
20 USC § 1092(f)

Annual Security & Fire Safety Report

(ASFSR)

2013-2015

Issued September 2016

California State University, Long Beach
CSULB ASFSR Table of Contents

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Section 1: Introduction
Recently the California State University, Long Beach (CSULB) administration took significant
proactive steps related to Clery Act compliance. The CSULB President directed that a Clery
Compliance Committee be formed with members from the major Clery stakeholders; Student
Affairs, Housing and Residence Life, Athletics, CSULB Police and the Title IX Director. The main
goal of the committee is to pursue the highest level of Clery Act compliance possible. The use of
a newly created Clery Incident Report form was instituted to better inform Campus Security
Authorities (CSA’s) of reporting expectations and allow for a more timely information flow
related to Clery incidents. Several formal Clery Act training sessions were held with the major
Clery stakeholders to better inform them of their Clery responsibilities and online Clery Act
training was also personally assigned to identified CSA’s. These Clery Act education and
compliance training efforts will be ongoing.

Section 2: Description
The California State University, Long Beach Police Department (CSULBPD) is committed to
maintaining a safe and secure environment for our students, faculty, staff and guests. The
Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (20 USC § 1092(f)) is
the landmark federal law that requires colleges and universities across the country to disclose
information about crime on campus and around their campuses. The “Clery Act” is named in
memory of 19 year old Lehigh University freshman Jeanne Ann Clery who was raped and
murdered while asleep in her residence hall room in April 1986. Visit the US Department of
Education website for more information on the Clery Act. CSULBPD and “University Police” both
refer the campus police department and will be used interchangeably.

Section 3: Preparation
The CSULB Clery Compliance Committee aids in the preparation of this report which is compiled
in compliance with federal law (the Jeanne Clery Disclosure of Campus Security Policy and
Campus Crime Statistics Act; the 2008 Revision to the Higher Education Opportunity Act and
California Education Code § 67380 which informs of the community of institutional polices
concerning campus security (including University police law enforcement authority, crime
reporting policies, alcohol and drug use, crime prevention, sexual assault and other matters of
related importance); and the Violence Against Women Reauthorization Act of 2013 (VAWA)
which amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
Statistics Act, commonly known as the Clery Act, under the Campus Sexual Violence Elimination
Act (i.e., Campus SaVE Act). Further assistance in compilation of data is obtained through
cooperation with local law enforcement agencies in the area, Housing and Residential Life,
Judicial Affairs, the Dean of Students, additional Campus Security Authorities (CSA’s) and other departments which may have information necessary to comply with the various relevant acts. Various CSULB departments provide updated information on their educational efforts and programs to comply with the Acts.

Campus crime, arrests and referral statistics include those reported to the CSULBPD, designated campus officials (including but not limited to Campus Security Authorities), and local law enforcement agencies. Crime statistics are collected from public property immediately adjacent and accessible to campus and all off campus locations either owned or controlled by the University. The CSULBPD Records Manager and the Clery Compliance Officer collate the various data submissions and compare them with internal CSULBPD data to remove duplicate information and create a single compilation of Clery Crimes/Incidents, arrests and referrals for alcoholic beverages, drugs and weapons. Copies of this report may be obtained at the CSULBPD Main Station located on the south end of parking lot 11, or by calling (562) 985-4101. Copies are also available in the Substation located on the second level of the University Student Union room 239.

This report contains statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by CSULB, and on public property within or immediately adjacent to and accessible from the campus. An email notice is sent to students, faculty and staff by October 1\textsuperscript{st} of each year by the VP of the Division of Administration and Finance informing them of the availability of the ASFSR with a hyperlink directly to it. Notice to prospective students is made with information included with application materials by the Admissions and Records office. Notice to prospective employees is made by the Human Resources Management department in the form of a disclosure at the end of each job description posted on the application website. The link to access an online copy of the report is \url{http://daf.csulb.edu/offices/ppfm/police/statistics/pdf/2016_ASFSR.pdf}

Geography Definitions:

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

2) On-campus Residential Colleges. (Hillside, Parkside and Beachside Colleges)
For the purposes of the Clery Act regulations, as well as the HEA fire safety and missing student notifications regulations, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

3) Non-campus property: Any building owned or controlled by a student organization that is officially recognized by the University; or any building or property owned or controlled by the University that is used in direct support of, or in relation to the University’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the University (includes Blair Field/Greeks/Foundation, etc.).

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

Section 4: Reporting Criminal Actions or Other Emergencies

Persons observing or experiencing criminal behavior or any type of emergency should contact CSULBPD at (562) 985-4101, dial 9-1-1, or use one of the over two hundred Blue Light emergency telephones located across campus. If you are on-campus and it is unsafe or if you are unable to make a voice phone call to 9-1-1, you may be able to send a text message to 9-1-1 (Text-to-911 is not available in all areas or on all carriers. Support for texting is made on a “best-effort” basis and is not as reliable as voice calls made to 9-1-1. Please be prepared to provide your location as the carriers do not always provide accurate or reliable location information with text messages.). From any on-campus phone extension you can dial 54101. Anonymous tips can be reported at 562-986-5131. All crimes or suspicious activity/persons should be reported to CSULBPD immediately.

The department will respond by taking the following action(s) as necessary:
- Dispatch police and/or Long Beach Fire Department to the scene of a reported incident
- Investigate the incident
- Take appropriate action(s) to identify, apprehend and prosecute the person(s) responsible
- Take action(s) and/or make appropriate notifications
Section 5: Security and access to campus facilities and campus residences

Security is the entire community’s responsibility. No police department can function effectively without the assistance of a responsible community. All suspicious activity should be reported immediately to CSULBPD at (562) 985-4101. All academic buildings are secured by CSULBPD or electronically in some cases; on weekdays generally by 11:00 p.m. and on weekends generally by 9:30 p.m. During business hours, the university, with the exception of housing, is open to students, parents, employees, contractors, and guests. During non-business hours access to all facilities is by key, if issued, or by admittance via CSULBPD. Some facilities may have individual hours, which may vary at times of the year. These facilities will be secured according to schedules developed by the department responsible for the facilities. Students, faculty and staff working on campus during non-business hours are required to have their photographic identification card with them. Holiday access scheduling is treated as weekend access. Emergencies may necessitate changes or alterations to any posted schedule.

