

# **San José State University 2018 Annual Security Report**

**Jeanne Clery Disclosure of Campus Security Policies & Campus Statistics Act  
(20 U.S.C §1092 (F))  
Clery Crime Statistics 2015-2017**



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## Message from the Vice President

Dear members of the SJSU Community,  
San Jose State University is focused on providing a safe environment for our students, faculty, staff and visitors. Campus safety and security is a shared responsibility; the best protection against crime is a community that is informed, aware and engaged in helping to keep our campus safe. To further those ends, we prepare an annual security report that includes the three most recent calendar years. Please take a moment to read this year's report, which contains statistics about crime on campus from January 1, 2015 through December 31, 2017.

We prepare this report in support of the Clery Act, which requires universities to provide timely warnings of dangerous situations that may pose a threat to the campus and to collect and report certain crime data to everyone on campus. The Clery Act, enforced by the U. S. Department of Education, affects nearly all public and private institutions of higher education. The Clery Act also requires reports of student disciplinary referrals, as well as arrests for drug, alcohol and weapons offenses on campus.

I hope you find this report informative. SJSU always welcomes questions and requests for more information about safety and security on campus. Please go the University Police Department's web page to view the Annual Safety and Security Report.

With best regards,

Charlie Faas  
Vice President CFO Admin / Finance  
San Jose State University

## Preparing the ASR

The University Police Department compiles this institutional report to comply with the Jeanne Clery Disclosure of Campus Security and Campus Crime statistics *Act* (the Clery Act or the Act), and it is a disclosure of the three most recent years concerning the number of specific crimes that occurred on or within SJSU's Clery geography. The full text of this report can be located on the UPD web page ([http://www.sjsu.edu/police/crime\\_reporting/safety\\_report/](http://www.sjsu.edu/police/crime_reporting/safety_report/)). This report is a collaborative and comprehensive effort that includes the cooperation of departments from all divisions within the institution, and all employees designated as "Campus Security Authorities" (CSAs) under the Clery Act. Each entity is annually asked to provide crime statistics and/or information on their educational efforts and programs to comply with the Act. The policies and procedures within this report are current as of the publication, as SJSU recognizes this document is an immediate reference to possible current inquiries; however, the statistical data, as previously mentioned, is for the three previous calendar years.

All students and employees receive annual notice in University-wide email that informs them of the Annual Security Report, a brief description of its contents, information regarding the availability of the report on the Internet, the electronic address to access the report, and a statement on how to obtain a paper copy, if desired. Additionally, like notices are provided to prospective students and employees on the Admissions and University Personnel pages.

## CRIME STATISTICS

CLERY CRIME STATISTICS 2015-2017						
OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON-CAMPUS	PUBLIC PROPERTY	MOSS LANDING
Murder	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Rape	2015	1	1	1	0	0
	2016	4	2	1	1	0
	2017	7	6	4	0	0
Fondling	2015	11	2	0	2	0
	2016	15	3	4	3	0
	2017	5	0	3	0	0
Incest	2015	0	0	0	0	0
	2016	0	0	0	0	0
	2017	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0
	2016	2	2	0	0	0
	2017	0	0	0	0	0
Robbery	2015	4	0	0	3	0
	2016	2	1	1	6	0
	2017	2	0	0	7	0
Aggravated Assault	2015	5	2	5	2	0
	2016	10	3	1	1	0
	2017	0	0	3	3	0
Burglary	2015	21	2	8	0	0
	2016	18	4	14	0	0
	2017	17	3	7	0	0
Motor Vehicle Theft	2015	1	1	5	14	0
	2016	5	0	0	23	0
	2017	7	0	2	9	0
Arson	2015	2	0	0	0	0
	2016	4	1	1	0	0
	2017	5	3	1	1	0

\*Rape includes any sexual act directed against another person, without consent of the victim. It includes instances where the victim is incapable of giving consent.

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON- CAMPUS	PUBLIC PROPERTY	MOSS LANDING
Dating Violence	2015	5	4	0	0	0
	2016	9	6	0	1	0
	2017	6	3	0	1	0
Domestic Violence	2015	2	0	1	2	0
	2016	14	10	0	1	0
	2017	3	0	0	0	0
Stalking	2015	2	1	0	0	0
	2016	7	0	0	1	0
	2017	4	2	0	0	0

OFFENSE	YEAR	CAMPUS	CAMPUS RESIDENTIAL	NON- CAMPUS	PUBLIC PROPERTY	MOSS LANDING
Liquor law arrests	2015	71	21	13	7	0
	2016	54	7	2	7	0
	2017	12	0	0	1	0
Liquor law referrals	2015	679	679	8	7	0
	2016	224	224	5	0	0
	2017	172	172	0	0	0
Drug law arrests	2015	149	26	18	31	0
	2016	123	23	14	22	0
	2017	105	12	6	16	0
Drug law referrals	2015	189	186	1	6	0
	2016	44	44	0	0	0
	2017	90	86	0	0	0
Weapons law arrests	2015	27	4	5	2	0
	2016	15	1	2	5	0
	2017	14	1	1	3	0
Weapons law referrals	2015	3	3	0	0	0
	2016	0	0	0	0	0
	2017	2	2	0	0	0

OFFENSE	YEAR	TOTAL
Unfounded Crimes	2015	3
	2016	0
	2017	1

## Hate Crimes 2015-2017

Hate Crimes and Bias Definition: A hate crime is a criminal offense committed against a person or property which is motivated in whole or in part by the offender's bias. Hate crime includes any offense in the following group: murder and non-negligent manslaughter, rape, fondling, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/ vandalism of property.

Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, national origin, and ethnicity.

**2017** – There were no reported hate crimes for the 2017 year.

**2016** – There were 4 hate crimes reported. The first was an assault and battery that occurred on public property and was based on ethnicity. The second one was an attempted assault and occurred on campus and the bias was based on ethnicity. The third was an intimidation which occurred on campus and the bias was based on ethnicity. The fourth hate crime was an assault which occurred on campus and the bias was based on race.

**2015** – There was one hate crime reported in the campus residence hall. It was reported as a theft based on gender identity.

## Introduction

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the 2017 Annual Security Report is now available for viewing at [www.SJSU.edu/police/crime\\_reporting/safety\\_report](http://www.SJSU.edu/police/crime_reporting/safety_report). The Annual Security Report contains the current security and safety-related policy statements, emergency preparedness and evacuation information, crime prevention and sexual assault prevention information, and drug and alcohol prevention programming. The Annual Security Report also contains statistics of Clery Act crimes for San Jose State University for the three years preceding the date of publication. A paper copy of the Annual Security Report is available upon request by contacting the records unit located at 377 South Seventh Street, San Jose Ca. 95192; (408) 924-2172.

The crime statistics detailed in this report are a compilation of data reported directly to the SJSU Police Department or obtained from Student Affairs, Human Resources, Housing, Judicial Affairs, Deans, the Athletic Director and Assistant Directors, coaches, Student Organization Advisors, the City of San Jose Police Department, Monterey County Sherriff's Department and the Santa Clara County Sheriff.

### Compiling Crime Statistics

The following definitions will be used for reporting Clery Crimes, which are derived from the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program and Department of regulations as follows:

1. The definitions of Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Weapons: Carrying, Possessing, etc., Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program.
2. The definitions for Fondling, Incest, and Statutory Rape are excerpted from the "National Incident –Based, Reporting System (NIBRS) User Manual" from the FBI's UCR Program.
3. The definitions for Larceny-Theft (except Motor Vehicle Theft), Simple Assault, Intimidation, and Destruction/ Damage/ Vandalism of Property are from the 'Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.
4. The definitions for Dating Violence, Domestic Violence, and Stalking are from the Department of Education's Clery Act implementing regulations at 34 C.F.R. §668.46.

The statistics provide an overall picture of crime at San Jose State University from January 1 to December 31 for 2015, 2016 and 2017.

Statistics regarding certain law violations resulting in campus disciplinary actions are collected from but not limited to the offices of Title IX, Student Housing and Residential Life and the office of Student Conduct and Ethical Development. Clery Act statistics are also collected from individuals with significant responsibility for students and/ or their student activities.

Crime statistics are classified and counted pursuant to the guidelines as specified in the The Handbook of Campus Safety and Security Reporting, 2016 edition and separated by the following geographical areas:

#### Geography Definitions:

1) On-campus property: Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including any buildings or property that is owned by the University but controlled by another person and which is frequently used by students and supports institutional purposes such as a food or other retail vendor.

