importance of procedural justice in our operations.

[1] Campus Police and College Police are used interchangeably and refer to the Southwestern College Police Department.

A. Southwestern College Police Mission Statement

The Southwestern College Police Department is entrusted with a tremendous responsibility to serve the campus communities with skillful, dedicated, and compassionate constitutional policing and public safety services. We recognize that effective law enforcement relies upon partnerships with those we serve, and this is only obtained by building and fostering trust. We pledge to work cooperatively with those we serve to promote a safe and positive learning environment.

B. Law Enforcement Authority

College Police Officers are sworn peace officers in compliance with the California Education Code § 72330 and the California Penal Code § 830.32(a). They receive the same core training as all peace officers in San Diego County and in the State of California. They have enforcement authority on or about the campus, which is to enforce federal and state laws as well as institutional policies. College Police Officers also have jurisdiction to operate on Southwestern Community College District owned or controlled property, adjacent properties and public streets, and ultimately throughout the State of California in cooperation with other government agencies and mutual aid situations. College Police Officers have the authority to make arrests on and around the campuses of the Southwestern Community College District and throughout the State of California.

The College Police Department employs Campus Service Officers and Public Safety Assistants who are non-sworn members. Campus Service Officers and Public Safety Assistants perform security and parking functions and are tasked with reporting crimes, suspicious activity, and other public safety concerns. Campus Service Officers can detain suspects until police arrival but have no power of arrest. Campus Service Officers and Public Safety Assistants have the authority to enforce college policies. The Campus Service Officers and Public Safety Assistants have jurisdiction to operate on Southwestern Community College District owned or controlled property.

C. Law Enforcement Partnerships

The College Police Department maintains a strong working relationship with state and local police agencies. The College Police Department regularly interacts and collaborates with the Chula Vista Police Department, the National City Police Department, the San Diego Police Department, and the California State Parks Department, whose jurisdiction is in and around the campuses of the Southwestern Community College District.

The College Police Department receives reports of all incidents occurring on campus and is responsible for the preliminary investigation of all campus crimes. In addition, the College Police Department has a memorandum of understanding with the Chula Vista Police Department to provide expanded investigative services for criminal incidents and other assistance for incidents that require special resources for the Chula Vista campus.

D. Reporting Crimes

The College Police Department encourages the prompt reporting of all crimes by victims or others with knowledge of crimes or criminal behavior.

Crimes should be accurately and promptly reported to the College Police Department or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report. Timely and accurate reporting to the College Police Dispatch Center at (619) 482-6380 is essential to ensure prompt enforcement action, investigative follow-up, effective response to emergencies, quick initiation of Timely Warning Notices, and ensure annual crime statistics are accurately reported.

For immediate reporting of a crime or any other concerning incident or emergency, please contact the College Police Dispatch Center at **(619) 482-6380**, or dial (*91) from any phone for direct connection. Crimes can also be reported anonymously via the San Diego County Crime Stoppers website.

E. Response to Reports on Crime

All reported crimes will be investigated and may become a matter of public record. If assistance is required from the local police agencies or the local fire department, the College Police will contact the appropriate department. If a sexual assault or rape should occur, College Police Officers will offer the victim a variety of services and assistance.

The College Police Department is staffed with sworn police officers and professional staff members to provide law enforcement and public safety services from the hours of 5:00 am through 12:00 am, Monday through Saturday including holidays and designated academic breaks. Dispatchers are available to answer your calls and inquiries. In response to a call for service, the College Police will take the required action, either dispatching an officer to a campus location or asking the informant or victim to report to the College Police Building #22, located in Lot C, to receive services or file a crime or incident report.

F. Police Services

The Southwestern College Police Department is a service organization. The Department exists to promote the safety and security of the district's campuses and provide essential public safety services. While Department personnel engage in law enforcement and criminal investigations, its members also provide several other services to assist the campus communities. Officers are routinely dispatched to handle disputes and disturbances, perform traffic control and parking functions, and provide other non-law enforcement services.