Residence halls are secured 24 hours a day and access is limited to residents, escorted guests and university staff. Entry is monitored through a combination of keys, electronic access cards and on-duty Housing and Residential Life personnel. The campus facilities are maintained by Facilities Management and patrolled by CSULBPD 24 hours a day. Regular bi-monthly checks are conducted by CSULBPD to identify security concerns such as poor lighting or phones in need of repair. Repair requests are sent directly to Facilities Management and University Telecommunications to expedite repairs.

Section 6: Campus Law Enforcement Authority

CSULB police officers have complete police authority to arrest anyone involved in illegal acts on campus and areas adjacent to campus in accordance with Education Code § 89560. This area includes concurrent jurisdiction with the Long Beach Police Department. CSULB police officers are sworn law enforcement officers under Penal code § 830.2, and in compliance with state statues meet or exceed the peace officer standards and training requirements mandatory for all California law enforcement officers. In addition, CSULBPD officers undergo training specially designed to meet the needs of a contemporary university community. All Police officers receive training in tolerance and diversity to better serve their community. CSULB police officers enforce CSU policies, municipal codes (on designated property), California state laws and Federal laws.

CSULBPD has a Memorandum of Understanding (MOU) with the Long Beach Police Department which defines and details operational authority pursuant to the Kristin Smart Campus Safety Act of 1998, Education Code SB 1729. Refer to the Kristin Smart Act in its entirety in the Education
Code § 67381 for details. This agreement designates which law enforcement agency has operational responsibility for the investigation of violent crimes (Part 1 crimes) and defines the specific geographical boundaries of each agency’s operational responsibility. The bill further requires that these agreements be made available to the public and that copies of these agreements be transmitted to the Legislative Analyst.

CSULBPD and the Long Beach Police Department have a mutual aid agreement. Each department augments the other within their jurisdiction during mutual investigations, arrest and prosecutions. CSULBPD personnel attend monthly meetings with local law enforcement agencies and other city agencies to exchange ideas and share information. Problems which may be of concern for the University community are addressed.

CSULBPD prepares and submits a monthly Uniform Crime report to the California Department of Justice and the Federal Bureau of Investigation. CSULBPD also enters reported stolen vehicles and property with serial numbers into the National Crime Information Center computer, allowing for recovery throughout the United States.

As an active member of the criminal justice system, CSULBPD interacts with other state and local law enforcement agencies. Cases are filed with both the Long Beach City Prosecutor’s office and the Los Angeles County District Attorney. Information may also be given to the Office of the Vice President for Student Affairs for internal judicial processes involving students.

The university requests that all crimes or suspected crimes occurring on campus be reported accurately and promptly to CSULBPD when the victim of a crime elects to or is unable to make such a report. Crimes occurring on the leased CSULB Technology Park should be reported to the Long Beach Police Department. Crimes occurring on off-campus residences of recognized fraternity and sorority organizations should be reported to the Long Beach Police Department or the Signal Hill Police Department as appropriate.

Three investigators are assigned full-time to follow up on crime and incident reports. They are responsible for follow up investigations, apprehending suspects, recovering property, preparing cases for filing and referring people to the crime prevention program to reduce the chance of criminal activity.

**Section 7: Voluntary Confidential Reporting – Clery Act Exempt Employees**

Pastoral and professional counselors when acting within the scope of their license or certificate are not considered to be CSA’s and are not required to report crimes for inclusion into the
annual disclosure of crime statistics [34 CFR 668.46(c)(6)]. They are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for the inclusion into the annual crime statistics. They should always consider any possible need for the issuance of required timely warning(s) in situations that involve an immediate, on-going or future threat to the safety of a member of the campus community. For the 2015 Clery reporting year, the Director of Counseling and Psychological Services invoked the exemption afforded by law.

Section 8: Confidential Reporting of Crimes
CSULBPD encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. Confidential reports involving Clery crimes/incidents shall be made by CSULB CSA’s for purposes of inclusion in the annual disclosure of crime statistics. Said reports shall be filed by CSA’s using the “Clery Incident Report” form. The form can be found on the CSULBPD web site and submitted via email to clery@upd.csulb.edu or personally at the CSULBPD Main Station. Crimes reported in this manner will not be investigated by CSULBPD or reported to the California Department of Justice or the Federal Bureau of Investigation. Sexual assault and some other types of violent crime survivors qualify for anonymity with CSULBPD and the criminal justice system per Penal Code § 293 and Gov’t Code § 6254(f)(2).

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

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

As a best practice, any incident involving a Clery crime reported to a designated CSA (student, intern, volunteer, paid or not) who works in an on-campus office where crime victim related services (advocacy centers, health centers, resource centers) are offered shall cause the recipient of the information to collect non-personally identifiable information (aggregate/statistical data) from each reported incident and forward this aggregate information...
to CSULBPD in order that these data can be included as statistical crime data in the ASFSR. Aggregate information will also allow for the issuance of required timely warning(s) in situations that involve an immediate, on-going or future threat to the safety of a member of the CSULB campus community or to the campus community at-large.

Section 9: Campus Security and Crime Prevention Programs

Employees and students at CSULB are provided with numerous opportunities during the academic year to attend seminars about crime prevention, personal safety, theft prevention, identity theft, sexual assault and many other topics offered in collaboration with departments outside of CSULBPD and by CSULBPD.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of the responsibility for their own security and the security of others. In addition to these seminars, information may be disseminated to students and employees through Crime Alert Bulletins posted in the affected area(s), website alerts, and/or articles and advertisements in university and student newspapers. When time is of the essence, information may also be released to the university community through emails.

