HUMBOLDT STATE UNIVERSITY

ANNUAL SECURITY REPORT

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

Clery Crime Statistics 2017-2019
# TABLE OF CONTENTS

MESSAGE FROM THE UNIVERSITY PRESIDENT .................................................................4

PREPARING THE ASR ........................................................................................................6

CLERY CRIME STATISTICS 2017 - 2019 ........................................................................8

HATE CRIMES ..................................................................................................................10

REPORTING CRIMINAL ACTIONS & EMERGENCIES .....................................................10

VOLUNTARY CONFIDENTIAL REPORTING ....................................................................11

TIMELY WARNINGS .......................................................................................................11

SECURITY OF AND ACCESS TO CAMPUS FACILITIES ...............................................12

LAW ENFORCEMENT AUTHORITY ...............................................................................14

SECURITY PROCEDURES AND PRACTICES .................................................................15

CRIME PREVENTION PROGRAMS ..................................................................................17

CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS ....19

ALCOHOL AND DRUGS ...............................................................................................19

SEXUAL VIOLENCE ......................................................................................................22

PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT ....28

PRIVILEGED AND CONFIDENTIAL REPORTS .................................................................30

EXCEPTIONS TO CONFIDENTIALITY ............................................................................30

PRESERVATION OF EVIDENCE .....................................................................................31

REPORTING OPTIONS ..................................................................................................31

NON-REPORTING .........................................................................................................35

CIVIL LAWSUIT ............................................................................................................35

RESTRAINING ORDERS ...............................................................................................35

DISCIPLINARY PROCEDURES .......................................................................................35

COMPLAINT PROCEDURES .........................................................................................36

INFORMAL RESOLUTION ..............................................................................................39

INVESTIGATIVE PROCEDURES ......................................................................................40

HEARING PROCEDURES ...............................................................................................42

DETERMINATION REGARDING RESPONSIBILITY .........................................................43
EMPLOYEE SANCTIONS ................................................................. 44
STUDENT SANCTIONS ............................................................... 44
REGISTERED SEX OFFENDERS .................................................. 47
EMERGENCY NOTIFICATION ...................................................... 48
TESTING THE EMERGENCY NOTIFICATION SYSTEM ............. 49
MISSING STUDENT NOTIFICATION .......................................... 49
FIRE SAFETY ACT ................................................................. 50
MESSAGE FROM THE UNIVERSITY PRESIDENT

Humboldt State University is the northern-most school of the 23-campus California State University system, 275 miles north of San Francisco in the small city of Arcata, California. Humboldt State sits in the northwestern portion of Wiyot ancestral territory. In Wiyot, Arcata is known as Goudi’ni, meaning “over in the woods.” Wiyot territory is surrounded by the traditional, ancestral, and present homeland of several indigenous nations.

One of the most beautiful natural environments in the world surrounds the university, in the midst of the pristine pacific coastline, wild rivers, and ancient redwood forests, the tallest (and arguably some of the oldest) trees in the world. We are in a place that has the historical and cultural overprints of indigenous peoples, of the timber, fishing, and mining industries, and of the creative and performing arts.

HSU has almost 6,500 students and 500 faculty members, and offers a wide array of academic opportunities, with three colleges, 51 majors, 12 graduate programs, and 14 credential programs. Faculty members are among the top teachers and researchers in their fields. Academic offerings encompass nationally known programs and popular areas of studies in natural resources and sciences, arts, humanities, social sciences, and professional studies. Throughout the curriculum, students find a long-standing commitment to social and environmental responsibility and justice.

Outside the classroom, HSU students enjoy a rich campus life. They are involved in more than 140 academic, career, cultural, sports, and lifestyle clubs. Art exhibits and lectures take place throughout the year, and the University’s CenterArts brings in nationally recognized performers and speakers. The campus has a student recreational facility with a state-of-the-art...
fitness/wellness center, and a physical education facility that features kinesiology labs, a swimming pool, gyms, and a dance studio. Students can participate in 11 Humboldt State varsity sports teams, which compete in the NCAA Division II California Collegiate Athletic Association (CCAA) as full members. The Jacks women’s rowing team is an associate member of the Great Northwest Athletic Conference (GNAC).

Humboldt State strives to foster an inclusive and equitable community to support its students of diverse backgrounds. Students enjoy an extraordinary university experience, with the opportunity to take many small classes taught by professors who know them by name. In this place, we have a mission to educate students and to build on our values of social and environmental responsibility.

HSU is committed to providing a safer environment for our students, employees, and visitors. The 2020 Annual Security Report (ASR) is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). A federal mandate requires all institutions of higher education that participate in federal financial aid programs to maintain and disclose campus crime statistics and security information. This report includes only crimes that occur on campus or on public property directly adjacent to the campus (on sidewalks that are attached to campus), or in or on non-campus buildings or property that the institution owns or controls (rents). We share this information in a spirit of openness and with a deep commitment to supporting a safer environment for teaching, learning and living.

This report contains crime statistics for January 1, 2017 through December 31, 2019. The safety of HSU is a campus-wide effort, and we invite you to read this information and be a participatory member in our University community, working cooperatively to provide a safer educational setting.

Sincerely,

Tom Jackson, Jr., Ed.D.
President
PREPARING THE ASR

The Clery Compliance Team prepared this report to comply with the Clery Act. The full text of this report is located at the University Police Department web site at: https://police.humboldt.edu/clery-act-report, and can also be accessed via the HSU Home page at http://www.humboldt.edu (search for Clery or University Police). This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and satellite facilities, Housing & Residence Life, the Dean of Students Office, Athletics, Student Health and Wellbeing, International Programs, the Division of Student Affairs, Academic Affairs, and Administrative Affairs. Each entity provides HSUPD with information on allegations of crime received, referrals for student discipline for violations of the law, and their educational efforts and programs to comply with the Clery Act.

Arrests, allegations of crime on and around the main campus, and statistics for satellite properties include those reported to the University Police Department, to applicable local law enforcement agencies, and to designated campus officials defined as “campus security authorities”. Some statistics, especially disciplinary referrals for law violations, are difficult to compare accurately from campus to campus because criminal laws differ at many universities.

The Annual Security and Fire Safety Reports are published by October 1 for the previous calendar year, and made available for free to the public via the HSUPD webpage and through copies at the University Police Department, 1 Harpst St., Arcata CA 95521, or by calling 707-826-5555. All prospective employees may obtain a copy from Human Resources in Siemens Hall Room #212 or by calling 707-826-3626. The web site address (URL) for these reports is included in employment application information packets, and also listed in the HSU catalog. Prospective students will also be provided a copy of the report upon request.

Informational messages regarding the availability of the annual report are printed on employee paycheck stubs, in semester class schedules, in University publications, and in a special individual email notice sent to all currently enrolled students (including those attending less than full time and those not enrolled in Title IV programs or courses).

DIFFERENT STATISTICAL REPORTS REQUIRED BY LAW AND POLICY

As a recognized California Law Enforcement agency and part of the California State University, the Humboldt State University Police Department is required to report crimes (1) to the federal Department of Justice on a monthly basis; additional statistics for crimes, arrests, property loss and recovery are reported annually to (2) the California State University Chancellor’s Office; the Campus Security Act requires the submittal of a (3) report for the Department of Education Annual Statistics; and finally, the (4) “Humboldt State University Annual Security Report” is published each Fall to comply with the Clery Act.