- Front Counter Services: The Front Counter of the Police Department is open during normal business hours of 8 am to 5 pm, Monday through Friday, and can provide several services to include providing parking information, paying or appealing parking citations, providing wayfinding, and accepting lost and found property items. Persons can fill out a counter report detailing the loss or theft of minor property items. Front Counter staff members can be reached by calling (619) 216-6611.

- Police Escort Services: College police personnel provide escort services on the district's property, around campus and to and from the parking lots. Call Police Dispatch at (619) 482-6380 to request an escort. Keep in mind that officers and other personnel may be assigned other concurrent tasks so there could be a delay in response. Calling ahead of time to request an escort is the best way to avoid delays.

- Victim's Services: The College Police Department provides several services to support victims of crimes and can tap into the resources of allied agencies and make referrals. Services include

providing restraining order information and enforcement, referrals to domestic violence shelters, assistance with obtaining mental health care, working with other college departments to provide accommodations and college-related services, and providing resources and intervention for drug and alcohol abuse cases.

- Vehicle Services: The Police Department employs Campus Service Officers and Public Safety Assistants who can assist you if your vehicle battery needs a jump start, or if you lock your keys in your vehicle. Call Police Dispatch at (619) 482-6380 to request these services.

G. College Police Contact Information

The College Police Department can be contacted via phone, campus landline, via emergency blue pole, or in person during operating hours:

Phone Contact

Emergencies:
College Police Emergency **(619) 216-6691**; or
Extension **6691** from a Campus Phone; or
Emergency Phones in classrooms dial directly to College Police when the receiver is picked up; or
Dial ***91** from a Campus Pay Phone; or
Utilize Emergency Blue Pole intercoms with College Police from various campus locations and parking lots.

Non-Emergencies:
College Police Dispatch **(619) 482-6380** or
College Police TTY **(619) 216-6628**

In Person Service: In person contact and service can be made by going to the College Police Building (Building 22), located in Lot C of the Chula Vista Main Campus during business hours.

II. Local Law Enforcement Monitoring and Recording of Non-Campus Criminal Activity

Southwestern Community College District has recognized student organizations and activities that occur on separate campus locations in the nearby communities served by their own law enforcement agencies. If these local enforcement agencies respond to incidents or reports of crime on public or private property, that agency will typically notify the College Police to respond with them or they will notify the College Police after having responded to provide information about the situation. However, local law enforcement agencies perform this function out of courtesy and are not required to notify or involve the College Police Department. The Southwestern Community College District does not have officially recognized student organizations that own or control on-campus or separate campus housing facilities.

III. Daily Crime Log

The Daily Crime Log can be accessed online.
The Daily Crime Log paper copies are available in person upon request at:

Chula Vista Campus: College Police Building, 900 Otay Lakes Road (Building 22), Chula Vista CA, 91910

IV. Security of and Access to Campus Facilities

The Southwestern Community College District is a public institution and normally open during business hours. College facilities are usually locked unless operating for essential functions, authorized instruction or other approved instances. Many college rooms and areas are protected by intrusion alarms. Before entering such areas, College Police Dispatch should be notified by calling (619) 482-6380.

It is the responsibility of those who use rooms, offices and other areas to lock access doors, turn off lights and close windows. Facilities Services staff, College Police staff, and contract security personnel will check many of the areas of the campus throughout the day and nighttime hours, but the primary responsibility for security lies with the user.

The Southwestern Community College District does not have any on campus residential facilities.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. College Police Officers and other staff members regularly patrol the campus grounds of the Southwestern Community College District and report malfunctioning lights or other unsafe conditions to the Facilities Department. Members of the campus communities are also helpful when they report equipment problems to the College Police or the Facilities Department.