Student Health Services facilitates an effective bystander intervention training program. The program is called PAUSE: Prevention Awareness Uniting Students with Empowerment. PAUSE at CSULB teaches students the importance of intervening when someone might need help and serves as an effective crime prevention and mitigation platform.

CSULBPD, Housing and Residential Life, Student Life and Development, Facilities Management, Student Health Services, and The Women’s and Gender Equity Center all collaborate in programs offered periodically during the academic year to promote awareness and prevention throughout our community and surrounding areas. A member of CSULBPD is also part of the Coordinated Community Response Team which is a program of prevention and intervention activities, including support and advocacy, to reduce the incidence of sexual assault, relationship violence and stalking on the CSULB campus. CSULBPD also participates as a member on the CSULB Title-IX Committee. CSULBPD offers Rape Aggression Defense System (RAD) training each semester. It is a comprehensive course that awareness, prevention, risk reduction and avoidance, while progressing onto the basics of hands-on defense training. Certified RAD instructors will teach the courses provided. CSULBPD personnel also facilitate programs for student, parent, and residential staff employee orientations, and student organizations, providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Active Shooter Response training is also
presented to various components of our campus community upon request and annually during Health & Safety Week. All of the above programs, activities and collaborations will be ongoing in the future.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well, or call the CSO Safety Escort Service for an escort.

In 2015 CSULB continued formal Clery Act training sessions as permitted by bargaining units with some key CSA’s such as staff from Housing and Residential Life, Student Affairs and Athletics to promote compliance and prompt reporting of Clery crimes and/or incidents.

Safety Escorts and a “Beach Watch” (Housing and Residential Life area foot patrol) Program are provided each night by Community Service Officers (CSO) from CSULBPD. Additionally, Patrol Officers may be summoned for Safety Escorts at times when CSO’s are not on duty. Bicycle licensing is also available at the Student Union Police Substation providing a theft deterrent and investigative trail in case a bicycle is stolen. CSO’s also perform lighting inspections and ongoing checks of Emergency Phones/Poles and elevator phones reporting those in need of repair.

During the day, CSO’s perform foot patrols of the heavily trafficked campus quad and adjacent areas to deter, detect, and report inappropriate usage of campus facilities and any suspicious persons or activities.
### Section 10: Clery Act Reportable Crime Statistics

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REPORTING OF HATE CRIMES 2013 - 2015:

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

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

2013 – There was one (1) on-campus hate crime reported as vandalism which was characterized as race bias.

2014 – There were no hate crimes reported at CSULB.

2015 – There were no hate crimes reported at CSULB.

**Unfounded Crimes**

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**Section 11: Monitoring and recording of off-campus student organization criminal activity**

Student organizations which are recognized and approved through the Office of Student and Life Development are required to comply with the guidelines set in the Code of Conduct for Fraternities and Sororities and/or the CSULB Regulations for Campus Activities, Organizations and the University Community.

Student Life and Development maintains contact with recognized fraternity and sorority organizations through the efforts of the Greek Life Coordinator(s). CSULBPD does not provide law enforcement service to off-campus residences of recognized fraternity and sorority organizations. Fraternity and sorority off-campus events are not recognized by university authorities unless they pertain to recruitment functions. Criminal activity at off-campus sites and officially recognized fraternity and sorority residences is monitored and reported to CSULBPD by the Long Beach Police Department. Crimes at off-campus addresses are reflected in the Non-campus Property category in the ASFSR report. CSULBPD enjoys a close working
relationship with the Long Beach Police Department when violations of federal, state, or local laws surface. This cooperative team approach addresses situations as they arise as well as future concerns.

During the 2015 calendar year, the officially recognized Greek organizations holding property designated as Non-campus property included:

- Alpha Omicron Pi
- Delta Gamma
- Phi Kappa Tau
- Alpha Phi
- Delta Zeta
- Sigma Alpha Epsilon
- Delta Chi
- Gamma Phi Beta
- Sigma Pi
- Delta Delta Delta
- Kappa Sigma

Section 12: Missing Student Notification

If a member of the university community has reason to believe that a student, who resides in on-campus housing is missing, he or she should immediately notify CSULBPD at (562) 985-4101. If a report is made to Housing & Residence Life, their staff will immediately contact CSULBPD. CSULBPD will generate a missing-person report and initiate an investigation in accordance with the department’s missing person policy. If an on-campus housing student has been determined to have been missing for 24 hours, then the University will initiate the specifically designated notification procedure described below within 24 hours after receiving the report. Nearby law enforcement agencies will also be notified within 24 hours of an official determination that they are missing. An exception would be the agency that made the determination the student was missing; they would not be notified.

In addition to and separate from the registering of an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing. Students who wish to identify a confidential contact may do so when completing the Housing application and at any time on-line through the CSULB Housing Portal. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. If the student is under 18 years of age and not an emancipated minor, CSULBPD is required to notify a custodial parent or guardian and any other designated contact within 24 hours after the time that the student is determined to be missing in addition to any additional contact person designated by the student. Once information on a juvenile missing person is reported to the police, a complete and thorough investigation will be conducted in accordance with California law and CSULBPD policy.
CSULBPD has a law enforcement missing person policy that is followed in all such cases (General Order 30). The department may release a photo of the missing student as a tool to assist in locating the individual and may seek information and/or assistance from a variety of campus resources during the course of the investigation. Missing person reports are often high profile events. At the very least, it is a traumatic time for the reporting party. Officers and dispatchers should remember that while most persons are found safely and quickly, every report has the potential of not being resolved quickly and easily. The State of California has enacted many laws and guidelines for police agencies to follow in this area. Our policy is intended to cover these guidelines and laws and provide time frames and requirements for officers to follow. It should be noted that our policy will not cover every circumstance, nor is it intended to. Officers should use sound judgment whenever they encounter situations not covered by the policy.

Section 13: Alcoholic beverage, drug and weapon policies
CSULB complies with the Drug Free Workplace Act of 1990 and the Higher Education Act § 120a. CSULBPD officers enforce laws regulating the use of alcoholic beverages and underage drinking. This University is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University’s educational mission. All CSULB students, faculty members, staff members, and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs. The term “alcoholic beverage” includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of 1 percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances (B&P §23004).