CLERY ACT REPORT REFLECTS ALLEGATIONS OF CERTAIN CRIMES, NOT FULLY-SUBSTANTIATED CRIME INVESTIGATIONS

The nature of the Clery Act regulations demands that the University Police Department document and report all allegations of certain crimes regardless of whether or not there is evidence or an investigation that substantiates all the elements of the specific crime(s) under California law that would be required for prosecution. Even some confidential reports without any identified suspect or information to confirm the victim’s allegation may be included as reported crimes in this report. The only crime allegations that may be excluded from reporting are those that police investigation shows to be false or baseless.
**Statistics Can Vary Between Reports**

Caution should be used in comparing one type of report to another inasmuch as each report asks for different statistics. However, in the university environment of information and awareness, the crime allegation information reported will enable our campus community to be safety conscious. These statistics are available to students, staff, faculty, and prospective members of our university community. The data is inclusive of crimes that were reported within the past three years on-campus, off-campus and on public property surrounding campus jurisdiction.

**Clery Act Reports Can Be Difficult to Compare Between Campuses**

There are numerous problems with making campus-to-campus comparisons, including but not limited to: the community where a campus is located, the relative size of each campus, the number and type of satellite properties, the number of students residing on each campus, the type and size of any off-campus University housing or Greek communities, the presence or absence of proactive police personnel on the campus, the nature of the university/college and police data entry/storage/retrieval systems, and diligent referral and reporting processes. What might be reported and documented on one campus may not be on another campus. Also, it is important to note that on some campuses, there are specific law violations for such offenses as illegal weapons and open containers of alcohol that will result in arrests or documented disciplinary referrals, while other campuses without such laws will not have reportable statistics for the same conduct.
<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON-CAMPUS TOTAL</th>
<th>CAMPUS RESIDENTIAL</th>
<th>NON-CAMPUS</th>
<th>PUBLIC PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder and Non-Negligent Manslaughter</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>2017</td>
<td>5</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>2017</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>6</td>
<td>4</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>2017</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>12</td>
<td>7</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>6</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>2017</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>2017</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>OFFENSE</td>
<td>YEAR</td>
<td>ON-CAMPUS TOTAL</td>
<td>CAMPUS RESIDENTIAL</td>
<td>NON-CAMPUS</td>
<td>PUBLIC PROPERTY</td>
</tr>
<tr>
<td>----------------------</td>
<td>------</td>
<td>-----------------</td>
<td>--------------------</td>
<td>------------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2018</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| Domestic Violence    | 2017 | 1               | 0                  | 0          | 0               |
|                      | 2018 | 0               | 0                  | 0          | 0               |
|                      | 2019 | 0               | 0                  | 0          | 0               |

| Stalking             | 2017 | 0               | 0                  | 0          | 0               |
|                      | 2018 | 1               | 0                  | 0          | 0               |
|                      | 2019 | 1               | 0                  | 0          | 0               |

| Liquor Law Arrests   | 2017 | 3               | 0                  | 0          | 0               |
|                      | 2018 | 0               | 0                  | 0          | 0               |
|                      | 2019 | 0               | 0                  | 0          | 0               |

| Liquor Law Referrals | 2017 | 115              | 115                | 0          | 0               |
|                      | 2018 | 70               | 70                 | 0          | 0               |
|                      | 2019 | 20               | 20                 | 0          | 0               |

| Drug Law Arrests     | 2017 | 2               | 0                  | 0          | 0               |
|                      | 2018 | 1               | 0                  | 0          | 1               |
|                      | 2019 | 1               | 0                  | 0          | 0               |

| Drug Law Referrals   | 2017 | 189              | 189                | 0          | 0               |
|                      | 2018 | 141              | 141                | 0          | 0               |
|                      | 2019 | 68               | 68                 | 0          | 0               |

| Weapons Law Arrests  | 2017 | 1               | 0                  | 0          | 0               |
|                      | 2018 | 0               | 0                  | 0          | 0               |
|                      | 2019 | 1               | 0                  | 0          | 0               |

| Weapons Law Referrals| 2017 | 2               | 2                  | 0          | 0               |
|                      | 2018 | 0               | 0                  | 0          | 0               |
|                      | 2019 | 0               | 0                  | 0          | 0               |

| Unfounded Crimes     | 2017 | 1               |                    |            |                 |
|                      | 2018 | 2               |                    |            |                 |
|                      | 2019 | 2               |                    |            |                 |
HATE CRIMES

2017: There were no reported hate crimes.

2018: Two incidents of vandalism: 2 race bias incidents.

2019: Two hate crimes: Battery on person; Threats of terrorism.

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

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

Hate crime reporting is considered for all Clery geography including on-campus, residential facilities, non-campus buildings or property, and public property.

REPORTING CRIMINAL ACTIONS & EMERGENCIES

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 by dialing 911 from any phone. All persons are encouraged to contact any campus official to seek their assistance in reporting crimes, suspicious incidents or security problems. For non-emergency or business calls, dial extension 5555 from any campus phone or 707-826-5555 from off-campus. Call 9-1-1 for police, fire or medical emergencies. The HSUPD dispatch center receives cell phone 9-1-1 calls directly from most wireless carriers and continues to work with other carriers to bring them into compliance with the state regulations. Certain areas of campus will route directly to the UPD while others may still be answered by the California Highway Patrol or the Arcata Police Department.

The Humboldt State University Police Department is responsible for receiving reports, documenting, follow-up investigation, and resolution of any criminal incident that occurs at the University. Crimes committed in or on off-campus buildings owned or controlled by Humboldt State University (satellite properties) are generally reported to the police agency of jurisdiction where the building or property is located. The University Police Department may be requested to assist or take the lead in the investigation of such incidents as appropriate and/or indicted by interagency agreements.

REQUIRED REPORTING EXEMPTION: PASTORAL OR PROFESSIONAL COUNSELORS

Certain individuals who have significant responsibility for student and campus activities are exempt from disclosing information. To be exempt from disclosing reported offenses, pastoral or professional counselors must be “acting” in the role of pastoral or professional counselors.

Professional counselor

A person whose official responsibilities include providing mental health counseling to members of the University’s community and who is functioning within the scope of their license or certification.

This definition applies even to professional counselors who are not employees of the University, but are under contract to provide counseling at Humboldt State University.
VOLUNTARY CONFIDENTIAL REPORTING

Humboldt State University encourages our professional and pastoral counselors to inform individuals they are counseling about the voluntary, confidential reporting options available to them.

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

i. The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and

ii. The immediate assistance of the local law enforcement agency is necessary to contact or detain the alleged assailant.

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

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 a serious or continuing threat to the community exists.

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

If it is determined that any of the three factors are not met, then no timely warning will be issued.

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

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

For clarity to the community when a timely warning is issued it will be titled “Timely Warning Crime Bulletin” and include the following:
A statement that the Timely Warning Bulletin is being issued in compliance with the Jeanne Clery Act and the purpose is to provide preventative information to the campus community to aid members from becoming the victim of a similar crime.

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

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

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Boundary Security, Staff Reporting, and Patrols
The campus entrances are marked with signs and monuments to identify to visitors that they have entered campus. Police and Parking personnel patrol the campus in uniform in marked police vehicles, on bike, and foot. All personnel of the University Police Department, including 24-hour armed uniformed California peace officers, other full-time staff, and student employees, use cell phones, campus phones, and police radios to call in crimes, security problems and emergency situations as they are discovered. Other staff members do the same, including but not limited to: Student Affairs staff and student employees; Housing residential and professional staff; Facilities Management custodial, maintenance, grounds and other staff. Arcata Police and Parking personnel regularly traverse the campus on patrols and take on-view action or notify University Police of security problems or suspicious/ criminal activity. Arcata Police personnel assist HSUPD promptly upon request.