A. Staff and Facility Keys and Electronic Access Cards

Keys and access cards are provided to individual staff members on a need-to-enter basis as determined by the appropriate supervisor. Lost keys and cards must be reported immediately to one's supervisor. Keys and cards must never be loaned to other staff members or students. College Police personnel will confiscate any keys cards which have not been specifically issued to a particular individual. Duplication and unlawful possession of District keys and cards is a misdemeanor.

V. Security Considerations Used in the Maintenance of Campus Facilities

The Southwestern Community College District maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The College Police Department works closely with Facilities Management to address burned out lights as well as malfunctioning door locks or other physical conditions that enhance security in a prompt manner. Other members of the college community are helpful when they report equipment problems to the College Police or to Facilities Management.

VI. Timely Warnings

In the event a crime is reported, or an emergency arises within the Southwestern Community College District Clery Geography (On Campus, Public Property and Separate Campus Property) that, in the judgment of the President, a Cabinet Member, Chief Safety Officer or designee, and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "Timely Warning" notice will be issued.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter.
- Aggravated Assault. Cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Southwestern Community College District community.
- Robbery involving force or violence. Cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice but will be assessed on a case-by-case basis.
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another.
- Sexual Assault. Incidents will be considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the President, Cabinet Member, Chief Safety Officer or designee. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major Incidents of Arson.
- All other Clery crimes determined necessary by the President, Cabinet Member, Chief Safety Officer or designee.

Timely Warning Notices will be issued to the campus community via the District's Regroup Alert System, which will disseminate an email blast, text message, and phone call to all Southwestern Community College District employees, students, and other included individuals. All employees and students have database accounts that have assigned email addresses and include personal phone numbers. The Regroup Alert System will draw upon these accounts to disseminate the Timely Warning Notice. Timely warnings may also be issued using some or all of the following methods of communication to include text messages, phone calls or emails, website posting, or through social media. The information shall be disseminated (written and distributed) by the Chief of Police in a manner that aids the prevention of similar crimes.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

VII. Emergencies

The Southwestern Community College District is committed to a safe educational and work environment for all students and staff, as well as community members. Emergencies can occur and it is the District's policy to provide timely notification of risks and dangers to students, faculty, and staff members. Individuals can report emergencies occurring at Southwestern Community College by calling (619) 216-6691.

In the event of an emergency, the Southwestern Community College District will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the college communities upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors occurring on the campus.

An emergency is an immediate threat to the health and safety of students or employees. Efforts to confirm an emergency situation will be taken promptly by Southwestern College Police staff by collecting information from various sources to include college staff members, students, the National Weather Service, the San Diego County Office of Emergency Services, other San Diego emergency notification systems, local law enforcement, fire, and other public safety agencies and first responders. In the event of an emergency, the Southwestern Community College District will immediately initiate appropriate emergency communications with the goal of enhancing the safety of students and employees by promptly notifying them and affording them with the opportunity to take appropriate safety measures.

If the designee, in conjunction with other District administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southwestern College community; the College Police Department, Public Information & Government Relations Officer, and/or Media Relations will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Southwestern College communities or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The Southwestern Community College District will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the first responders (including, but not limited to the College Police Department, other local law enforcement agencies, and/or the local fire departments and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The District has systems in place for communicating information quickly. The District's emergency communication response plan is comprised of the following communication components in which any or all may be utilized:

- Text messaging to cellular telephones
- Telephone calls to home and cellular telephones
- Email to all students and employees
- Telephone paging to employee workstations
- Messaging posting on District, colleges and Continuing Education websites and other social media sites
- Posting on campus/site message boards
- Classroom announcements
- Emergency Blue Pole warning tones
- Press releases

Face to face communication may also be used as a method of communicating immediate/emergency notifications.
The District encourages students to provide their cell phone numbers to the District in order to communicate with them in the event of an emergency. To provide this important information students can log on to the District's student portal on Web Advisor.

Additionally, information about emergencies and college closures can be found at the District's website.