In accordance with the Drug-Free Schools and Communities Act, the Alcohol, Tobacco and Other Drug Program (ATOD) is provided for by Student Health Services. Access to the program can be made by calling 562-985-5859 or by visiting the health center. ATOD provides information about alcohol and other drugs to our diverse campus community; involves a collective of students and faculty who assist in creating a campus environment which reinforces healthy lifestyles; provides support services for students who are experiencing problems with substances; and educates students about the impact of both alcohol and other drug abuse.

Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, HIV infection and other sexually transmitted diseases
and psychological depression. The use of alcoholic beverages must be in compliance with California State Law. Alcoholic beverages generally may not be consumed on campus except at sponsored events and with specific approval from the Director of Student Life and Development. Alcoholic beverages may only be consumed on university premises that have been licensed by the Department of Alcohol Beverage Control or on other university premises at "approved group sponsored events". The sponsors of such events must obtain prior written approval from the Office of Student Life and Development. The use of alcoholic beverages in any of the Residential Halls, to include individual rooms, is strictly prohibited. For complete information regarding Student Discipline visit Campus Standards of Conduct.

In accordance with the Drug-Free Schools and Communities Act, CSULBPD strictly enforces Federal and State laws, as well as the University's zero tolerance policy, for the use and sale of illegal drugs. Violators are subject to university discipline, criminal prosecution and removal from University housing. Students engaging in the sale of illegal drugs will be expelled. Students found in violation of University alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21. Medical Marijuana Cards (CA Prop. 215) have no bearing on campus or in the residential colleges; no exemption is granted to cultivate, possess, or use marijuana on any campus property. (http://www2.ed.gov/policy/elsec/leg/esea02/pg51.html)

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

Liquor Law Violations:
The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing, of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
Drug Law Violations:
The unlawful manufacture, distribution, dispensing, possession or use of illicit drugs on the University campus or at any University-sponsored event off campus is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. The term “illicit drug” includes any dangerous drug, restricted drug, or narcotic as those terms are used in California statutes, and all substances regulated under federal law through the Controlled Substances Act, including but not limited to marijuana, cocaine derivatives, heroin, “crack,” amphetamines, barbiturates, LSD, PCP, and substances typically known as “designer drugs” such as “ecstasy.”

Weapon Law Violations:
The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Any person who brings or possesses a firearm on the grounds of the university, without the prior written permission of the chief of CSULBPD, or as otherwise provided by law, is in violation of state law (Reference: Penal Code § 626.9, 25400 and 25850), and university regulations, and is punishable by imprisonment, university disciplinary action or both.

Any person who brings or possesses a device, loaded or unloaded, that expels a metallic or similar projectile, such as a B-B or pellet, through the force of air pressure, CO2 pressure, or spring action, or a spot marker gun, or an inoperable weapon on the grounds of the university, without the prior written permission of CSULBPD, is in violation of university regulations, and may be subject to university or legal sanctions. A simulated or toy weapon is not permitted on the grounds of the university without prior written permission from CSULBPD. Stun guns, tasers, or less lethal weapons are not permitted on the grounds of the university without prior written permission from the Campus President or designee (Penal Code § 626.10(i)). Prosecution for unlawful use is possible per Penal Code § 244.5 and 245.

Any person (with certain exemptions) who brings or possesses any dirk, dagger, ice pick, or knife having a fixed blade longer than 2-1/2 inches upon the grounds of, or within, the university is in violation of state law and university regulations, and may be subject to legal and/or university sanctions. Folding lock-blade knives with a blade longer than 2-1/2 inches (if opened) also fall under this prohibition; non-locking folding knives do not. Penal Code § 626.10(b) lists exemptions and details.
Section 14: Registered Sex Offenders
Penal Code § 290.01 requires sexual offenders to register with CSULBPD. Convicted sexual offenders are required to register under § 290 if they are residing on the university campus; enrolled as a student of the university; employed by the university, either full-time or part-time (includes paid employees or volunteers); or working or carrying on vocation at the university (e.g. contractors or vendors) for more than 30 days in a calendar year (including paid workers as well as volunteers).

Persons listed above must register with CSULBPD within five working days of commencing enrollment or employment with the University. Registrants are also required to notify CSULBPD within five working days of ceasing to be enrolled or employed, or ceasing to carry on vocation at the university.

Public information regarding sex offenders in California may be obtained by viewing the California Department of justice On-line Megan’s Law Website (http://www.meganslaw.ca.gov) or by contacting the Long Beach Police Department’s Community Relations Division, at (562) 570-7215 for viewing dates and times.

Section 15: Emergency Response and Evacuation Procedures
In the event of an actual emergency, CSULBPD will provide important information to the campus community through the Emergency Notification System, CSULB webpage, voice mail broadcasts and through CSULBPD presence. The University Emergency Operations Plan includes evacuation procedures, an evacuation map and disaster preparedness information.

The evacuation of campus buildings or the entire campus may be required due to emergency situations occurring on or near the campus. Whenever possible the evacuation will be done in a systematic, controlled, and planned manner. More detailed information is available at www.emergency.csulb.edu.

CSULBPD will respond to the affected area to investigate and confirm the nature and scope of the emergency or dangerous situation. Through their investigation they will consider all information available at the time and determine the appropriate segment or segments of the campus community that need to receive a notification. Any of the following positions (the President, Vice President for Administration and Finance, CSULBPD Command Staff, Watch Commander, Emergency Management and Preparedness Coordinator, Communications Supervisor, Incident Commander, Public Information Officer) may initiate the Emergency Notification System (ENS) – “Beach Alert” as described in the EN section further below.
University Building Marshal Program
To facilitate the safe evacuation of campus buildings and to help inform emergency responders of urgent needs, the campus utilizes a Building Marshal Program. This program is staffed by specially trained volunteers who work in individual classrooms and offices within buildings on the campus. When an evacuation is warranted the Building Marshals are responsible for:

- Assisting in the safe and complete evacuation of a building
- Preventing re-entry into an evacuated building to non-emergency responders.
- Reporting injured or trapped persons to emergency responders.