On-site Police Department
The University Police Department is located on the ground floor of the Student and Business Services Building in the center of campus at Harpst and Rossow Streets. The Department is marked with signs, and is open 24 hours a day as an area of relative safety and refuge. The department is staffed on-site by trained professional 911 dispatchers who can personally communicate with a walk-up customer or others who may choose to contact the department by phone.

Telephone Access to HSUPD
There are 63 courtesy phones and 69 public assistance “Blue Light” phones (exterior phones and call boxes, which are illuminated at night by blue lights) on campus. These assistance phones have direct-dial emergency access to HSUPD, many with the push of a large red button marked “HELP”. Any member of the community may also call the University Police at ext. 5555 from any campus assistance phone (off campus, or by cell phone, 707-826-5555) for an on-campus “Safety Escort”. Police Department staff may provide the escort while on foot, bike, or vehicle patrol.
Security Alarms and Cameras
Many offices, labs, computer rooms, some residences, and other areas of campus have burglary and/or panic alarms that are monitored at the University Police Department. Several public locations on campus have security cameras that serve to deter crime; although they are not continually monitored in real time, the images from these are recorded and can be reviewed by authorities should a need arise.

Residence Hall Security
Entry into University residence halls is controlled and monitored on a 24-hour basis through a combination of card-key security systems, alarms and on-duty Residence Life personnel. Exterior doors automatically lock. Some common areas and the largest, freshman-oriented residence halls also have security cameras. The Residential Life staff do regular walking rounds of the interior and exterior of campus housing and are equipped with radios and flashlights to check the security of residence halls at night, closing and locking doors. Since campus residence halls are locked 24 hours a day, residents, with identification, can request access if locked out. Staff and residents are responsible for securing the facilities and closing any open doors. A professional staff member is always on call and responds to crimes and emergencies around the clock. UPD is also available 24 hours a day and may be pro-actively present in the halls at any time, or may be requested to respond by housing staff.

Campus Building Security
Campus buildings other than residence halls are maintained by Facilities Management and patrolled by the sworn police officers and HSUPD Student Assistants assigned to door-opening duties. Custodians work late evening and occasional early morning hours and report suspicious or criminal activity directly to HSUPD via radio or phone.

Access to Campus Buildings
Most campus buildings and facilities are accessible to students, employees, guests and visitors during normal business hours Monday through Friday and for limited designated hours during special events. After-hours, access to all facilities is by key or electronic key card. Building coordinators and individual departments should be contacted for after-hours access.

Campus Building Closing Schedule and After-Hours Access
All buildings should be secured by 10:00 PM weekdays and weekends except under special circumstances. Custodial staff, officers and part-time student staff may be responsible for locking or unlocking most campus buildings at the proper times at the direction of the building coordinators. It is recognized that there will be some need for after-hour/weekend access to buildings. After hours, a faculty or staff I.D. is required for building access. Students working in the building after hours are required to have in their possession a student pass (authorized by building coordinators), together with photo identification. Holiday access scheduling is treated as weekend access.

Security Considerations Used in Maintenance of Facilities
Residence Hall Community
Residence hall maintenance, including lighting, grounds keeping, windows/doors/locks, is directed through the Housing Office, 707-826-3451. Problems are reported by student residents, resident staff, professional staff, custodians, groundskeepers, walk around security, and maintenance employees.
Campus Buildings and Grounds

Campus buildings and grounds maintenance is directed through Facilities Management, 707-826-4475. Problems are reported by visitors, students, faculty, staff, custodians, groundskeepers, maintenance employees, police, and parking personnel. Employees of the Police Department periodically test emergency assistance phones, identify safety and security needs such as overgrown shrubbery and streetlamps being out, and notify Facilities Management via a Work Request Form emailed to Facilities Management 24 hours a day. Periodic crime prevention surveys are conducted when a crime trend occurs or upon the physical changes of office space and equipment when requested by an administrator.

LAW ENFORCEMENT AUTHORITY

As a recognized California Law Enforcement agency, the Humboldt State University Police Department (HSUPD) has full law enforcement powers and performs all law enforcement responsibilities for the Humboldt State University community 24 hours a day, 365 days a year. HSUPD meets all training requirements mandated by the California Commission on Peace Officers Standards and Training (POST) as well as training designed to meet the needs of the university community. As state peace officers, their police authority extends throughout the state, including concurrent jurisdiction with the Arcata Police Department on the adjacent streets and surrounding community.

The professionally trained staff operates a 911 Public Safety Answering Point (PSAP) dispatch center; responds to emergency calls; protects life and property; and oversees crime prevention, multi-hazard emergency management, general community-oriented patrol and security. Duties also include proactive law enforcement, criminal and traffic investigation, safety escorts of persons and persons carrying valuables, reporting of safety hazards, assistance to motorists, and assistance to other law enforcement agencies and social service agencies.

Additionally, HSUPD administers LiveScan fingerprinting services; participates in public safety education programs; and supports Residence Hall presentations, building security programs, Building Evacuation Teams, bicycle registration, crime prevention and alert notices, drug awareness training, Women’s Self Defense and property identification.

Authority as Campus Staff Members

The peace officers of the Humboldt State University Police Department are designated staff members within the Administrative Affairs Division of the University. As such, they have the authority to respond to and investigate possible violations of the Student Code of Conduct, Housing Rules, and other University rules and regulations. Officers regularly prepare Incident Memorandums to Housing and Student Affairs Judicial personnel documenting evidence of non-criminal policy violations, and of criminal acts. These violations can result in discipline.

Statewide Authority to Arrest

The peace officers of the Humboldt State University Police Department, as appointed pursuant to § 89560 of the California Educational Code, have the authority to enforce the law anywhere in the state in accordance with California Penal Code § 830.2(C) and contemporary court opinions. This authority includes the power to make arrests on or off campus anywhere in the State of California.

Primary Jurisdiction

As per Penal Code § 830.2(C) and § 89560 of the California Educational Code, the primary duty of Humboldt State University Police Officers shall be the enforcement of the law on the main
campus and in an area within one mile of the exterior boundaries of the main campus, and also in or about other grounds or properties owned, operated, or controlled by the California State University. The one-mile area around the campus encompasses much of the City of Arcata including downtown and the Plaza.

**Generalist Philosophy**

The University Police Department assumes primary investigative responsibility for all crimes reported to have taken place upon the University main campus and other University properties. In the event that a serious crime or ongoing pattern of crime requires additional resources, the University Police Department will call on Arcata PD, other local agencies, other California State Universities, and other state and federal agencies for assistance as needed.

**Local Relationships and Agreements**

HSUPD has positive working relationships and written operational agreements with state and local police departments. HSUPD assists Arcata PD nearly every day, often during incidents where students are present. HSUPD maintains contact with other local agencies through radio monitoring, electronic and voice communication, and regular inter-agency meetings. Arcata PD and HSUPD have an operational agreement delineating responsibilities and jurisdictional understanding published in accordance with California Education Code § 67381 (the Kristin Smart Campus Safety Act of 1998). A copy of this will be made available upon request.

**SECURITY PROCEDURES AND PRACTICES**

During freshman and transfer orientation prior to the start of each semester, the Chief of Police or his/her designee presents information regarding security awareness and safety issues to incoming students and their families in a panel, at a campus service fair with tabling information, and through the “Health & Safety” program, mentioned below.

Early in the academic semester, resident advisors (RAs) facilitate special floor meetings in the residence halls where discussions are facilitated regarding safe behavior and security of the residence halls. Emphasis is placed on locking exterior doors and discouraging strangers from entering residence halls.