2) On-campus Residential: For the purposes of the Clery Act regulations, as well as the HEA fire safety and missing student notifications regulations, 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 is considered an on campus student housing facility.

3) Non-campus property: Any building owned or controlled by a student organization that is officially recognized by the University; or any building or property owned or controlled by the University that is used in direct support of, or in relation to the



University's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the University.

4) Public property: All public property, including: thoroughfares, streets, sidewalks, parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

### Counting Hierarchy

The following is important when reviewing SJSU's crime data.

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

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

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

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

The Hierarchy Rule does not apply to Hate Crimes. SJSU must count all of the offenses committed in a multiple offense incident that are bias-motivated, and include only the crimes that are bias-motivated as Hate Crimes in a multiple-offense incident. For any Criminal Offense that is also a Hate Crime, statistics will indicate the offense and also the offense with the category of bias. For example, if an Aggravated Assault is a Hate Crime, SJSU will include one Aggravated Assault in the statistics in the Criminal Offenses category and one Aggravated Assault motivated by (category of bias) in the Hate Crime category.

Lastly, the Hierarchy Rule does not apply to VAWA Offenses (i.e. Dating Violence, Domestic Violence, Stalking). Therefore, for any Criminal Offense, Hate Crime, or arrest for Weapons, Drug or Liquor Law Violations that is also a VAWA Offense, statistics reflect the original offense and the VAWA Offense.

### Unfounded Crimes

Unfounded Crimes In accordance with 34 C.F.R. § 668.46, SJSU may only exclude a reported crime from an upcoming annual security report, or remove a reported crime from its previously reported statistics, after a full investigation. Only sworn or commissioned law enforcement personnel can make a formal determination that the report was false or baseless when made and the crime report was therefore “unfounded.” This does not include a District Attorney who is sworn or commissioned. A Campus Security Authority who is not a sworn or commissioned law enforcement authority cannot “unfound” a crime report either. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with law enforcement or the prosecution, or the failure to make an arrest does not “unfound” a crime. The findings of a coroner, court, jury (either grand or petit), or prosecutor do not “unfound” crime reports of offenses or attempts. Crime reports can be properly determined to be false only if the evidence from the complete and thorough investigation establishes the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A case cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed, nor can it be designated unfounded merely because the investigation failed to prove the crime occurred; this would be an inconclusive or unsubstantiated investigation.

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

Crime statistics concerning this campus and others can also be found on the Department of Education website.

### **Reporting Criminal Actions, Suspicious Incidents and/or Other Emergencies**

If a crime, suspicious incident, or security problem is observed, all persons, including students and employees, are encouraged and requested to report the information to University Police Department immediately. The department will respond by taking the following action(s) as necessary:

- Dispatch police and/ or San Jose Fire Department to the scene of the reported incident
- Investigate the incident

- Take appropriate action(s) to identify, apprehend and or prosecute the person(s) responsible
- Take action(s) and/ or make appropriate notifications

**San Jose State University Main Campus** - Located at One Washington Square, San Jose, CA 95192 or the **South Campus** located at 1125 South Seventh Street, San Jose CA - report non-emergency criminal actions to University Police Department at 408-924-2222. In an emergency situation - one that requires immediate assistance from public safety services - dial 9-1-1. Blue Light direct connect emergency telephones are located throughout the campus. Push the red button to connect directly to a 9-1-1 dispatcher. Anonymous tips can be sent to TipNow @ [sjsu@tipnow.org](mailto:sjsu@tipnow.org) (408) 337-2919

**Moss Landing Laboratories** - Located at 8272 Moss Landing Road, Moss Landing, CA 95039 - report non-emergency criminal actions to Monterey County Sheriff's Department at 831-755-3700 located at 1414 Natividad Rd, Salinas, CA 93906. In an emergency situation – dial 9-1-1.

**University employees must report suspected criminal activity under the following conditions:**

1. If required under California State University Executive Order 1083 (Revised July 21, 2017), <http://calstate.edu/eo/EO-1083-rev-7-21-17.html>, which implements the California Child Abuse and Neglect Reporting Act (Penal Code sections 11164-11174.3). The executive order establishes who is a mandated reporter, that is, who is required under law and CSU policy to report suspected child abuse and neglect to specified authorities. The Child Abuse and Neglect Reporting Act identifies 44 employment positions with specified responsibilities as mandated reporters, including teachers, university employees whose duties involve regular contact with children, or who supervise employees whose duties involve regular contact with children. (See Attachment B, <http://calstate.edu/eo/EO-1083-rev-7-21-17-Attachment-B.pdf>) For purposes of this policy, all Management Personnel Plan employees and all volunteers are required to report child abuse and neglect occurring on University premises or at any official activity of, or program conducted by, the University.
2. If an employee receives information of a Clery crime and is designated as a "Campus Security Authority". In such a situation, the employee must report the incident to the University Police Department.

## Other University Reporting Options

### **Behavioral Intervention Team**

Division of Student Affairs  
408 924-6303

### **Office for Equal Opportunity**

Human Resources  
408 924-2250

### **Student Conduct and Ethical Development**

Administrative Building  
408 924-5985

### **Title IX Office**

408 924-7290

### **University Ombudsperson**

Administrative Building  
408 924-5995

## Timely Warnings

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

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

If it is determined that any of the three factors are not met, then no timely warning will be issued. If it is determined that all three factors are met, the Chief of Police (or management designee in the absence of the Chief) will determine the content of the timely warning bulletin, disseminate the timely warning expeditiously in a manner likely to reach the entire

campus community utilizing one or more, and not limited to, the following methods to issue the timely warning bulletin:

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

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

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

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

### **Voluntary Confidential Reporting**

Pursuant to California Education Code section 67380(a)(6)(A), a Campus Security Authority who receives reports from employees or students of Part 1 violent crimes, sexual assault or hate crimes that occurred in an On or Non-campus location as defined by the Clery Act, may not disclose to University Police or local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after being informed of their right to have their personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

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

## **Duty to report from Executive Order 1097 and 1096:**

### **Duty to Report**

Except as provided below, **any** Employee who knows or has reason to know of allegations or acts that violate this policy shall promptly inform the DHR Administrator or Title IX Coordinator. These Employees are required to disclose all information including the names of the Parties, **even where the person has requested that his/her name remain confidential**. The DHR Administrator or Title IX Coordinator will determine whether confidentiality is appropriate given the circumstances of each such incident.

### **Employees Who Do Not Have a Duty to Report:**

The following Employees are **not** required to report **any** information about an incident of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking to the DHR Administrator or Title IX Coordinator:

Physicians; psychotherapists; professional licensed counselors; licensed clinical social workers, and clergy who work on or off Campus, acting solely in those roles or capacities as part of their employment, in the provision of medical or mental health treatment or counseling (***and those who act under their supervision, including all individuals who work or volunteer in these centers and offices***); and

Sexual assault and domestic violence counselors and advocates who work or volunteer on or off Campus in sexual assault centers, victim advocacy offices, women's centers, and health centers and who are acting solely in that role (***including those who act in that role under their supervision, along with non-professional counselors or advocates who work or volunteer in sexual assault centers, victim advocacy offices, women's centers, gender equity centers, or health centers***) in the provision of counseling or advocacy services.

A CSU employee/union representative is not required to report a possible violation of this Executive Order if the information is provided to the union representative, acting in that role, in a confidential setting by a union member seeking advice about a possible violation or representation in a matter within the scope of representation. However, CSU employee/union representatives are **strongly encouraged** to report the information to the DHR Administrator or Title IX Coordinator.

University police are **not** required to report any **personally-identifiable information** about a victim of certain sex offenses, **if the victim requests confidentiality**, but must report all known facts of the incident, including the identity of the perpetrator (if known), to the Title IX Coordinator.

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

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

Additionally, under California law, all physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to: (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or, (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Misconduct, Dating or Domestic Violence, or Stalking incident. If applicable, these professionals will explain this limited exception to victims."