Staging Areas
In order to facilitate the safe and orderly evacuation of the campus a Staging Area system may be employed to control the release of people. This system would normally be used following a major disaster where the buildings have been deemed uninhabitable and a full campus evacuation has been ordered. The University maintains two primary Staging Areas and two secondary Staging Areas:

Primary Staging Areas:
- The Upper Quad
- The Athletic Fields

Secondary Staging Areas:
- Parking Lot 14
- Parking Lot 20

Under the Staging Area system people evacuated from their buildings are moved to one of the staging areas. There they are held for a period of time until roadways are deemed safe and open or it is decided they must be sheltered on the campus.

Types of Evacuation:
- Campus-wide evacuation
- Localized Evacuation

Emergency Operation Center (EOC) Activation:
The CSU Long Beach EOC may be activated during a campus-wide evacuation. Decision to activate and level of activation will be made in accordance with procedures set out in the CSU Long Beach Emergency Operations Plan.

Oversight
As the chief investigative body for the University, CSULBPD will maintain Incident Command on all incidents that could reasonably lead to a criminal investigation. In incidents where CSULBPD will not be the primary investigator agency, Incident Command will be transitioned to the
agency responsible for such investigation upon their arrival. As a matter of course the Long Beach Fire Department will have Incident Command on all fires and hazmat incidents to which they respond.

The CSULBPD Incident Commander will ensure that the appropriate level of notification is made to the CSULBPD Administration and that the appropriate reports are filed detailing the events and actions taken.

Due to the impact on surrounding streets and neighboring schools the Long Beach Police Department, Long Beach Fire Department, and Long Beach Unified School District should be notified of a campus wide evacuation as soon as possible.

**Section 16: Emergency Notification (EN), “Beach Alert”**

CSULB has deployed the Connect-Ed emergency notification system (ENS) that allows the University to send important information and instructions during emergency situations to students and employees via home phones, cellular phones, text messaging and e-mail. An opt-out policy is in place; students and employees are automatically enrolled. Messages can be sent simultaneously to multiple numbers and devices to ensure the campus community receives important messages during emergency situations. Additionally, the campus recently completed installation of a Mass Audio Notification Speaker System to warn all persons on the campus, including those that may not be affiliated with CSULB, of a significant emergency or dangerous situation.

Emergency notifications will be issued, without delay, in response to a confirmed significant emergency or a dangerous situation, occurring in the on campus geography that, in the judgment of the University personnel (as listed below), constitutes an immediate threat to the health or safety of members of the on-campus geographic community. The following positions may initiate an ENS message: the President, Vice President for Administration and Finance, CSULBPD Command Staff, CSULBPD Watch Commander, Emergency Management and Preparedness Coordinator, CSULBPD Communications Supervisor, on scene Incident Commander, or a Public Information Officer (ENS Personnel). ENS Personnel will analyze all relevant information received to confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring in the on campus geography. Taking into account the safety of the community and the segment(s) of the on campus geography to be notified, the content of the notification will be determined by the ENS Personnel and the notification will be sent. An EN will only be withheld if issuance would compromise efforts to assist victims or respond to, contain, or
mitigate the emergency. ENS Personnel will provide adequate follow up information as needed until the emergency is mitigated.

To facilitate further dissemination to the larger surrounding community, the Long Beach Police Department (LBPD) will be kept appraised of the situation. LBPD uses systems including but not limited to reverse 911, E-notify, Nixle, and various social media applications to disseminate critical information.

CSULB’s ENS is tested twice a year in announced tests by the Emergency Management and Preparedness Coordinator, and may be conducted simultaneously with the campus wide evacuation drills. Notification will be made with a campus wide email for announced tests. CSULB is not currently conducting any unannounced tests. Testing is documented each time it occurs with a description of the test/exercise, the date, time, and whether it was announced or not. LBPD and CSULBPD routinely communicate with each other via shared radio frequencies and/or phones regarding situations that either agency may become aware of that may warrant an emergency response. The CSULBPD/LBPD Memorandum of Understanding (MOU) further outlines the coordination between these police departments in emergency or dangerous situations; specifically under Item 9: Mutual Aid and Item 10: Incident Management.

CSULBPD encourages all members of our community to ensure their contact information is current by logging in to MyCSULB. CSULB will only use the “Home”, “Cellular”, and “Emergency Text Alert Message” telephone fields for emergency notification. Students and employees may also stop their notifications by using MyCSULB to remove their numbers if they choose.

**Section 17: Fire Safety Report**
Federal law requires all institutions of higher learning to prepare, publish, and distribute a report concerning campus crime statistics, security policies, emergency notification and Fire Safety and Policies Report on an annual basis through appropriate publications, mailings or computer networks to all current students and employees, and all prospective students and prospective employees. This report contains the California State University, Long Beach’s annual fire safety report and a statistical record of reported fire related incidents for the past three calendar years as well as information about campus fire safety policies, procedures and practices intended to promote fire safety on campus.

This report complies with current Federal law codified in: 1) United States Code, Title 20, § 1092(i), and 2) US Code of Federal Regulations, Title 34, Chapter IV, § 668.49. Copies of this report may be obtained from CSULBPD or on the web at: www.csulb.edu/police/Clery.pdf. In
order to comply with federal reporting mandates, all campus fire related incidents shall be reported CSULBPD.

Fire Safety Systems in Residential Facilities
CSULB maintains a comprehensive fire safety program that involves regular inspections, drills and compliance enforcement with established state law, campus policies and on-campus housing fire safety rules and regulations. Employees of Housing & Residence Life undergo annual training involving hands-on use of fire extinguishers and locations where they are placed. They are also trained on proper evacuation routes & procedures. They are educated on identifying different classes of fires and what methods work best to extinguish them.