At the start of some athletic team seasons, officers of the University Police Department present a structured lecture to incoming athletes regarding appropriate, lawful behavior, and encouraging members of the team to watch out for one another.

At least once each academic year, the Chief of Police or his/her designee presents safety and security information to new faculty members. A similar presentation is given to new University staff employees several times a year.

Periodically, upon request, special safety presentations are given to subgroups of employees by the Chief of Police or his/her designee, such as emergency/disaster procedures, security reminders to Housing staff, night time safety tips for campus custodial staff, or “active shooter” instruction given to an academic department.

**Rave Guardians and Safety Timer**

Students can identify University Police, friends, roommates, and family as "Guardians" when setting their Rave Guardian Safety Timer. During a timer session, "Guardians" and University Police can check the status of the student. If the Safety Timer is not deactivated before it expires, University Police are automatically provided with the user’s Rave Guardian profile to proactively identify
and check-in on the individual. Other "Guardians" will also have access to important details such as his/her phone's location on a map and contact information.

**Direct 911 Access**
The Rave Guardian app allows for easy emergency communication. In an emergency situation, one button in the app directly connects the user to University Police dispatch or 911. More information about the Rave Guardian app is available here: [http://www.raveguardian.com/](http://www.raveguardian.com/).

**Safety Profile**
Student-created Safety Profiles contain information such as residence details and medical conditions. When a student requires assistance - on or off-campus - student Safety Profiles are displayed to University Police and Smart 911 enabled 911 centers nationwide.

**ResLife + You Handbook**
Part of the mission in Residence Life is to maintain a safe environment within the residential community. Therefore, there are policies and procedures listed in the ResLife + You Handbook that enable us to help maintain safety and security. All community members play a part, including staff, guests, and residents. If someone does not feel safe in the residence halls, they are encouraged to contact a Residence Life staff member (such as an on-duty RA or your RLC) or the University Police Department (UPD) for assistance.

**Campus Health & Safety Program**
A special freshman education program is presented prior to the start of a semester, tailored to new students to prepare them for safe, healthy, positive experiences and choices in situations involving parties, alcohol, drugs, and sexual situations. This program discourages dangerous and criminal behavior, unwelcome / nonconsensual sexual conduct, and emphasizes the use of the buddy system in party settings, respecting one another, and diversity.

This program is presented through the Freshmen and Transfer Orientation and HSU Clubs & Activities. For more information about orientation, contact the Office of Admissions at 707-826-3510.

**Women's Self-Defense Class**
Several times per year, the Humboldt State University Police Department, in partnership with Student Affairs and Enrollment Management, sponsors a 3-hour intensive women's self-defense class. It is a fast-paced class, focused primarily on physical defense techniques. It's open to students, staff, and faculty, and it is free of charge.

**CHECK IT Bystander Intervention Initiative**
CHECK IT is a student-led project that has grown into a campus-wide bystander intervention movement. It is about rejecting a culture of passive acceptance of harm and making it a norm to CHECK IT (intervene) if we see an absence of consent or a high-risk situation where someone may be hurt. CHECK IT is about making clear to those who commit acts of violence (specifically sexual assault, dating violence, stalking) that it is not acceptable and we are not going to put up with it in our community. CHECK IT is about strategizing different ways that we as a community can take action when we see potential moments of violence or harm happening around us so that in those moments we have the tools to do something instead of nothing. CHECK IT is about creating a campus culture that's more rooted within a sense of community where we all look out for one another and have each other’s backs.
CRIME PREVENTION PROGRAMS

The University engages in comprehensive, integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual misconduct and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees (i.e., faculty and staff) and ongoing awareness and prevention campaigns for students and employees that:

a. Identifies domestic violence, dating violence, sexual misconduct, and stalking as prohibited conduct;

b. Defines what behavior constitutes domestic violence, dating violence, sexual misconduct, and stalking using definitions set forth by California State University Executive Orders 1096 and 1097 (in compliance with federal and state law);

c. Defines what behavior and actions constitute consent to sexual activity as set forth within The California State University;

d. Follows Executive Orders 1096 and 1097 (in compliance with state law);

e. Provides safe and positive options for bystander intervention. Bystander intervention means safe and positive option that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual misconduct, or stalking against a person other than the bystander. 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;

f. Provides information on risk reduction;

g. Provides information on procedures for institutional response and disciplinary processes;

h. Provides an overview of other information contained within the Annual Security Report in compliance with the Clery Act.

The University has numerous primary prevention and awareness programs that include the distribution of educational materials to new students and new employees at such events as Freshman Orientation, Student Club & Organization Leader Orientation, and New Employee orientations held throughout the year. In addition, ongoing prevention and awareness events are presented throughout the year for students and employees, which include such events as: Rape Aggression Defense for Women and Men, Project DATE, Take Back the Night, and HSU Student Athlete training.

In June, incoming students receive emails with the link to the annual Course Catalog which includes a sections called “Student Rights, Responsibilities & The Fine Print” that contains the Anti-Hazing & Initiation Policy; Student Conduct; Whom to Contact If You Have Complaints, Questions or Concerns; Information Regarding Campus, Criminal, and Civil Consequences of Committing Acts of Sexual Violence; Confidentiality and Sexual Violence, Dating Violence and Stalking; Sexual Assault and Domestic Violence Counselors and Advocates; Reporting to University or Local Police, Reporting to the Title IX Coordinator and Other University Employees; and Nondiscrimination
Policy & Complaint Procedures with definitions of Protected Status, Sex Discrimination, Sexual Harassment, Sexual Misconduct, Rape, Acquaintance Rape, Affirmative Consent, Dating Violence, and Stalking.

HSU communicates to its first-time freshmen students that they are required to attend New Student Orientation, during which they receive information from CHECK IT. As detailed earlier in the report, CHECK IT is a student lead movement that’s about empowering students with the tools to take action when they see acts of sexual assault, dating violence and stalking in our community and make clear to those who choose to commit acts of harm that it’s not acceptable. It’s also about creating a community where students feel safe, have each other’s backs and look out for another whether they know each other or not. The Office of the Dean of Students provides information about the Campus Title IX Coordinator, examples of acts which may constitute sexual violence and links to on and off campus resources. Education on sexual harassment and sexual violence is also presented at other new student orientations, including transfer students and international students.

HSU also provides education to all incoming students about HSU’s policy prohibiting sexual harassment, sexual misconduct, dating and domestic violence, and stalking, how to file a Title IX complaint regarding sexual misconduct, dating and domestic violence, and stalking by way of its “Title IX Notice of Non-Discrimination,” victim’s rights and options, myths and facts about sexual violence and prevention and risk reduction tips, which can be found in printed materials and on the University’s website.

Students reporting sexual misconduct, dating and domestic violence, and stalking will also receive information about filing a complaint from HSU’s Title IX Coordinator (or designee), campus law enforcement, Campus Advocates, Student Counseling Center, Student Housing, and the Student Health Center.

In light of revised system-wide policies and legal requirements, HSU expanded its training to include more specific definitions of the various forms of sexual violence, primary prevention and risk reduction tips, and bystander intervention education. Ongoing campus prevention and awareness programs are provided to the HSU community throughout the year to include: a statement prohibiting new sexual violence Clery crimes; definition of the new sexual violence Clery crimes; definition of "consent" for sexual activity; options for bystander intervention; information on risk reduction; and applicable administrative and reporting procedures after a sexual violence Clery crime is reported. Awareness programs are those activities, events, and campaigns provided by the campus which inform our community members of potential personal safety risks while providing risk reduction strategies. 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.