If you are the victim or witness of a crime and do not want to pursue formal action, you may still want to consider contacting the University Police Department and making a confidential report. Call 408 337-2919 or go online to [SJSU@tipnow.org](mailto:SJSU@tipnow.org) or visit our website [www.sjsu.edu/police](http://www.sjsu.edu/police) or <http://notalone.sjsu.edu/> to report your matter confidentially. You have the right to report any sexual misconduct incident to the campus Title IX Coordinator. They will inform you of your rights and options, review the complaint procedures for investigating and addressing the incident, and provide you with campus and local resources for support. (NOTE: Certain specified crimes, including those related to domestic violence and child abuse, cannot be guaranteed completely confidential treatment, because state law mandates that the police investigate them and take required action).

## **Security Procedures and Practices**

University security is the entire community's responsibility. The police department can function more effectively with the assistance of a responsible community. All suspicious activity should be reported immediately to UPD (408) 924-2222. The academic and administrative buildings on the Main Campus are generally open to students, parents, employees, contractors, and guests during normal business hours. Business hours are appropriately posted. After-hours entry is facilitated by means of a centralized access control system managed by Facilities Services and the University Police Department or by key. The grounds and facilities are patrolled by University Police Officers 24 hours a day, 7 days a week. Police Officers work to ensure the grounds and facilities remain secure during non-business hours.

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

#### Active Shooter Presentations (Run, Hide Fight)

UPD aims to enhance preparedness through a community approach by providing training on issues such as active shooter awareness. Active shooter situations are very unpredictable in nature, so in an effort to better prepare community members with response, active shooter presentations are facilitated upon request.

#### Rape Aggression Defense (R.A.D. Systems Training)

Is a training program of realistic self-defense tactics and techniques for women. This is a comprehensive, women-only course that begins with awareness, prevention, risk reduction and risk avoidance, and progresses to basic, hands-on defense training.

**R.A.D** is not a martial arts program. The course is taught by UPD's nationally certified **R.A.D.** instructors. They provide each student with a workbook/reference manual. This manual outlines the entire Physical Defense Program for reference and continuous personal growth, and is the key to our free lifetime return and practice policy for **R.A.D.** graduates.

#### Security Cameras

UPD, Facilities, Information Technology and the Office of the President have worked to install security cameras at key locations throughout campus. The cameras record events on campus and the recordings can be viewed by police officers in the event of a crime, disturbance, or suspicious event on campus.

#### Building Emergency Team (B.E.T)

The Building Emergency Team (BET) consists of trained SJSU employees who have accepted the responsibility to provide for the safe evacuation of buildings and to perform related safety duties during campus emergencies.

Each facility has a designated Senior Building Coordinator who helps to supervise and train their building's team. The Building Emergency Team (B.E.T.) program is designed to provide for the safe and rapid evacuation of SJSU buildings in the event of an evacuation of SJSU buildings in the event of an emergency.

#### Student and New Employee Presentations

At biannual orientation sessions students, faculty and staff are informed of services offered by University Police. The presentations give an overview of common crimes and highlight ways to maintain personal safety, emergency preparedness and residence hall security. Upon request, crime prevention programs and sexual assault prevention programs are offered to any requestor from the campus community. In addition to seminars, information – in the form of newsletters, flyers, posters, articles, and displays - is disseminated to students and employees throughout the academic year. In those situations where there is an identified threat to the campus, timely warning notifications are issued.



Safety Escorts are provided anytime (day or night) by Police Services Assistants (PSA) or from UPD. PSA's also perform lighting inspections and ongoing checks of Emergency Phones/Poles and elevator phones reporting those in need of repair. During the day, PSA's perform foot patrols of the heavily trafficked campus quad and adjacent areas to deter, detect, and report inappropriate usage of campus facilities and any suspicious persons or activities.

For 2017 the University Police and Emergency Preparedness conducted the following training exercises:

#### **Run Hide Fight training**

Jan 25, 2017	40 persons attended
Apr. 3, 2017	80 persons attended
Aug.18, 2017	11 persons attended
Aug. 21 2017	19 persons attended

#### **Great Shake Out Earthquake Drill**

- Oct. 19, 2017

#### **Building Emergency Team Training**

Jan. 17, 2017	Foundry	7 persons attended
Feb. 15, 2017	Building Coordinator	81 persons attended
Sept. 19, 2017	Building Coordinator	32 persons attended
Oct. 10, 2017	Student Union	6 persons attended
Oct. 12, 2017	MLK	13 persons attended
Dec. 20, 2017	IS Building	1 person attended

#### **Drills**

Feb. 1, 2017	I. House and Joe West Fire Drill
Feb. 15, 2017	Washburn Hall Fire Drill
Feb. 15, 2017	**Campus Wide Fire Drill
Mar. 8, 2017	CVA Fire Drill
Mar. 16, 2017	MLML Main Lab Fire Drill
Mar. 24, 2017	MLML Marine Operations Fire Drill
Apr. 27, 2017	MLML (Sandholdt Building) Fire Drill
Aug. 30, 2017	I. House Fire Drill
Aug. 30, 2017	MLML Marine Operations Fire Drill
Sept. 19, 2017	**Campus Wide Fire Drill
Sept. 25, 2107	**Tower Hall Fire Drill
Sept. 27, 2017	**Hammer Theatre Fire Drill

For more information on crime prevention programs offered by University Police please call 408 924-2222 and ask to speak to the Sergeant in Investigations, the department's Outreach Coordinator.

\*Unannounced

\*\* Limited announcement to some stake holders

## Access to Campus Facilities, including Campus Residences

Access to the **Main Campus'** residence halls is restricted to residents, their approved guests, and other approved members of the community. Entry to residence hall facilities is controlled by means of a centralized access control system managed by Housing and Residential Education, Facilities Services, and University Police. All residents must present a valid access card in order to enter any of the residence halls. The buildings are also monitored by housing staff to ensure access is only to authorized personnel. The six residence halls have video surveillance to assist with security. The video monitors are used primarily for forensic purposes and are not under constant surveillance.

The facilities at the **Moss Landing Marine Laboratories** are generally open during posted business hours. Either the Campus Director or a classified staff member is available on-site when the respective campus is open. After-hours entry is facilitated by means of a mechanical key locking system managed by the respective Campus Director. The facilities are patrolled by the respective municipal police agency on a non-fixed schedule.

## Law Enforcement Authority

SJSU police officers have complete authority to arrest anyone involved in illegal acts on campus and areas adjacent to the campus in accordance with Education Code § 89560. They are certified by the California Commission on Peace Officer Standards and Training as peace officers. They undergo extensive training to develop and maintain their law enforcement skills. UPD officers are sworn law enforcement officers under Penal Code § 830.2. In addition, UPD officers undergo training specially designed to meet the needs of a contemporary university community. All Police officers receive training in tolerance and diversity to better serve their community. UPD police officers enforce CSU policies, municipal codes (on designated property), California state laws and Federal laws.

UPD has a Memorandum of Understanding (MOU) with the San Jose Police Department which defines and details operational authority pursuant to the Kristin Smart Campus Safety Act of 1998, Education Code § 67381. This agreement designates which law enforcement agency has operational responsibility for the investigation of violent crimes (Part 1 crimes) and defines the specific geographical boundaries of each agency's operational responsibility. The bill further requires that these agreements be made available to the public and that copies of these agreements be transmitted to the Legislative Analyst.

UPD prepares and submits a monthly Uniform Crime report to the California Department of Justice and the Federal Bureau of Investigation. UPD also enters

reported stolen vehicles and property with serial numbers into the National Crime Information Center computer, allowing for recovery throughout the United States. As an active member of the criminal justice system, UPD interacts with other state and local law enforcement agencies. Cases are filed with both the Santa Clara County Prosecutor's office. Information may also be given to the Office of the Vice President for Student Affairs for internal judicial processes involving students. The university requests that all crimes or suspected crimes occurring on campus be reported accurately and promptly to UPD when the victim of a crime elects to or is unable to make such a report. Three investigators are assigned full-time to follow up on crime and incident reports. They are responsible for follow up investigations, apprehending suspects, recovering property, preparing cases for filing and referring people to the crime prevention program to reduce the chance of criminal activity.

The **Moss Landing Marine Laboratories location** does not maintain a security department. Local law enforcement officials patrol on or near the campus but San Jose State does not have a written agreement or contract with them for these services.

Students and others at the **Moss Landing Marine Laboratories** are strongly encouraged to report non-emergency criminal actions to the Monterey County Sheriff's Department (831) 755-3700. Always dial 9-1-1 in the event of an emergency.