On-campus (reasonably contiguous) student housing encompasses the following residential complexes; 1) Hillside College located at the northeast corner of Beach Drive and Earl Warren Drive, providing housing for about 1040 student residents [includes Los Alamitos Hall, Los Cerritos Hall & International House]; 2) Parkside College located on the west side of Earl Warren Drive, south of Atherton Street, providing housing for about 1000 student residents; 3) Beachside College located on Pacific Coast Highway, north of Clark Avenue, providing housing for about 700 student residents.

Building codes mandate that these complexes are equipped with a fire sprinkler system, pull alarms, smoke and heat detectors. Designers of each complex installed numerous heat and smoke detectors and sprinklers in each residential dwelling.

All fire safety alarms/activations within CSULB housing are monitored by the CSULBPD Communications Center. In the case of an actual fire, fire-fighting responsibilities are delegated to the Long Beach Fire Department.

Fire safety regulations at CSULB are designed and intended to prevent death, injuries and/or damage to university property and its facilities. To this end, a fire inspection of each on-campus apartment is conducted monthly by Housing and Residence Life staff to ensure that residents are in compliance with published on-campus residential fire safety rules and regulations. Twice each year, all detection and prevention equipment such as smoke detectors, heat detectors, pull stations, fire extinguishers, emergency lighting and backflow preventers are professionally inspected and tested to ensure that each is serviceable and fully operable by a locally operated and properly licensed vendor. Finally, periodically, the State of California Fire Marshal reviews all fire inspection data along with a physical inspection of campus buildings with a particular emphasis of our campus residential housing areas.
With an enhanced focus on the student residential areas, the CSULB general fire safety plan is never ending, always evolving in order to improve and enhance our existing fire safety systems and methods to safely evacuate campus buildings. The student residential area is scheduled for hardware and software upgrades to the fire safety systems in the very near future.

Any member of the student housing community who observes a fire should activate a fire alarm and evacuate to a safe location. All instances of fire must be immediately reported to CSULBPD, even those that have been extinguished.

a. Residents should think often about fire safety. All members of the student housing community should familiarize themselves with the buildings, fire alarm stations, fire extinguishers, hallways, stairwells and exits within the student housing community.

b. Residents should preplan an escape route(s) in anticipation of the possibility of a fire.

c. Residents should know and recognize the alarms that signal a building evacuation.

d. In the event of a reported fire, residents should never enter a room that is smoke-filled or if the door is warm to the touch. Use caution, feel the door with the back of your hand before entering or exiting. If it is cool, exit the room/apartment, close the door, evacuate the building and proceed to the evacuation area.

e. If the exit door is hot, don’t open it. If possible, fill any cracks with wet towels, signal from your room by hanging a sheet out your window and wait to be rescued.

f. If you are able to leave, close your door behind you to impede the movement of smoke and flames.

g. If smoke is present in the hallways, lie down and crawl to safety, fresh air will be near the floor. Exit down the nearest stairwell. After you have exited, proceed to the designated evacuation area and await further instructions.

h. Once in evacuation area, find an RA (Resident Advisor) or a Housing and Residence Life staff member and check in with them. Remember to notify an RA if someone in your apartment cannot be accounted for. The fire department will give an “all clear” when it is safe to re-enter the building.
i. For safety sake, always let your roommate know where you are, a practice commonly known as the “buddy system”.

j. Resident Advisors will check to see that everyone has evacuated to the evacuation areas. You are required by law to evacuate the building when the alarm sounds. Do not attempt to re-enter the building until you are instructed to do so by the proper authority.

Reporting a Fire (All fires shall be reported to CSULBPD)

1. Dial (562) 985-4101
2. Dial 9-1-1 from any campus telephone to report a fire emergency
3. Dial 9-1-1 from a cellular telephone to report a fire emergency
4. Use any one of the more than 90 building emergency telephones to report a fire emergency
6. Use the emergency intercom system found in most building elevators to report a fire emergency
7. Use any one of the 95 Blue Light Emergency call-boxes and/or poles strategically located around campus, the parking lots and the parking structures to report a fire emergency
8. Off-campus calls for emergency assistance should be directed to the appropriate local law enforcement agency
9. Pull a fire alarm

Remember to always be ready to provide:
- Your name, telephone number and location
- Calmly describe the fire emergency
- Do not hang up, allow the dispatchers to end the call

Fire Evacuation Drills
Housing and Residence Life conducts mandatory fire evacuation drills each calendar year. Fire evacuation drills are supervised by Student Housing staff and (as necessary) monitored by personnel from Emergency Management and/or CSULBPD. The Long Beach Fire Department will always be notified before any Fire Drill exercise. Housing and Residence Life staff members are also responsible for conducting periodic fire safety instruction sessions with residents during the academic year.

For the safety of all student residents, all building evacuations shall be considered genuine emergencies and residents will be instructed to take all necessary precautions and to follow all evacuation instructions from Housing and Residence Life staff, CSULBPD Officers or Long Beach Fire Department personnel. Residents are encouraged to read and follow all policies, rules and
regulations regarding fire alarms, evacuations, assembly locations and the accounting of roommates and neighbors.

Potential Safe Staging Areas
(Subject to consideration of current conditions at time of evacuation)
The following locations in the housing complexes have been designated as potential safe staging areas for housing evacuations dependent upon actual occurrences. Emergency personnel may designate other specific areas as needed.

Housing and Residence Life Office Lawn Area – The lawn area adjacent to the Main Housing office is the potential safe staging area designated for Parkside Commons Halls: G, H, J, K, L, M, N, P, Q, Parkside Dining hall, Parkside office, and Main Housing offices’ residents, guests and staff.

Los Alamitos Lawn Area – The lawn area north of Los Alamitos hall is the potential safe staging area designated for Los Alamitos hall, Residence dining hall, D, E, and F Building residents, guests and staff.

Los Cerritos Lawn Area – The lawn area south of Los Cerritos hall is the potential safe staging area designated for Los Cerritos hall, A, B, and C Buildings’ residents, guests and staff.