The new freshmen class, incoming transfer students, and student clubs and organizations receive training focused on maintaining healthy relationships, establishing affirmative consent before engaging in sexual activity, the critical role of bystanders in intervening when they see potentially dangerous situations unfolding around them, preventing alcohol from clouding decision-making and other important issues, including how the University responds to reports of sexual violence.

All faculty and staff are required to take a similar training program entitled “CSU’s Sexual Misconduct Prevention Program” presented by the LawRoom organization through the CSU training portal. This course provides practical training for identifying, reporting, and preventing campus sexual violence, as well as assisting victims of sexual assault. Interactive case studies and videos provide engaging educational content that explains how to respond to known or suspected sexual
violence, which includes sexual assault, dating violence, domestic violence, and stalking. Many interactions are based on real cases that teach important concepts to help create a safe campus community and create a culture that does not tolerate sexual violence. The course teaches employees valuable skills for assisting victims and survivors of sexual violence and reporting sexual violence. The course content also helps postsecondary institutions comply with the employee training requirements of Title IX and the Campus Sexual Violence Elimination Act (Campus SaVE Act). This course also provides state-specific legal definitions of sexual violence, and describes victim protections, bystander intervention strategies, and school disciplinary proceedings.

During in-person training, the Title IX Office provides to students HSU’s Title IX Notice of Non-Discrimination, Rights and Options brochures, and “Student Resources and Reporting Options for Sexual Violence and Relationship Abuse” pamphlets, which provide information on HSU’s policy and procedures regarding sexual harassment, sexual violence, domestic violence, dating violence, and stalking; myths and facts about sexual violence, risk reduction tips, and confidential and non-confidential resources – both on and off campus. The Title IX Office also distributes throughout campus door posters and decision maps to be displayed publicly. HSU also provides a range of programs and activities to students, which are organized directly by students.

CRIMINAL ACTIVITY AT NONCAMPUS LOCATIONS OF STUDENT ORGANIZATIONS

No such organizations with non-campus locations exist during this reporting period (2017 – 2019), therefore no policy exists.

ALCOHOL AND DRUGS

The faculty, staff, and administration of Humboldt State University are dedicated to creating an environment that allows students to achieve their educational goals. Humboldt State University believes that awareness through education is necessary to promote a healthy lifestyle for our campus, and that every member of the campus community should be encouraged to assume responsibility for their behavior. Humboldt State University subscribes to a drug-free campus and workplace (Drug Free Workplace Act, 1988; Drug-Free Schools and Communities Act Amendment, 1989, PL101-226). Manufacture, sale, distribution, dispensation, possession, or use of alcohol and controlled substances by university students and employees on university property, at official university functions, or on university business is prohibited except as permitted by law, university policy, and campus regulations. Students, faculty, and staff violating these policies are subject to disciplinary action which may include expulsion or termination of employment and may be referred for criminal prosecution and/or required to participate in appropriate treatment programs.

The current university policy regarding use of alcoholic beverages is Executive Memorandum P19-04 (April 2019), Alcoholic Beverages Policy, which can be accessed on the HSU Policies webpage (http://humboldt.edu/policy) directly at: https://policy.humboldt.edu/alcoholic-beverages-policy. Any questions related to this policy should be addressed to the University President or their designee, as outlined in the Legal Requirements section. Any revision of this policy shall be proposed to the President.

A key element of alcohol and drug abuse prevention is students working with other students to create healthy norms of behavior on campus. Through the Peer Health Education Program in the Recreation and Wellness Center, students can become involved in bringing vital health outreach and leadership in a variety of health topics (including substance use) to the campus community.
Contact the University Health Educator at 707-826-5228 for more information. Many self-help groups meet both on campus and in the community.

Alcoholics Anonymous and Narcotics Anonymous meet on the HSU campus each week. Information regarding these meetings is posted on bulletin boards outside the Health Educator’s office at the Rec and Wellness Center and at the Counseling Center on the second floor of the Health Center.

**Housing Assistance to Resident Students**
Residence Life Staff are available to identify, informally counsel, support, and make referrals for students suffering from drug/alcohol abuse issues. These interventions may include referral to on or off-campus professionals, group support, and/or directions to participate in online intervention programs.

**Employee Assistance Program (EAP)**
Whether the source of the problem is psychological, chemical, marital, family, or workplace-related, this service puts an employee or their dependents in touch with a skilled counselor who has training and experience in helping people. At no cost, a counselor will assist in defining and recognizing a problem. The counselor will offer two, one-hour sessions of counseling and refer the employee or dependent to the appropriate agency or therapist if further help is necessary. This may range from a no-cost support group to out-of-pocket private counseling. When assistance is requested, no information is reported to supervisors, deans, chairs, or the Human Resources Department. To ensure confidentiality, this service is provided by Humboldt Family Service Center. They can be contacted at 707-443-7358.
### ADDITIONAL ASSISTANCE RESOURCES INCLUDE:

#### On Campus

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counseling &amp; Psychological Services</td>
<td>707-826-3236</td>
</tr>
<tr>
<td>Student Health Center</td>
<td>707-826-3146</td>
</tr>
<tr>
<td>Rec &amp; Wellness Center</td>
<td>707-826-3357</td>
</tr>
</tbody>
</table>

#### Off Campus

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA (Alcoholics Anonymous)</td>
<td>Toll Free 844-442-0711</td>
</tr>
<tr>
<td>Alcohol/Drug Care Services (DETOX)</td>
<td>707-445-3869</td>
</tr>
<tr>
<td>Alcoholics &amp; Narcotics 24 Hr. Help Line</td>
<td>888-206-7272</td>
</tr>
<tr>
<td>American Cancer Society</td>
<td>707-443-2241</td>
</tr>
<tr>
<td>Crossroads Residential Program</td>
<td>707-445-0869</td>
</tr>
<tr>
<td>Dual Recovery Anonymous</td>
<td>707-445-6250</td>
</tr>
<tr>
<td>Eureka Community Health Center</td>
<td>707-441-1624</td>
</tr>
<tr>
<td>Health Dept./Alcohol and Other Drugs Prevention</td>
<td>707-268-2132</td>
</tr>
<tr>
<td>Health Dept./HIV-AIDS Testing</td>
<td>707-268-2108</td>
</tr>
<tr>
<td>Healthy Moms</td>
<td>707-441-5220</td>
</tr>
<tr>
<td>Hoopa Tribal Alcohol Program</td>
<td>530-625-4236</td>
</tr>
<tr>
<td>Humboldt Alcohol/Al-Anon/Al-Teen/Adult &amp; Children of Alcoholics (ACA)</td>
<td>707-443-1419</td>
</tr>
<tr>
<td>(HART) Fortuna Community Services</td>
<td>707-725-9381</td>
</tr>
<tr>
<td>Humboldt County Crisis Services</td>
<td>707-445-7715</td>
</tr>
<tr>
<td>Humboldt Domestic Violence Services</td>
<td>24 Hour 707-443-6042</td>
</tr>
<tr>
<td>Humboldt Family Services Center</td>
<td>707-443-7358</td>
</tr>
<tr>
<td>Humboldt Recovery Center</td>
<td>707-443-0514</td>
</tr>
<tr>
<td>Mothers Against Drunk Driving (MADD)</td>
<td>707-443-5072</td>
</tr>
<tr>
<td>Narcotics Anonymous (NA)</td>
<td>707-444-8645</td>
</tr>
<tr>
<td>Open-Door Clinic Smoking Cessation</td>
<td>707-826-8610</td>
</tr>
<tr>
<td>Redwood Rural Health Center – Garberville St. Joseph Hospital</td>
<td>707-923-2783</td>
</tr>
<tr>
<td>Singing Trees Recovery Center</td>
<td>707-247-3495</td>
</tr>
<tr>
<td>United Indian Health Services</td>
<td>707-825-5000</td>
</tr>
</tbody>
</table>
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, and campus housing changes; provides work assignment assistance, stay away orders, leaves of absence, and more. The University also provides information to complainants 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 reporters 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 respondents. If requested by the complainant, University personnel will assist them in notifying the appropriate law enforcement authorities.