### **Security Considerations used in the Maintenance of Campus Facilities**

Police officials are responsible for conducting on-going security surveys on the **Main Campus**. The purpose of surveys is to examine and/or test security features such as landscaping, locks, alarms, lighting, and communications. Defective or inadequate findings are reported to Facilities Services for repair or replacement. Additionally during the academic year, the Director of Student Conduct, Case coordinators for Housing and Residential Life, Police Chief, University Psychologist, a representative from academics and University Personnel and appropriate others meet weekly to discuss issues relevant to safety and security on campus. Students and others who encounter unsafe conditions, or have other concerns with the campus environment should contact University Police at 408 924-2222.

Information may be disseminated to students and employees through Public Safety Notices posted in the affected area(s), website alerts, and/or articles and advertisements in university and student newspapers. When time is of the essence, information may also be released to the university community through emails.

On the **Moss Landing Marine Laboratories location** the respective Campus Director is responsible for conducting on-going, general security surveys of the facilities. The Directors meet with Main Campus police officials on a regular basis to discuss issues

relevant to safety and security. Students and others who encounter unsafe conditions, or have other concerns with the campus environment should contact the respective Campus Director.

### **Monitoring of Off–Campus Crime**

SJSU requires all University participants in recognized off Campus course and program events to submit signed waivers to the SJSU Academic Affairs Division. These waivers provide UPD with emergency contact information. Other than the above events recognized by SJSU Academic Affairs Division, UPD does not regularly monitor student activity off-campus.

When an SJSU student is involved in an off-campus offense, Police Officers may assist with the investigation in cooperation with local, State or federal law enforcement. Many students live in the adjoining neighborhoods to SJSU. While local police have primary jurisdiction in all areas off campus, UPD officers can and do respond to student related incidents that occur in close proximity to campus. Any student who has been arrested for or found guilty of committing a crime off campus is subject to campus disciplinary adjudication for violation of title V of the student code of Conduct.

Public properties immediately adjacent to campus are under the jurisdiction of the San Jose Police Department. The Santa Clara Sheriff's Office has jurisdiction of the Valley Transportation Authority properties, buses and light rail trains. UPD works closely with both agencies to receive information about incidents that may affect the university community and properties. In the event of any reported criminal activity involving a recognized off-campus university event, UPD will make every reasonable effort to obtain reports and information from the responding law enforcement jurisdiction. If no report was made UPD will make an informational report and contact the law enforcement agency in whose primary jurisdiction the event occurred.

### **Possession, Use and Sale of Alcoholic Beverages and Enforcement of Underage Drinking Laws**

The possession, sale or the furnishing of alcohol on the SJSU campuses is governed by University policy and California state Law.

Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control (ABC). SJSU complies with the Drug Free Workplace Act of 1990 and the Higher Education Act § 120a.

UPD officers enforce laws regulating the use of alcoholic beverages and underage drinking. This University is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the

University's educational mission. All SJSU students, faculty members, staff members, and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

The term "alcoholic beverage" includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of 1 percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances (B&P §23004). However, the enforcement of alcohol laws on the Main Campus is the primary responsibility of the University Police Department. The University is committed to maintaining an environment that is predominantly free of the use of alcoholic beverages and in full compliance with federal and state laws. Such sanctions, for students, may include behavioral probation, suspension or termination/expulsion.

### **Possession, Use and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws**

All of SJSU has been designated as a (illegal) "Drug Free" institution. It is both unlawful and a violation of University policy to possess marijuana or a controlled substance, without a valid prescription, on any of SJSU campuses. In accordance with the Drug-Free Schools and Communities Act, UPD strictly enforces Federal and State laws, as well as the University's zero tolerance policy, for the use and sale of illegal drugs. Violators are subject to university discipline, criminal prosecution and removal from University housing. Students engaging in the sale of illegal drugs will be expelled. Students found in violation of University alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. The CSU Student Conduct Code governing student conduct may be found in the SJSU Judicial Affairs website at <http://www.sjsu.edu/studentconduct/> Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21 The University does not recognize medical marijuana authorization cards – even within the residence hall environment. Marijuana, under federal Law (Title 21 U.S. Code), is classified as an illegal substance.

Employees in violation of the university alcohol and drug policies may be subject to corrective action or dismissal or be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, State and Federal law for the unlawful possession or distribution of illicit drugs and alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in State Prison. A police officer can take the license from any driver suspected of driving under the influence of alcohol and or drugs, who refuses to take a blood alcohol test.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing, of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public

conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

#### Drug Law Violations:

The unlawful manufacture, distribution, dispensing, possession or use of illicit drugs on the University campus or at any University-sponsored event off campus is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. The term “illicit drug” includes any dangerous drug, restricted drug, or narcotic as those terms are used in California statutes, and all substances regulated under federal law through the Controlled Substances Act, including but not limited to marijuana, cocaine derivatives, heroin, “crack,” amphetamines, barbiturates, LSD, PCP, and substances typically known as “designer drugs” such as “ecstasy.”

### Substance Abuse Education

San Jose State University is committed to creating a safe, healthy, and supportive learning environment for our whole community. In this spirit, and to comply with new federal Title IX/Campus SaVE Act mandates, SJSU now expects all **incoming students** to complete certain online course(s).

SJSU has established a substance abuse awareness program (AMOD) Alcohol, Marijuana, and Other Drugs to educate students and others about: (1) SJSU’s substance abuse policies; (2) the dangers of drugs and alcohol in an academic environment; (3) student assistance programs; and (4) disciplinary action that may be imposed on students who violate University policy or state and/or federal Law. The program includes dissemination of informational materials, educational programs, counseling services, and referrals.

SJSU requires that first-year students living in on-campus housing participate in *AlcoholEdu®* programming. This on line alcohol prevention program is a 3 hour program used by more than 500 colleges and universities around the country. *AlcoholEDU®* incorporates the latest evidence-based prevention methods to create a highly personalized user experience that inspires students to reflect on and consider changing their drinking behaviors.

### Sexual Violence

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

from Sex Discrimination, including Sexual harassment, Sexual Misconduct, including Sexual Assault, Dating or Domestic Violence, and Stalking.

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

In an ongoing effort to prevent Sexual Misconduct, Dating Violence, Domestic Violence and Stalking, the University provides education and prevention programs, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course loads, campus housing changes, work assignment assistance, stay away orders, leaves of absence, and more. In establishing the Office of Equity, Diversity and Inclusion the programming enabled the university to hire title IX officers and train 20 divisional liaisons, train more than 1,100 faculty and staff members, implement a diversity program for new students and faculty in the onboarding process and deliver face to face training to 9,000 new freshmen, transfer and graduate students during summer orientation.

The University also provides information to victims on pursuing criminal action and obtaining protective orders if needed. University officials who are responsible for investigating and/or adjudicating cases of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking receive annual training for compliance with federal, state and CSU system regulations. The University is committed to empowering victims of Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking by providing ample supportive services, and encouraging their choice of action, regardless of their decision to seek criminal prosecution of offender(s). If requested by the victim, University personnel will assist the victim in notifying the appropriate law enforcement authorities.

#### Prevention, Education and Awareness

The goal of the SJSU Campus Sexual Assault Prevention and Training Plan, in addition to full compliance with federal and state law and the CSU policy, is to create an atmosphere in which all students have the right to participate fully in CSU programs and activities free from discrimination, harassment and retaliation.

#### Bystander Intervention

Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes

recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking action to intervene.

Based on a social science model that predicts that most people are unlikely to help others in certain situations, a bystander is anyone who observes an emergency or a situation where it appears someone could use help. The bystander must then decide if they are comfortable stepping in and offering assistance. Research has found that people tend to struggle with whether helping out is their responsibility and one of the major obstacles to intervention is something called diffusion of responsibility; which means if several people are present, an individual is much less likely to stop and help out because he/she believes someone else will. SJSU wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. A bystander may not always know what to do even if they want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe interrupt.

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

### 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 includes the act of using situational awareness and trusting an individual's instincts to reduce the risk of being a victim of sexual assault. The following are some strategies to reduce one's risk of sexual assault:

1. Be aware of your surroundings.
2. Try to avoid isolated areas.
3. Walk with purpose.
4. Try not to load yourself down with packages or bags.
5. Make sure your cell phone is with you and charged.
6. Avoid putting music headphones in both ears.