International House (IH) – Lot 1 to the east of the IH hall is the potential safe staging area designated for residents, guests and staff.

Beachside College – The park area towards PCH is the potential safe staging area for the Beachside dining hall, Pacific hall, and Beach hall residents, guests and staff.

Graphical references may be found at:
http://daf.csulb.edu/offices/ppfm/police/hrl_evac_plan/building.html.

Assuming that an emergency evacuation is one that does not require evacuating from campus or onsite housing complex, emergency personnel will remain at their posts until the “all clear” signal has been given by the Hall Coordinator or CSULBPD.

Housing and Residence Life Policies: Open Flames and Smoking
a. The burning of any material, incense, candles, oil lamps or open flame is prohibited.
b. Intentionally or negligently starting or causing a fire, explosion, or release of gas, fumes or smoke is prohibited.
c. Smoking is strictly prohibited in all apartments, student rooms, hallways, and meeting rooms.
d. The smell of smoke (any kind) without a response at the apartment door will cause Housing and Residence Life staff to enter the apartment in order to check on the safety of the residents inside. Note: Tampering with any fire safety equipment is a violation of state law.

Housing and Residence Life Policies: Electrical Appliances
a. Space heaters, hot plates and other heat producing portable electrical and/or propane devices are prohibited inside any Housing and Residence Life building.
b. All electrical domestic devices (electric shavers, electric tooth brushes, hair dryers, hair curling irons, televisions, radios, computers, chargers, modems, surge- protectors, and electrical extension cords, etc.) used in an apartment shall been in good working condition with no signs of damage and have the UL (Underwriters Laboratories, Inc.) seal of approval. Note: Extension cords must only be used in accordance with the manufacturer’s instructions.

d. The smell of smoke (any kind) without a response at the apartment door will cause Housing and Residence Life staff to enter the apartment in order to check on the safety of the residents inside. Note: Tampering with any fire safety equipment is a violation of state law.

Housing and Residence Life Fire Safety Rules and Regulations
a. The possession of any type of an explosive device, fireworks, combustible decorations, chemicals, ammunition, gasoline or any other similar highly flammable substance is prohibited. Note: A violation of this policy may result in criminal prosecution.
b. Tampering with or deactivating fire safety detection equipment including fire alarms, smoke detectors or heat detectors is a violation of state law. Residents are responsible for the actions of their visitors or guests. Smoke and heat detectors in the student resident apartments are sensitive. When taking a shower, close the bathroom door to ensure the steam does not affect the detector. Never hang anything from the sprinklers, smoke or heat detectors.

If a detector makes a beeping sound it means the battery is low. Complete a work order as soon as possible to have the battery replaced. Anytime a smoke detector alarm sounds, you should respond as if it were an EMERGENCY.
c. Tampering with or activating an alarm in a non-emergency situation, or use of a prohibited cooking or other device that can cause activation of the fire alarm system is prohibited. Residents are responsible for the actions of their visitors or guests.
d. Hookahs are not permitted inside the student housing buildings for any reason.
e. False alarms do happen! The smoke detectors can be set off by dust, an insect or just may need routine cleaning. Opening the front door and windows (to allow fresh air into the apartment) may stop the false alarm.
WITHOUT EXCEPTION ALL FIRES MUST BE IMMEDIATELY REPORTED TO THE CSULB POLICE DEPARTMENT, EVEN THOSE THAT HAVE ALREADY BEEN EXTINGUISHED.

<table>
<thead>
<tr>
<th>Location</th>
<th>Fire Alarm Monitoring by UPD</th>
<th>*Full Sprinkler System</th>
<th>Smoke Detectors</th>
<th>Fire Extinguisher Equipment</th>
<th>Evacuation Plan</th>
<th>Evacuation Drills in 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beachside</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/29, 8/27</td>
</tr>
<tr>
<td>Hillside</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/28, 8/26</td>
</tr>
<tr>
<td>Los Ala</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/27, 8/26</td>
</tr>
<tr>
<td>Los Cer</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/29, 8/26</td>
</tr>
<tr>
<td>Int’l Hse</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/29, 8/26</td>
</tr>
<tr>
<td>Parkside</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>1/29, 8/27</td>
</tr>
</tbody>
</table>

*Full sprinkler system is defined as having sprinklers in both individual rooms and common areas

Fire Statistics

The annual fire safety statistics reported below contain Housing and Residence Life statistics compiled from the 2015 calendar year and from the two previous calendar years.

2015 Fire Statistics

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beachside College</td>
<td>4385 E. PCH LB, CA 90804</td>
<td>No fires</td>
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</tr>
<tr>
<td>Report #</td>
<td>Cause</td>
<td>Loss Value</td>
<td>Injuries</td>
</tr>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside College</td>
<td>5851 Beach Dr. LB, CA 90815</td>
<td>No fires</td>
<td>n/a</td>
</tr>
<tr>
<td>Report #</td>
<td>Cause</td>
<td>Loss Value</td>
<td>Injuries</td>
</tr>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Alamitos</td>
<td>5859 Beach Dr. LB, CA 90815</td>
<td>No fires</td>
<td>n/a</td>
</tr>
<tr>
<td>Report #</td>
<td>Cause</td>
<td>Loss Value</td>
<td>Injuries</td>
</tr>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Cerritos</td>
<td>5855 Beach Dr. LB, CA 90815</td>
<td>No fires</td>
<td>n/a</td>
</tr>
<tr>
<td>Report #</td>
<td>Cause</td>
<td>Loss Value</td>
<td>Injuries</td>
</tr>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>International House</td>
<td>5854 Beach Dr. LB, CA 90815</td>
<td>No fires</td>
<td>n/a</td>
</tr>
<tr>
<td>Report #</td>
<td>Cause</td>
<td>Loss Value</td>
<td>Injuries</td>
</tr>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>
### Location

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parkside College</td>
<td>1601 Earl Warren Dr. LB, CA 90815</td>
<td>No fires</td>
<td>n/a</td>
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### Report #

<table>
<thead>
<tr>
<th>Report #</th>
<th>Cause</th>
<th>Loss Value</th>
<th>Injuries</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
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(Previous years...)