PREVENTION, EDUCATION, AND AWARENESS

Policy Statement

The California State University (CSU) 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 safety and well-being of our Campus communities is a priority for the University.

Training, Education and Preventive Measures

HSU implements preventive education programs to promote the awareness of CSU policies against Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, and to make victim resources available, including comprehensive victim services. These programs include primary prevention and awareness programs: (1) for all new Students and new Employees; (2) refresher programs at least annually for all Students; (3) twice a year for all Students who serve as Advisors in residence halls; (4) annually for all Student
members of fraternities and sororities; (5) annually for all Student athletes and coaches; and, (6) annually for all Employees consistent with their role in responding to and reporting incidents. Ongoing prevention and awareness campaigns for all Students and Employees is also be conducted.

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

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 Sexual Misconduct, Dating or Domestic Violence, or Stalking. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening and identifying safe and effective intervention options, and taking action to intervene.

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

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

Contact information for programs to prevent, educate, and promote awareness of dating violence, domestic violence, sexual assault, sexual harassment and stalking:

(1) David Hickcox, Title IX Coordinator, dth174@humboldt.edu, (707) 826-5177 – The Title IX Coordinator is responsible for coordinating training, education, and preventive measures in the areas of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking.

(2) Kim Berry, Chair, Sexual Assault Prevention Committee (SAPC), kb14@humboldt.edu, (707) 826-4925 – SAPC coordinates educational programs for the campus community that help prevent the occurrence of rape, acquaintance rape, and other forms of sexual violence, and advises the Vice President for Enrollment Management about campus policies and procedures that better support the prevention of rape, acquaintance rape, and other forms of sexual violence among the campus community, including treatment and information for its victims.

(3) Mary Sue Savage, CHECK IT Bystander Intervention Program Coordinator, mss62@humboldt.edu, (707) 826-5235 – CHECK IT is a student led project and growing movement on campus. It’s about rejecting our culture’s passive acceptance of harm and making it a norm to CHECK IT (intervene) if we see an absence of consent or a high-risk situation where someone may be hurt. CHECK IT is about making clear to those who commit acts of violence (specifically sexual assault, dating violence, stalking) that it is not acceptable and we are not going to put up with it in our community. CHECK IT is about strategizing as a community different ways we can take action when we see potential
moments of violence or harm happening around us so that in those moments we have the tools to do something instead of nothing. CHECK IT is about creating a campus culture that’s more rooted within a sense of community where we all look out for one another and have each other’s backs.

(4) Paula Arrowsmith Jones, Campus Advocate Team (CAT) Director, paj@ncrct.org, (707) 445-2881 – The CAT is a free and confidential on-campus resource for students, staff and faculty at HSU. CAT is a program of the North Coast Rape Crisis Team, a private non-profit organization that has been contracted by HSU to provide specialized services to the HSU community. CAT provides 24-hour, completely confidential support to any HSU student, staff, or faculty member who wants to talk about harm they’ve survived, or explore their options for support and/or holding accountable the person who harmed them. CAT works with the university, but not for HSU. Who CAT works for is survivors of sexualized violence, including stalking, sexual assault, sexual harassment, and intimate partner violence. CAT offers individual counseling and support groups led by certified sexual assault counselors. They offer support no matter where victims / reporters are in their process of healing. CAT will accompany victims / reporters to the hospital or to file a report, they will work to answer any questions victims / reporters may have, and can also provide referrals for local therapists and other community resources.

Definitions Per Executive Orders 1095-1097

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

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

Sex Discrimination

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

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

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

Executive Order: Sexual Harassment

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

1. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Complainant's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
2. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, and is in fact considered by the Complainant, as limiting his or her ability to participate in or benefit from the services, activities or opportunities offered by the University; or
3. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the Complainant, 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.

Executive Order: Sexual Misconduct

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

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

**Addendum B: Sexual Assault**

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

b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Affirmative Consent of the victim, including instances where the Complainant is incapable of giving Affirmative Consent because of their age or because of their temporary or permanent mental incapacity.

c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

**Affirmative Consent (Applicable in Addendum B and Non-Addendum B Matters)**

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

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions,
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making ability, awareness of consequences, and ability to make informed judgments. A person’s own intoxication or incapacitation from drugs or alcohol
does not diminish that person’s responsibility to obtain Affirmative Consent before engaging in sexual activity.

- A person with a medical or mental disability may also lack the capacity to give consent.
- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.
- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
  - The person was asleep or unconscious;
  - The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
  - The person was unable to communicate due to a mental or physical condition.
- It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  - 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.

Addendum B: Domestic Violence

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

Executive Order: Domestic Violence

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

Addendum B: Dating Violence

Physical violence or threat of physical violence committed by a person—

  a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
  b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
     i. The length of the relationship.
ii. The type of relationship.
iii. The frequency of interaction between the persons involved in the relationship.

**Executive Order: Dating Violence**

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

**Addendum B: Stalking**

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

**Executive Order: Stalking**

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

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

**PROCEDURES FOR REPORTING A CRIME OF SEXUAL VIOLENCE/SEXUAL MISCONDUCT**

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

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

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

Complainants have the right to decide who and when to tell about Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking. However, it is very important that they get medical attention after being assaulted. Following the incident, a Complainant 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 a Complainant at fault. If a campus community member has experienced Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking they should not be deterred from reporting the incident out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. A person who participates in investigations or proceedings involving Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline for related violations of the Student Conduct Code or other University policies at or near the time of the incident unless the University determines the conduct places the health and safety of another person at risk, or is otherwise egregious.

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

Certain University employees, listed below, are required by law to maintain near or complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain the reporting party’s identity as confidential, if requested by the reporting party, but will report the facts of the incident to the Title IX Coordinator, including the identity of the alleged 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 Complainant, and take steps to correct and eliminate the misconduct.

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

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

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against an alleged 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 / Sexual Assault, Domestic Violence, and Dating Violence).

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

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

**PRESERVATION OF EVIDENCE**

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

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

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

**REPORTING OPTIONS**

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

**Reporting to The Police**

Reporting to University Police and/or local police is an option at any time. Victims who choose not to report to the police immediately following a Sexual Misconduct / Sexual Assault, Dating and Domestic Violence, or Stalking incident, can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim’s behalf.
As soon after the incident as possible, victims of Sexual Misconduct / Sexual Assault, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. These acts may be reported to the University Police Department by dialing 911. The University Police will support all victims of Sexual Misconduct / Sexual Assault, 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 / Sexual Assault, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself, including the identity of the alleged perpetrator if known, to the Title IX Coordinator being sure not to reveal the victim's identity 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 will not be revealed.

**REPORTING TO A CSA**

Any member of the University community may report incidents of Sexual Misconduct / Sexual Assault, Dating Violence, Domestic Violence or Stalking to any Campus Security Authority (CSAs). 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 CSAs are required to report incidents of Sexual Misconduct / Sexual Assault, Dating Violence, Dating Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

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

**ADMINISTRATIVE**

Victims may report to the campus Title IX Coordinator, who will provide written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident. The Title IX Coordinator will also provide information regarding resources available to reporting parties, as well as information regarding their rights and options. Contact information for the Title IX Coordinator is listed in this report.