The District will determine the content of the emergency notification and initiate the appropriate notification system with the intent to promote safety and to mitigate the emergency.

System to use Regroup	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY	PIGRO	MCA	President, Cabinet or Designee	PIGRO	MCA
SECONDARY	Chief Safety Officer	Police Sergeant	VPF&BA, Cabinet or Designee	Chief Safety Officer	Police Sergeant

PIGRO: Public Information & Government Relations Officer
MCA: Marketing Communications Associate
VPF&BA: Vice President of Business & Financial Affairs

Follow-up information will be disseminated using some or all of the identified communication systems identified above. The information provided in follow-up communications will identify any changing circumstances or the resolution of the event.

The local news media may also be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Southwestern Community College District's website.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

A. Emergency Response

Southwestern Community College District maintains an Emergency Response Plan that outlines responsibilities of campus personnel during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular units or positions. College units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

The District Emergency Operations Plan can be accessed online.

Southwestern College also has a FEMA-approved Hazard Mitigation Plan in the event of a natural disaster.

In the event of an emergency that affects any or all campus locations, the Superintendent/President, Cabinet member or designee will activate the Emergency Team to assess the situation and determine the scope of the

emergency. The Superintendent/President, Cabinet member or designee will initiate the communication protocols throughout the organization. The Emergency Team will determine the content of the communication response, the urgency of the response or timely notice parameters, as well as the appropriate components to be activated.

Notifications may be limited to certain segments of the campus community or specific geographical areas depending upon the circumstances as determined by the Emergency Team. Notification may include, but is not limited to; notices to evacuate, notices to shelter in place, criminal activity or other threats, and/or updates on evolving situations.

The Emergency Team will evaluate the type, extent, and scope of the emergency and initiate a response, which will include notification to first responders and communication to the campus community (students, faculty, staff, and visitors).

Southwestern College has two primary responses:

- **Lockdown**: Dire, imminent threat of violence exists. People should seek shelter in the closest building and secure all exterior doors. Allow people outside to enter only if it is safe to do so. After securing the exterior doors, secure interior doors, shut off lights, silence cell phones, and barricade entrances.

- **Evacuation**: Potentially dangerous situation exists on campus or in impacted buildings. Everyone should leave structures through exits in a calm and orderly manner to a safe place. An evacuation will not be ordered if a threat exists.

Additional directives and instructions will be provided as necessary.

Following an emergency, the Superintendent/President will reconvene the Emergency Team and review the emergency response and notification process and systems for the purposes of initiating improvements or changes.

The District will conduct a test of its emergency mass notification every fall and spring semester (twice a year). The results of the annual test will be reviewed and monitored by the Superintendent/President and Cabinet.

B. General Evacuation Procedures

Evacuation of buildings will be undertaken in response to fire incidents, other natural disasters or instances where dangerous situations or hazards are present or anticipated. When instructed to evacuate either by verbal warning, direction, incident or fire alarm, or mass notification system; leave your work or classroom area immediately and proceed to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the fire alarm, evacuate to a safe location using the nearest exit, and notify College Police Emergency (619) 216-6691, *91 from a college phone, 6691 from a college extension or dial 911.

Chula Vista Campus Emergency Evacuation Assembly Area



C. Emergency Drills and Tests

The Southwestern Community College District conducts emergency response drills, exercises and training sessions each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems for all campuses. These are sometimes conducted in collaboration with other emergency service agencies. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date & time of the exercise, and whether it was announced or unannounced. The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill).

In 2025, Southwestern College conducted an unannounced test of its emergency alert system on September 30, 2025 at 4:25 pm. Southwestern College also conducted an announced Great Shakeout earthquake drill tests on October 14, 2025 from 1:13 pm - 1:19 pm and October 16, 2025 from 10:17 am - 10:22 am.

Southwestern College's Chula Vista Annual Security Report is available online.