7. When you go to a social gathering, go with a group of friends.
8. Don't leave your drink unattended.
9. Don't accept drinks from people you don't know or trust.
10. Watch for your friends, and vice versa.
11. If you need to get out of an uncomfortable or scary situation, here are some things you can try:
  - Remember being in this situation is not your fault.
  - Have a code word with your friends or family.
  - Lie!
  - Try to think of an escape route.
  - If you and/or the other person have been drinking, say you would rather wait until you both have your full judgment before doing anything.

### **Sexual Misconduct Dating and Domestic Violence, and Stalking Policy, Procedures and Programs**

The California State University is committed to creating and sustaining an educational and working environment free of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking. The California State University prohibits discrimination on the basis of sex in its educational institution's programs or activities, including employment, academic, educational, extracurricular and athletic activities.

Title IX of the Education Amendments of 1972, and certain other federal and state laws, protects all people regardless of their gender, sexual orientation, or gender identity or expression from Sex Discrimination, including Sexual Harassment and Sexual Misconduct, which are forms of Sex Discrimination. The Violence Against Women Reauthorization Act of 2013 under its Campus Sexual Violence Elimination Act provision provides that Dating and Domestic Violence and Stalking must be included.

1. For a complete copy of the University's policies, visit the following links: CSU Executive Order 1095: Systemwide Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking Policy  
<http://www.calstate.edu/eo/EO-1095-rev-6-23-15.html>
2. CSU Executive Order 1096: Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and System wide Procedure for Addressing Such Complainants by Employees and Third Parties  
[http://notalone.sjsu.edu/policy\\_information/EO%201096.pdf](http://notalone.sjsu.edu/policy_information/EO%201096.pdf)
3. CSU Executive Order 1097: Systemwide Policy Prohibiting Discrimination, Harassment Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and Systemwide Procedure for Addressing Such Complainants by Students  
[http://notalone.sjsu.edu/policy\\_information/EO%201097.pdf](http://notalone.sjsu.edu/policy_information/EO%201097.pdf)
4. CSU Executive Order 1098: Student Conduct Procedures  
<http://www.calstate.edu/eo/EO-1098-rev-6-23-15.html>

The following Title IX trainings took place in 2017

<b>Title Of Training</b>	<b>Date</b>	<b>Audience</b>
International Gateways Students	Oct. 2017	Students
Associated Student Employees	Aug. 2017	Student Employees
International Gateways Students #2	Oct. 2017	Students
J 1 Visa Students	Aug. 2017	Students
Peer Connections	July 2017	Students
Peer Connections	Jan. 2017	Students
Pride/ Gender Equity/ Mosaic	Aug. 2017	Students
One Love	Sept.2017	New Student Athletes
Sex Signals	Oct. 2017	Returning Athletes
Campus Climate Conversation	Oct. 2017	Student Athletes
Campus Climate Conversation	Nov. 2017	Student Athletes

## **Sex Discrimination**

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

## **Sexual Harassment**

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

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

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

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

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

### **Sexual Misconduct**

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

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

### **Sexual Assault**

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

## **Sexual Battery**

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

## **Rape**

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

## **Acquaintance Rape**

Is a form of Sexual Misconduct committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

## **Affirmative Consent**

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

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

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

## Domestic Violence

Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the abuser has a child; someone with whom the abuser has or had a dating or engagement relationship; or a person similarly situated

under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabitating include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and / or (6) the length of the relationship. For purposes of this definition, “abuse” means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to themselves or others. Abuse does not include non-physical, emotional distress or injury.

### Dating Violence

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

### Stalking

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

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

## Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct

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

Persons who have experienced Sexual Misconduct, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a Sexual Assault Victim Advocate. Victims who prefer not to notify the police, are strongly encouraged to seek assistance from the campus Title IX Coordinator and/or a Sexual Assault Victim Advocate or Counselor who can provide information on options, rights and remedies.

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

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

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



immediate action to protect the victim, and take steps to correct and eliminate the misconduct.

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

### **Privileged and Confidential Report**

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

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

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



## Exceptions to Confidentiality

Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct, Domestic Violence, and Dating Violence). This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

Additionally, under California law, physicians, psychotherapists, professional counselors, licensed clinical social workers, clergy, and sexual assault and domestic violence counselors and advocates are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement.

These professionals will explain this limited exception to victims, if applicable. Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the sexual violence incident. If applicable, these professionals will explain this limited exception to victims.

## Reporting Options

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

## Criminal

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

## Reporting to the Police

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

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

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

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

A victim has the right to have a confidential advocate present when reporting to law enforcement and during examinations. With the victim's consent, the confidential

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

### Reporting to a CSA (Campus Security Authority)

Any member of the University community may report incidents of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking to any Campus Security Authority (CSA's). These University personnel will assist the victim in notifying the appropriate law enforcement agency if the victim requests the assistance of law enforcement. In addition, most campus employees including CSA's are required to report incidents of Sexual Misconduct, Dating Violence, Dating Violence and Stalking to the Title IX investigator. Title IX Coordinator's reporting responsibilities are described in detail below.

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

### Administrative

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

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

### Reporting to a Title IX Coordinator or Responsible Employee

Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct, Dating and Domestic Violence, and Stalking. The campus Title IX coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant complaint process, and rights to receive

assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

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

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

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

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

about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

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

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

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

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

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

Since 2016, the University has emphasized the Executive Order 1097, “duty to report” to deans, chairs, and student affairs leadership in trainings and meetings. As a result,

a greater number of reports from faculty occurred with members citing the duty to report responsibility.

### **Non-Reporting**

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

### **Civil Lawsuit**

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

### **Restraining Orders**

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

### **Disciplinary Procedures**

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

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

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

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

a) Advised the Parties, or have offered to do so, verbally or in writing, of any evidence upon which the findings will be based; and,

b) Given the Parties an opportunity to respond to the evidence, including presenting further relevant evidence, information or arguments that could affect the outcome. The Investigator will not reach a final conclusion or issue an investigation report until giving careful consideration to any such relevant evidence, information or arguments provided by the Parties. The Investigator retains discretion and authority to determine relevance.

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

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

## **Complaint Procedures**

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

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

## **Complaints Made By Students**

Executive Order 1097, entitled "System wide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and System wide Procedure for Addressing Such Complaints by Students" is the appropriate system wide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be viewed at <http://www.calstate.edu/EO/EO-1097-rev-6-23-15.pdf>.

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

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

Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096/1097 can be viewed at



[http://notalone.sjsu.edu/policy\\_information/EO%201096.pdf](http://notalone.sjsu.edu/policy_information/EO%201096.pdf)  
[http://notalone.sjsu.edu/policy\\_information/EO%201097.pdf](http://notalone.sjsu.edu/policy_information/EO%201097.pdf)

### **Complaints made by Student employees**

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person's status as an employee and not their status as a student. Executive Order 1096 can be viewed at <http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf>.

### **Disciplinary Procedure**

The Title IX Coordinator (or designee) is responsible for investigating complaints of Gender Discrimination, Harassment and Retaliation, including Sex Discrimination and Sexual Harassment, as well as Complaints of Sexual Misconduct, Domestic and Dating Violence, and Stalking. (See Executive Orders 1095, 1096 and 1097.) In accordance with Executive Orders 1096 and 1097, the Title IX Coordinator investigates those complaints, determines whether the accused violated the applicable Executive Order(s), and prepares a report that includes findings of facts and conclusions about whether the applicable Executive Order was violated. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings. Where a complaint is made against a student and the applicable Executive Order is found to have been violated, the Title IX Coordinator shall also notify the Student Conduct Administrator of the investigation outcome and provide a copy of the investigation report. Where a complaint is made against an employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation reports. Sanctions are imposed in accordance with current collective bargaining agreement, when applicable, and may include:

- Verbal reprimand
- Written reprimand,
- Reduction in salary
- Temporary or permanent demotion
- Paid or unpaid administrative leave
- Suspension
- Denial or curtailment of emeritus status
- Mandated education or training
- Change in work location
- Restrictions from all or portions of campus
- Restrictions to scope of work
- Dismissal

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

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

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

### **Student Conduct Proceedings**

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

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

If not resolved, the Student Conduct Administrator will issue a Notice of Hearing and shall schedule the hearing promptly, but in any event no sooner than 10 working days after, and no later than 20 working days after, the date of the Notice of Hearing. The findings and conclusions of the investigations conducted in accordance with Executive

Orders 1096 and 1097, once any appeals are exhausted, are final and binding. The hearing is limited to determining appropriate sanctions; the findings of the investigation are not under review.