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

**REPORTING TO A TITLE IX COORDINATOR OR RESPONSIBLE EMPLOYEE**

Many resources and options are available on- and off-campus, including confidential and privileged communication options. The University has designated a Title IX Coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct / Sexual Assault, 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 formal 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 disclosed incidents of Sexual Misconduct / Sexual Assault, Dating Violence, Domestic Violence, or Stalking when they are on notice of it. When a reporting party tells the Title IX Coordinator or another non-confidential University employee about a Sexual Misconduct/Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident, they have 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 students and employees 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/Sexual Assault, 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 alleged 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. Any Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The University will protect the privacy of individuals involved in a Sexual Misconduct / Sexual Assault, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law or University policy. A Sexual Misconduct / Sexual Assault, 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 reporting party 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 reporting party
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 reporting party. Under those circumstances, the Title IX Coordinator will determine whether the 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 reporting party’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 reporting party 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 reporting party’s well-being, and will take ongoing steps to protect them from retaliation or harm, and work with them to create a safety plan. Retaliation against the reporting party, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

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

The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures. Supportive Measures will remain confidential except when it is not possible to maintain confidentiality in order to provide the Supportive Measures. The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual Misconduct / Sexual Assault, Dating Violence, Domestic Violence, or Stalking report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

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

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

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

NON-REPORTING

Victims are strongly encouraged to formally report any incident of Sexual Misconduct / Sexual Assault, 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 / Sexual Assault, Dating Violence, Domestic Violence, or Stalking. The campus Title IX Coordinator or Sexual Assault Victim’s Advocate can offer assistance with obtaining a protective or restraining order.

Victims may obtain a protective or restraining order in Humboldt County through the Humboldt County Superior Court, located at 825 Fifth Street, Room 310, Eureka, CA, 95501. Humboldt County Superior Court has an online self-help center [https://www.humboldt.courts.ca.gov/sh/restrainingorders.htm](https://www.humboldt.courts.ca.gov/sh/restrainingorders.htm), which contains information about workshops on restraining order assistance, appropriate downloadable packets for the different types of restraining orders, and a list of FAQs and helpful links.

DISCIPLINARY PROCEDURES

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

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

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

COMPLAINT PROCEDURES

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

To file a report, access the Sexual Misconduct / Discrimination Report form on the Title IX webpage (https://titleix.humboldt.edu/). Select “File a Report” under Quick Links, provide the requested information, and submit the report.

Upon receipt of a report, the Title IX Coordinator or their Deputy will meet with the Complainant. This is a preliminary meeting between the Complainant and the Title IX Coordinator intended to allow the Title IX Coordinator to gain a basic understanding of the nature and circumstances of the report or formal complaint; it is not intended to be a full investigation interview. The Title IX Coordinator will seek to determine how the reporting party wishes to proceed.

Options range from not pursuing resolution of any kind to pursuing Formal Resolution. Supportive measures will be offered to the Complainant at this meeting regardless of their wishes to move forward with a formal complaint. The Title IX Coordinator will follow up the meeting with a written explanation of the student or employee’s rights and options and procedures.

To file a formal complaint, access the Complaint Forms on the Title IX Reporting Process webpage (https://titleix.humboldt.edu/reporting-process). Select the appropriate form under the “Title IX & DHR Prevention Office” drop-down menu, under “Reporting Options” at the bottom of the page. The completed form can be emailed to titleix@humboldt.edu. Here are direct links to both forms:

• Attachment A Employee-Third Party Complaint Form (EO 1096)
• Attachment A Student Complaint Form (EO 1097)

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

COMPLAINTS MADE BY STUDENTS
Executive Order 1097 (Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking Against Students and Systemwide Procedure for Addressing Such Complaints by Students) is the appropriate systemwide policy 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 accessed at https://calstate.policystat.com/policy/6742744/latest/.

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

Executive Order 1096, (Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking Against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties) is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party. Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be viewed at https://calstate.policystat.com/policy/6743499/latest/.

COMPLAINTS MADE BY STUDENT-EMPLOYEES

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking, made by student-employees where the alleged Sex Discrimination, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not their status as a student.

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

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

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

Appeals will be filed with the Chancellor’s Office (CO) and will be addressed to:

Systemwide Title IX Unit
Systemwide Human Resources
Office of the Chancellor
TIX-Dismissal-Appeals@calstate.edu

Parties that are unable to file an appeal or a response to an appeal electronically are directed to contact the Campus Title IX Office for assistance.

When an appeal is submitted, the other Party as well as the Campus Title IX Coordinator will be notified in writing. In response to the appeal, the other Party will be given 5 Working Days from their receipt of notice of the appeal to submit a written statement in support of or challenging the dismissal. Within 10 Working Days of the CO’s receipt of the appeal, the Parties will Simultaneously receive (via email) a written decision with explanation.

The CO review will not involve a new assessment of the Dismissal / Referral or consideration of evidence that was not introduced during the Campus review, unless the new evidence was not reasonably available at the time of the review.

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

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

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

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

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

If the Notice of Allegations also serves as notice of a Respondent’s expected attendance at an interview, it will include details of the date, time, location, participants, and purpose of that interview. The Notice of Allegations must be provided to a Respondent at least 5 Working Days prior to the interview. If a Respondent requests to meet sooner than 5 Working Days after receipt of the Notice of Allegations, they should verbally confirm at the start of the meeting that they are
aware that they were provided notice of at least 5 Working days and this confirmation should be documented by the Title IX Coordinator or investigator.

**INFORMAL RESOLUTION**

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

A. informal Resolution under Addendum B may only be offered where a Formal Complaint has been filed;
B. the University cannot offer or facilitate Informal Resolution under Addendum B to resolve allegations that an Employee sexually harassed a Student; and
C. the University must obtain the Parties’ voluntary, written consent before starting the Informal Resolution process.

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

A. the allegations of Sexual Harassment, as defined by Addendum B;
B. the requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations;
C. an explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process;
D. an explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared; and
E. the Parties’ right to consult with a Support Advisor, if any.

The Title IX Coordinator will oversee the Informal Resolution process and make the final determination on all Informal Resolutions facilitated by the Title IX Coordinator or designee regarding whether the terms agreed to by the Parties are appropriate in light of all of the circumstances of the Formal Complaint. The Informal Resolution process will be completed prior to any determination of responsibility being made, but no later than 60 Working Days after both Parties provide voluntary, written consent to participate in the Informal Resolution process.

The University may not require the Parties to participate in an Informal Resolution process under Addendum B, nor may a Party be required to waive their right to the investigation and adjudication of a Formal Complaint as a condition of enrollment or employment, or continuing enrollment or employment. The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator. Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator and/or other appropriate University Administrator responsible for the implementation of the terms. Use of electronic signatures is permitted.

Any agreed-upon Remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a hearing.

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

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

GATHERING OF EVIDENCE

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

ADVISORS

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

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

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

NOTICE OF MEETINGS, INTERVIEWS AND HEARINGS

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

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

REVIEW OF EVIDENCE

Before issuing a final investigation report (Final Investigation Report), the Investigator will send to
the Complainant and Respondent, and their respective Support Advisors, all evidence
(including evidence upon which the University does not intend to rely) obtained as part of the
investigation that is Directly Related to the allegations raised in the Formal Complaint (Preliminary
Investigation Report). This includes inculpatory or exculpatory evidence whether obtained from a
Party or other source, redacted if required by law.

Each Party will be given a minimum of 10 Working Days for the initial Review of Evidence to
respond to the list of disputed facts and evidence and submit additional questions for the other
Party and witnesses. This timeframe may be extended at the discretion of the Title IX Coordinator
(either on their own or in response to a Party’s request). The extension must be made available to
both Parties, who must be notified as such. During the Review of Evidence, each Party may:

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

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

**Timeframe for Completion of Investigation**

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

**Hearing Procedures**

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

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

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

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

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

DETERMINATION REGARDING RESPONSIBILITY

After the hearing, the Hearing Officer will make written findings of fact and conclusions about whether the Respondent violated Addendum B with respect to the definition of Sexual Harassment. The standard of proof the Hearing Officer will use is whether each allegation is substantiated by a Preponderance of the Evidence. The Title IX Coordinator will review the Hearing Officer’s Report to ensure procedural compliance with Addendum B. The Hearing Coordinator will Simultaneously send the Hearing Officer’s Report promptly to the Parties, the Title IX Coordinator, and the appropriate University Administrator, usually within 15 Working Days of the close of the hearing.

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

If a violation of the addendum is found, within 5 Working Days of receiving such finding the Parties may submit to the Hearing Coordinator an impact statement or other statement regarding discipline that is no more than 2000 words in length. The document is an opportunity for the Parties to suggest disciplinary outcomes and to provide information that they believe is important for the Hearing Officer to consider. The Student Conduct Administrator and/or appropriate University Administrator responsible for discipline and Title IX Coordinator may also submit a written statement regarding aggravating and mitigating factors that provides a recommendation regarding the disciplinary outcome, including information regarding prior disciplinary outcomes for similar conduct and whether the Respondent was previously found to have violated university policy.
Within 5 Working Days after receiving and considering any impact or other statements submitted by the Parties and other statements described above, the Hearing Officer will submit the Hearing Officer’s Report to the president (or designee). The Hearing Officer’s Report will be amended to include a statement of, and rationale for, any recommended disciplinary sanctions to be imposed on the Respondent ("Final Hearing Officer’s Report"). The Final Hearing Officer’s Report will attach the Final Investigation Report.

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

**President’s Sanction Decision/Notification**

The president (or designee) may impose the recommended sanctions, adopt a different sanction or discipline, or reject sanctions or disciplines altogether. If the president (or designee) adopts a sanction other than what is recommended by the Hearing Officer, the president (or designee) must set forth the reasons in the Decision Letter. The president will simultaneously send the Decision Letter electronically to the Respondent and Complainant at the University-assigned or other primary e-mail address linked to their University accounts. The decision letter will also be sent to the Student Conduct Administrator or other appropriate University Administrator responsible for Employee discipline and the Hearing Officer. The determination regarding responsibility and any sanctions become final either on the date that the Chancellor’s Office provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely (11 working days after the date of the decision letter).

**Employee Sanctions**

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

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

**Student Sanctions**

The following sanctions may be imposed for violation of the Student Conduct Code:
1. **RESTITUTION**
   Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.

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

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

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

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

6. **SUSPENSION**
   Temporary separation of the student from active student status or student status.
   a. A student who is suspended for less than one academic year shall be placed on inactive student (or equivalent) status (subject to individual campus policies) and remains eligible to re-enroll at the University (subject to individual campus enrollment policies) once the suspension has been served. Conditions for re-enrollment may be specified.
   b. A student who is suspended for one academic year or more shall be separated from student status but remains eligible to reapply to the University (subject to individual campus application polices) once the suspension has been served. Conditions for readmission may be specified.
   c. Suspension of one academic year or more, withdrawals in lieu of suspension, and withdrawals with pending misconduct investigations or disciplinary proceedings shall be entered on the student’s transcript permanently without exception; this requirement shall not be waived in connection with a resolution agreement.

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

**Other Considerations Related To Sanctions:**

1. **Administrative Hold and 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.

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

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

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

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

---

1 For matters involving processes other than those that fall under addendum B, this is not applicable.
2 For matters involving processes other than those that fall under addendum B, this is not applicable.
APPEAL OF PRESIDENT’S SANCTION

Filing an Appeal to the Chancellor’s Office

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

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

Issues and Evidence on Appeal

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

Equal Opportunity and Whistleblower Compliance Unit
Systemwide Human Resources Office of the Chancellor
401 Golden Shore, 4th Floor
Long Beach, CA 90802
eo-wbappeals@calstate.edu.

Electronic submission to the email address listed above is the preferred method of submitting appeals.

The CO will provide prompt written acknowledgement of the receipt of the appeal to the appealing Party, and will provide prompt written notification of the appeal, including a copy of the appeal, to the non-appealing Party and the Campus Title IX Coordinator. The notice will include the right of the non-appealing Party and the Campus to provide a response to the appeal within 10 Working Days of the date of the notice. The appeal and appeal response shall be limited to 3,500 words, excluding exhibits.

REGISTERED SEX OFFENDERS

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

EMERGENCY NOTIFICATION

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

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

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

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

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

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

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

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

Students and employees who need information on how to add contact information to be included for emergency notification or to remove information and “opt out” of notifications should review
UPD’s Rave Guardian App information (https://police.humboldt.edu/rave-guardian-app) or call the on campus University Police Office at (707) 826-5555 for assistance.

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

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

TESTING THE EMERGENCY NOTIFICATION SYSTEM

Testing of the Emergency Notification System and evacuation will be done at least once annually. The tests may be announced or unannounced. Tests must be scheduled, contain drills, exercises and appropriate follow-through activities, and be designed for assessment and evaluations of emergency plans and capabilities. However, at least one test will be publicized in conjunction with the campus’ emergency response and evacuation procedures. Each test will be documented to include a description of the exercise, the date of the test, the start and end times of the test, and whether the test was announced or unannounced.

MISSING STUDENT NOTIFICATION

Housing & Residence Life oversees HSU’s Missing On-Campus Resident Student Policy, which can be accessed here: https://housing.humboldt.edu/sites/default/files/2017missingpersonpolicy.pdf. The specific portions of this policy that are applicable to the annual security report follow:

Purpose

The purpose of this policy is to establish procedures for Humboldt State University’s response to reports of missing students residing on campus, as required by the Higher Education Opportunity Act of 2008. For purposes of this policy, a student residing on campus may be considered to be a “missing person” if the person’s absence is contrary to their usual pattern of behavior and/or unusual circumstances may have caused the absence.

Policy

Individuals having reason to believe that a resident is a missing person must immediately notify the Humboldt State University Police Department (UPD), either in-person on campus in the Student Business Services building, Room 101, or by calling (707) 826-5555. A sworn police officer will initiate an investigation in accordance with the UPD’s missing person policy, procedures, and regulations.

Missing resident reports should be made immediately and directly to UPD, 24 hours a day, seven days a week. Housing & Residence Life employees are required to make prompt reports to their supervisor and UPD.

Additionally, anyone may make a missing resident report to the Housing & Residence Life Office located on the 2nd floor of the Jolly Giant Commons or by calling (707) 826-3451. Reports may also be made to Dean of Students Office in Siemens Hall 211 or by calling (707) 826-3504. Both of these departments will then cross-report the missing person notification to UPD immediately.
On-campus housing students have an option to identify a confidential contact (separate from their emergency contact) person to be notified within 24 hours when the student has been determined to be missing. All resident students will be advised of this option by Housing staff at check-in, and will be told how to make any necessary changes to this information in the future, if needed.

Missing person contact information will be retained and confidential, accessible only to the authorized university officials who retain the information, and may not be disclosed except to law enforcement personnel in furtherance of an official missing person investigation.

The parents and listed confidential contact, if any, of on-campus housing students that are minors under the age of 18 and not emancipated, will be notified within 24 hours of an official determination that they are missing.

**FIRE SAFETY ACT**