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

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

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

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

### **President's Sanction Decision/ Notification**

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

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

## Student Sanctions

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

- **Restitution**

Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.

- **Loss of Financial Aid**

Scholarships, loans, grants, fellowships and any other types of state financial aid given or guaranteed for the purposes of academic assistance can be conditioned, limited, cancelled or denied.

- **Educational and Remedial Sanctions**

Assignments, such as work, research, essays, service to the University or the community, training, counseling, removal from participation in recognized student clubs and organizations (e.g., fraternities) misconduct or as deemed appropriate based upon the nature of the violation.

- **Denial of Access to Campus or Persons**

A designated period of time during which the student is not permitted: (i) on University Property or specified areas of campus; or (ii) to have contact (physical or otherwise) with the complainant, witnesses or other specified persons.

- **Disciplinary Probation**

A designated period of time during which privileges of continuing in student status are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a current student would otherwise be entitled, or the probability of more severe disciplinary sanctions if the student is found to violate the Student Conduct Code or any University policy during the probationary period.

- **Suspension**

Temporary separation of the student from active student status or student status. A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified. A student who is suspended for one academic year or more shall be separated from student status but remains eligible to reapply to the University (subject to individual campus application policies) once the suspension has been served. Conditions for readmission may be specified.

Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the student's transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

- **Expulsion**

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

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

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

#### Other Considerations Related to Sanctions

##### **Administrative Hold and Withholding a Degree**

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

##### **Record of Discipline**

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

## **Interim Suspension**

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

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

## **Denial of Presence on Campus During Interim Suspension**

- During the period of an interim suspension, the student charged may not, without prior written permission from the campus president, enter any campus of the California State University other than to attend the hearing regarding the merits of the interim suspension and any disciplinary hearing. The president may also restrict the student's participation in University-related activities on a case-by-case basis, such as attending off-campus activities and/or participating in on-line classes. Violation of any condition of interim suspension shall be grounds for expulsion.

## **Admission or Readmission**

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

## **Appeal of President's Sanction**

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

Sanction appeals are limited to a determination as to whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial procedural errors occurred during the hearing. The Chancellor's Office

appeal review will not involve a new investigation and will not consider evidence that was not introduced during the investigation or hearing. The record will be limited to the record at the hearing.

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

### Registered Sex Offenders

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

### Emergency Notification

San Jose State University is committed to providing a safe environment for the campus community, which includes students, faculty, staff and guests. To support this goal, SJSU has created a campus emergency mass notification system known as AlertSJSU. The purpose of the system is to quickly disseminate information to the campus community upon confirmation of a significant emergency or a dangerous situation involving an immediate threat to the health and safety of the campus community. SJSU 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 responsible authorities, compromise efforts to assist a victim to contain, respond to, or otherwise mitigate the emergency.

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

Once UPD has received the report, the Chief of Police, (or management designee in the absence of the Chief) will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency, if available, to confirm both:

- 1) An emergency or dangerous situation in fact exists in on-campus geography;

- 2) The emergency or dangerous situation poses an immediate or imminent threat to members of the on-campus community. If both of the above factors are not met, no emergency notification will be issued.

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

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

Once the notification is prepared, the Chief of Police or the Clery Director if one is designated, or in their absence, the management designee(s) will, without delay and taking into account the safety of the community, transmit the emergency notification unless doing so would delay the ability to mitigate and/or contain the emergency, including the ability to provide immediate, life saving measures. If an emergency notification is issued, a timely warning will not be issued to the community for the same incident.

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

The University Police Department is the main entity responsible for the initial activation of AlertSJSU. At Moss Landing, the Director, Facilities Manager, Administrative Analyst, IT Technician and a Faculty member have access to activate and utilize the system.

The Chief of SJSU Police Department or designee authorizes the use of the AlertSJSU system and approves the content of the message.

AlertSJSU is an “opt out” program for students. All students are automatically enrolled in the AlertSJSU utilizing contact information that was provided by the students on the my.sjsu.edu website. **However, UPD strongly urges you to review your contact information and ensure you have a text capable phone number entered.** This can be done by logging into “My SJSU” account and clicking on the AlertSJSU tab.

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



The campus mass notification system, including but not limited to phone, campus email, or text messaging, audio/visual message boards.

In person or door-to-door notifications in a building or residence halls or other means appropriate under the circumstances.

### **Missing Student Notification**

If a member of the SJSU community has reason to believe that a student who resides in on-campus housing is missing, s/he should immediately notify the UPD at 408 924-2222. UPD officers will immediately initiate a missing person investigation and document all their findings.

If a report is made to Housing & Residence Life, their staff will immediately contact UPD. UPD will generate a missing-person report and initiate an investigation in accordance with the department's missing person policy. If an on-campus housing student has been determined to have been missing for 24 hours, then the University will initiate the specifically designated notification procedure described below within 24 hours after receiving the report. Nearby law enforcement agencies will also be notified within 24 hours of an official determination that they are missing. An exception would be the agency that made the determination the student was missing; they would not be notified.

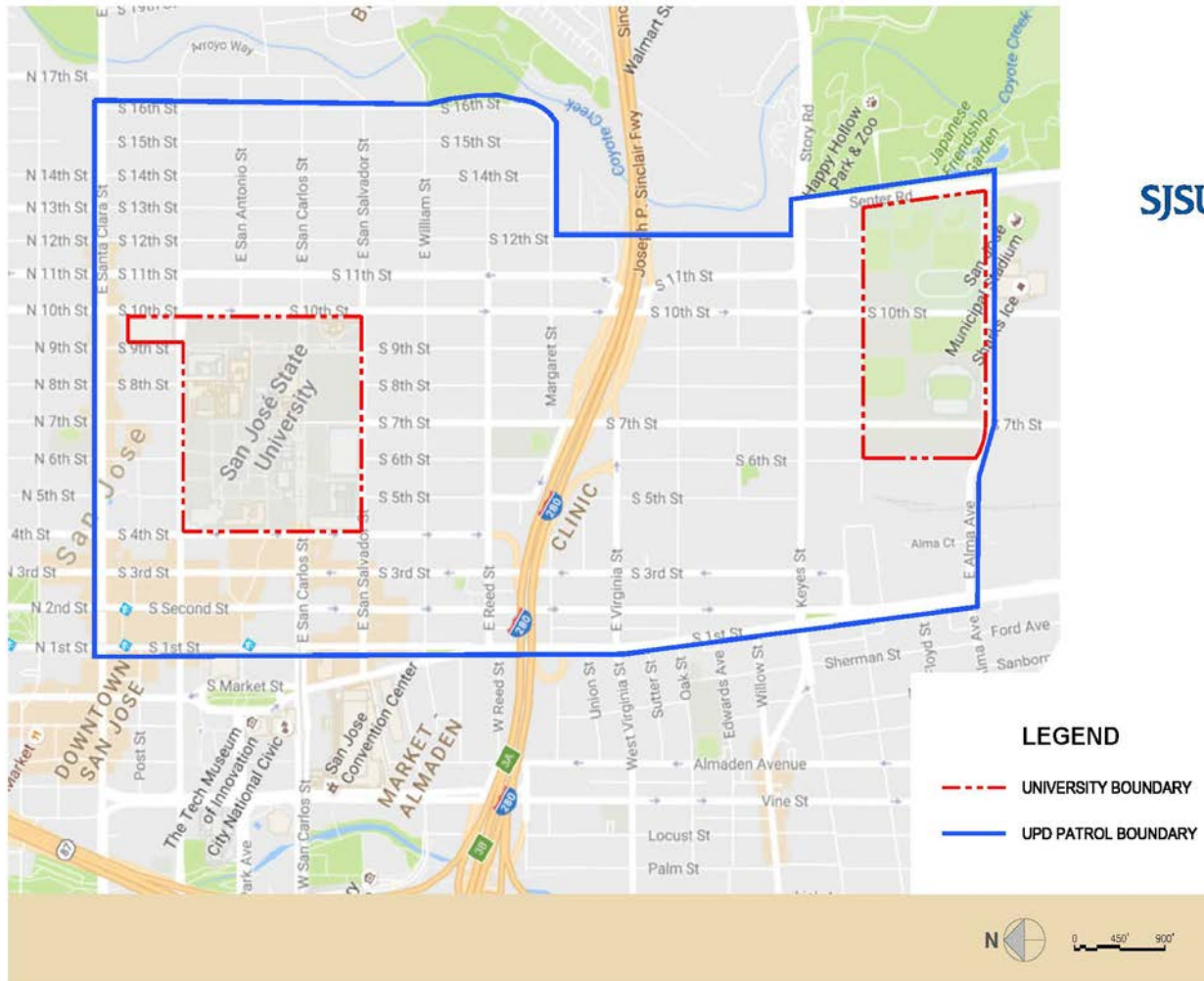
In addition to and separate from the registering of an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing. Students who wish to identify a confidential contact may do so when completing the Housing application and at any time on-line through the Housing Portal. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. If the student is under 18 years of age and not an emancipated minor, UPD is required to notify a custodial parent or guardian and any other designated contact within 24 hours after the time that the student is determined to be missing in addition to any additional contact person designated by the student. Once information on a juvenile missing person is reported to the police, a complete and thorough investigation will be conducted in accordance with California law and UPD policy.

### **Fire Safety Act**

The Fire Safety Act Report is Available at the following link:

**[http://www.housing.sjsu.edu/docs/SJSU\\_Fire\\_Report\\_2018.pdf](http://www.housing.sjsu.edu/docs/SJSU_Fire_Report_2018.pdf)**

# University Police Department Patrol Boundary

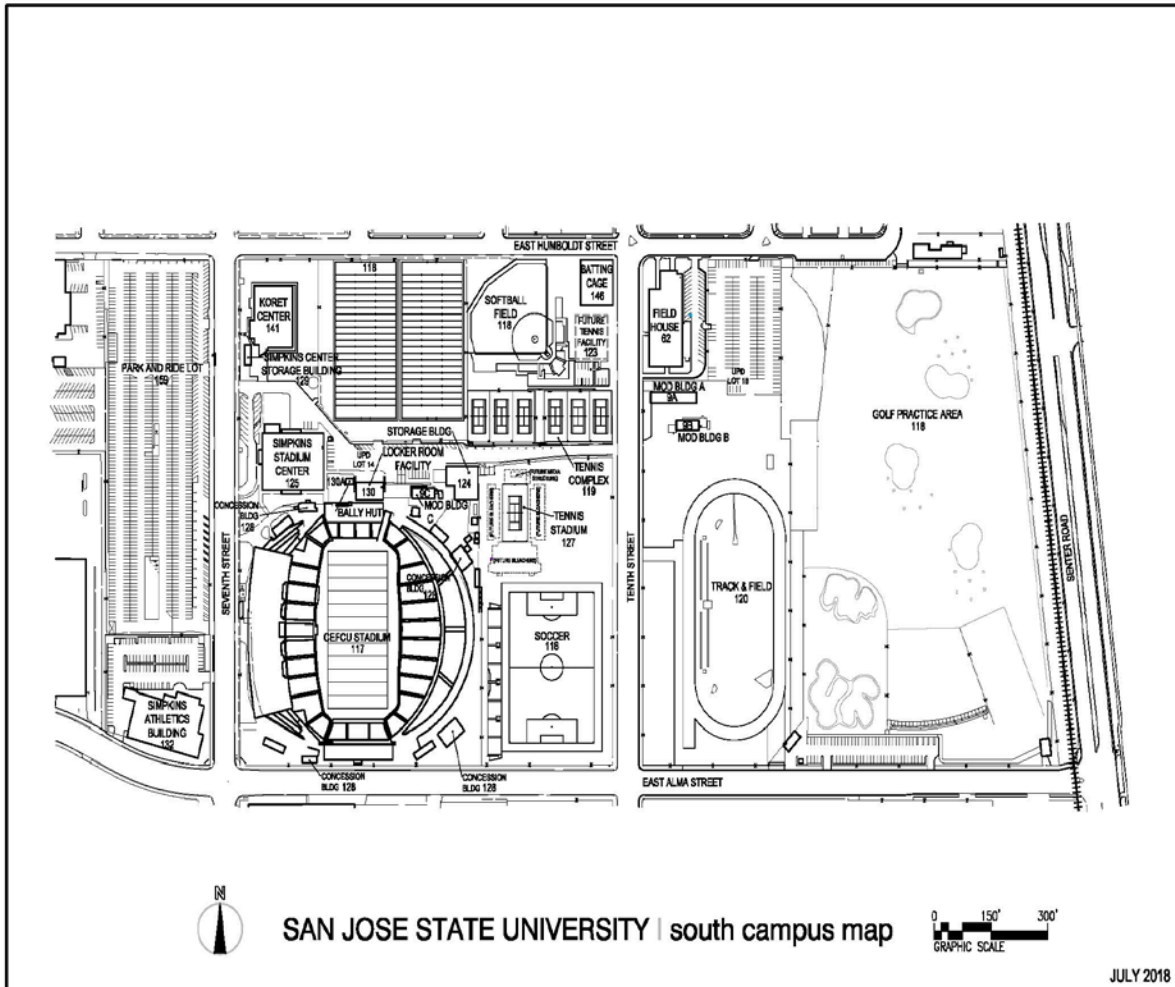


**SJSU** SAN JOSE STATE UNIVERSITY

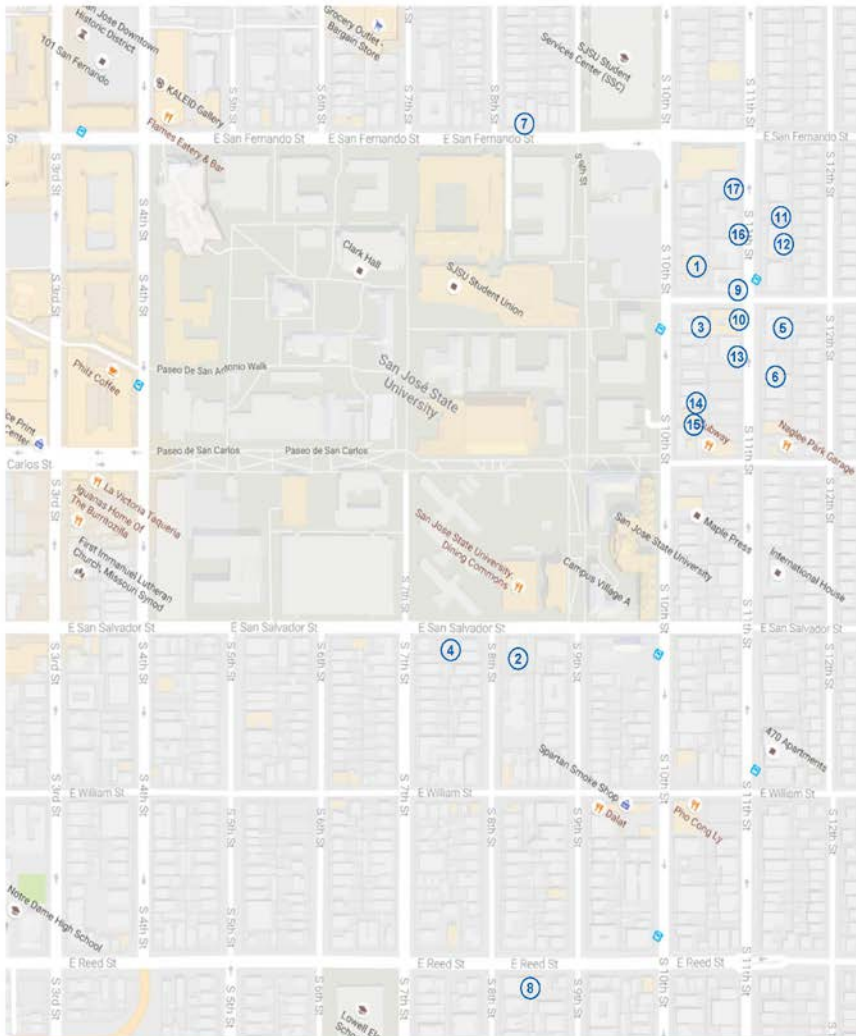
UPD PATROL BOUNDARY MAP

September 2016

# South Campus



## Fraternities and Sororities



- 1 ALPHA EPSILON PI  
182 S. 10TH STREET
- 2 ALPHA OMICRON PI  
408 S. 8TH STREET
- 3 ALPHA PHI  
210 S. 10TH STREET
- 4 ALPHA PI ALPHA  
322 E. SAN SALVADOR STREET
- 5 ALPHA TAU OMEGA  
202 S. 11TH STREET
- 6 ALPHA XI DELTA  
250 S. 11TH STREET
- 7 BETA THETA PI  
365 E. SAN FERNANDO STREET
- 8 DELTA GAMMA  
360 E. REED STREET
- 9 DELTA SIGMA PHI  
189 S. 11TH STREET
- 10 DELTA UPSILON  
201 S. 10TH STREET
- 11 DELTA ZETA  
148 S. 11TH STREET
- 12 KAPPA SIGMA  
168 S. 11TH STREET
- 13 PI KAPPA ALPHA  
225 S. 11TH STREET
- 14 SIGMA ALPHA EPSILON  
282 S. 10TH STREET
- 15 SIGMA CHI  
248 S. 10TH STREET
- 16 SIGMA NU  
155 S. 11TH STREET
- 17 THETA CHI  
123 S. 11TH STREET



FRATERNITY & SORORITY LIFE  
GREEK HOUSING MAP



September 2016

## On Campus

Administration Building	125 S 7 <sup>th</sup> Street
Art Building	215 S 9 <sup>th</sup> Street
Associated Student House	301 S 5 <sup>th</sup> Street
ATMs	180 S 9 <sup>th</sup> Street
Boccardo Business Center	250 S 9 <sup>th</sup> Street
Business Tower	210 S 9 <sup>th</sup> Street
Central Classroom Building	215 S 7 <sup>th</sup> Street
Central Plant	290 S 9 <sup>th</sup> Street
Clark Hall	195 S 7 <sup>th</sup> Street
Computer Center	195 S 6 <sup>th</sup> Street
Corporation Yard Offices	404 E San Fernando Street
Corporation Yard Trades Building	129 S 10 <sup>th</sup> Street
Dudley Moorhead Hall	125 S 6 <sup>th</sup> Street
Duncan Hall	211 E San Salvador Street
Dwight Bentel Hall	240 S 5 <sup>th</sup> Street
Engineering Building	190 S 7 <sup>th</sup> Street
Event Center (Student Recreation)	290 S 7 <sup>th</sup> Street
Faculty Office Building	250 S 5 <sup>th</sup> Street
Health Building	285 S 9 <sup>th</sup> Street
Hugh Gillis Hall	130 S 5 <sup>th</sup> Street
Industrial Studies	135 S 9 <sup>th</sup> Street
IRC	145 S 6 <sup>th</sup> Street
Macquarrie Hall	240 E. San Carlos Street
MLK	150 E San Fernando Street
Modular F	190 S 9 <sup>th</sup> Street
Morris Dailey Auditorium	210 S 5 <sup>th</sup> Street
Music Building	270 S 7 <sup>th</sup> Street
North Parking Garage	65 S 10 <sup>th</sup> Street
Science Building	190 S 4 <sup>th</sup> Street
South Parking Garage	377 S 7 <sup>th</sup> Street
Spartan Complex Central	231 E San Carlos Street
Spartan Complex East	271 E San Carlos Street
Spartan Memorial	280 S 5 <sup>th</sup> Street
Student Services Center	60 S 9 <sup>th</sup> Street
Student Union	195 S 9 <sup>th</sup> Street
Student Wellness Center	285 S 7 <sup>th</sup> Street
Sweeney Hall	315 S 7 <sup>th</sup> Street
Tower Hall	210 S 5 <sup>th</sup> Street
University Police Department	377 S 7 <sup>th</sup> Street
Washington Square Hall	250 S 4 <sup>th</sup> Street

West Parking Garage	350 S 4 <sup>th</sup> Street
Yoshihiro Uchida Hall	298 S 4 <sup>th</sup> Street

## University Housing/Dorms

Campus Village A	380 S 9 <sup>th</sup> Street
Campus Village B	350 S 9 <sup>th</sup> Street
Campus Village C	320 S 9 <sup>th</sup> Street
Campus Village 2	386-388 Paseo de San Carlos
Campus Village Garage	355 S 10 <sup>th</sup> Street
Dining Commons	390 S 8 <sup>th</sup> Street
Joe West Hall	375 S 9 <sup>th</sup> Street
Washburn Hall	385 S 8 <sup>th</sup> Street

## South Campus

Bud Winter Field	1266-1374 S 10 <sup>th</sup> Street
Golf Complex	579 E Alma Ave
Koret Center	1200 S 7 <sup>th</sup> Street
Locker Rooms & Offices	460 E Humboldt Street
Park and Ride Lot	1253-1291 S 7 <sup>th</sup> Street
Simpkins Athletic Building	1393 S 7 <sup>th</sup> Street
Simpkins Stadium Center	1240 S 7 <sup>th</sup> Street
Spartan Stadium	1257 S 10 <sup>th</sup> Street

## Public Property/ Reportable

Elizabeth	9 <sup>th</sup> /10 <sup>th</sup> Street (400-499)
S. 8 <sup>th</sup> Street	(400 block)/ 566
San Fernando	4 <sup>th</sup> -5 <sup>th</sup> Street (150-199)
San Fernando	5 <sup>th</sup> -6 <sup>th</sup> Street (200-249)
San Fernando	6 <sup>th</sup> -7 <sup>th</sup> Street (250-299)
San Fernando	7 <sup>th</sup> -8 <sup>th</sup> Street (300-349)
San Fernando	8 <sup>th</sup> -9 <sup>th</sup> Street (350-399)
San Fernando	9 <sup>th</sup> -10 <sup>th</sup> Street (400-449)
San Salvador	4 <sup>th</sup> -5 <sup>th</sup> Street (150-199)
San Salvador	5 <sup>th</sup> -6 <sup>th</sup> Street (200-249)
San Salvador	6 <sup>th</sup> -7 <sup>th</sup> Street (250-299)
San Salvador	7 <sup>th</sup> -8 <sup>th</sup> Street (300-349)
San Salvador	8 <sup>th</sup> -9 <sup>th</sup> Street (350-399)
San Salvador	9 <sup>th</sup> -10 <sup>th</sup> Street (400-449)

10 <sup>th</sup> Street	E Santa Clara/Elizabeth (1-33)
10 <sup>th</sup> Street	Elizabeth/E San Fernando (34-99)
10 <sup>th</sup> Street	E San Fernando/E San Antonio (100-199)
10 <sup>th</sup> Street	E San Antonio/E San Carlos (200-299)
10 <sup>th</sup> Street	E San Carlos/E San Salvador (300-399)
4 <sup>th</sup> Street	San Fernando/Paseo de San Carlos (100-299)
4 <sup>th</sup> Street	Paseo de San Carlos/San Salvador (300-399)
9 <sup>th</sup> Street	Elizabeth/San Fernando (26-99)
9 <sup>th</sup> Street	Paseo de San Carlos/ San Salvador (200-399)

## Fraternities and Sororities

Alpha Epsilon Pi	182 S 10 <sup>th</sup> Street
Alpha Omicron Pi	408 S 8 <sup>th</sup> Street
Alpha Phi Alpha	322 E San Salvador Street
Alpha Phi	210 S 10 <sup>th</sup> Street
Alpha Tau Omega	202 S 11 <sup>th</sup> Street
Alpha Xi Delta	234 S 11 <sup>th</sup> Street
Beta Theta Pi	365 E San Fernando Street
Delta Gamma	360 E Reed Street
Delta Sigma Phi	189 S 11 <sup>th</sup> Street
Delta Upsilon	201 S 11 <sup>th</sup> Street
Delta Zeta	148 S 11 <sup>th</sup> Street
Kappa Delta	168 E San Salvador Street (future)
Pi Kappa Alpha	225 S 11 <sup>th</sup> Street
Sigma Alpha Epsilon	282 S 10 <sup>th</sup> Street
Sigma Chi	284 S 10 <sup>th</sup> Street
Sigma Nu	155 S 11 <sup>th</sup> Street
Theta Chi	123 S 11 <sup>th</sup> Street

## Non-Campus

Art Foundry	1036 S 5th Street
AS Child Development Center	460 S 8th Street
Foundry Commons Apartments	868 S 5 <sup>th</sup> Street
International House	360 S 10 <sup>th</sup> Street
President's House	1690 University Way
San Jose Repertory Theater (Hammer)	101 Paseo De San Antonio