<table>
<thead>
<tr>
<th>2014 Fires</th>
<th>Case #</th>
<th>*Related Injuries</th>
<th>Related Deaths</th>
<th>Value of Loss</th>
<th>Cause of Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
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<table>
<thead>
<tr>
<th>2013 Fires</th>
<th>Case #</th>
<th>*Related Injuries</th>
<th>Related Deaths</th>
<th>Value of Loss</th>
<th>Cause of Fire</th>
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<tr>
<td>1</td>
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<td>0</td>
<td>0</td>
<td>120</td>
<td>#3</td>
</tr>
</tbody>
</table>

*Injuries that resulted in treatment at a medical facility

Causes:  
#1 – Cooking  #2 – Smoking  #3 – Open Flame  
#4 – Electrical  #5 – Hazardous products  #6 – Machinery/Industrial  
#7 – Natural  #8 - Other

Definition of a Fire

For the purposes of fire safety reporting, HEA defines a fire as *any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.*

This definition contains two (2) descriptions of fire.

1) Any instance of open flame or other burning in a place not intended to contain the burning. Examples include:
   - Trash can fire
   - Oven or microwave fire
   - Burning oven mitt on a stove
   - Grease fire on a stovetop
   - Flame coming from electric extension cord
   - Burning wall hanging or poster
   - Fire in an overheated bathroom vent fan
   - Couch that is burning without any flame evident
2) Any instance of open flame or other burning in an uncontrolled manner. Examples include
• Chimney fire
• Gas stove fire
• Fuel burner or boiler fire

Section 18: Timely Warning Notices (TWN) & Crime Alert Bulletins (CAB)

The CSULB PD Chief or a designee will determine the need for and develop Timely Warning Notices (TWN’s) for the University Community when a Clery reportable crime is reported that poses an on-going/continuing threat to the University community. Clery reportable crimes are those listed in the Crime Statistic section of this report.

The Chief or designee will utilize open communication and collaboration to determine, on a case-by-case, basis if an on-going/continuing threat exists. If an affirmative determination is made, the Chief or designee will be responsible for the content of the TWN. The TWN will be disseminated in a manner that will likely reach the entire campus community.

To avoid confusion and demonstrate compliance with the Clery Act, TWN’s will not be issued for non-Clery crimes. Instead, Crime Alert Bulletins (CAB) for non-Clery crimes may be composed and disseminated as determined necessary by the Chief or a designee. CAB’s may also be generated for any criminal occurrences nearby campus in non-Clery Geography when it is determined that crime prevention efforts and general safety awareness would be enhanced through public notification.

One or more of the following methods may be used to disseminate TWN’s or CAB’s:
• Campus wide e-mail notice
• Posting on the University Police website
• Campus wide telephone announcement
• Press release to the Dailey 49er and The Union student newspapers
• Bulletins distributed throughout the campus

Aggregate/statistical reporting (i.e. nature, date, time and general location of the incident) of crimes occurring within our campus’ Clery geography is a critical component in our efforts to prevent campus crime, and an essential foundational tool by which to issue TWN’s. In order to determine the true scope and timely response to incidents of campus crime; prompt aggregate/statistical reporting is essential to enable the university to better identify, inform,
and address patterns and/or systemic problems, particularly those related to sexual misconduct in general and especially true in cases of sexual misconduct involving an unknown offender.

Section 19: Crime Log
CSULBPD maintains an electronic daily crime log to create a record of all crimes, arrests and fires reported to the CSULBPD which occurred on university and Clery related property. Barring computer outages, it is accessible 24/7 at http://activitylog.upd.csulb.edu/. The log reflects the time and date of the incident, the location and nature of the report along with a disposition. The most recent 60-day reporting period is available for public inspection online and upon request during normal business hours at the Main Station. Log entries older than 60 days can be obtained by request and will be available within two business days. CSULBPD may withhold information from the log if the release of such information would jeopardize the safety of an individual or an ongoing investigation.

Section 20: Campus Primary Prevention and Awareness Sexual Misconduct Programs
The California State University does not discriminate on the basis of sex, gender, 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 in all education programs and activities operated by the university (both on and off campus). Title IX protects all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and misconduct. (CSU Executive Order 1095 - https://www.calstate.edu/eo/EO-1095-rev-6-23-15.html)

As a result, CSULB issues this statement of policy to inform the community of our comprehensive plan of primary prevention and awareness programs for all incoming students and new employees addressing sexual misconduct, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus when it is reported to a University official. Existing community members are educated in the ongoing primary prevention and awareness programs as well. In this context, CSULB prohibits the offenses of domestic violence, dating violence, sexual misconduct and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community. For complete copies and definitions of the numerous terms used in the California State University system policies (Executive Orders) governing sexual misconduct, domestic violence, dating violence, and stalking, visit https://www.calstate.edu/eo/EO-1095-rev-6-23-15.html, https://www.calstate.edu/eo/EO-1096-rev-6-23-15.html, and https://www.calstate.edu/eo/EO-1097-rev-6-23-15.html.
CSULB offered the following prevention and awareness programs in 2015:

Through the Women’s and Gender Equity Center (WGEC):

1. On January 12, 2015, the WGEC presented Mentors in Violence Prevention (MVP). It is gender violence prevention training. It uses the bystander approach and focuses on social justice leadership development. It happens annually targeting resident assistants, assistant residential college coordinators, and residential college coordinators. There were 65 attendees.
2. On January 13, 2015, the WGEC presented MVP. It is gender violence prevention training. It uses the bystander approach and social justice leadership development. It is an annual event targeting Student athlete leaders. There were 24 students attendees.
3. On January 14, 2015, the WGEC presented MVP. It is gender violence prevention training. It uses the bystander approach and social justice leadership development. It is an annual event targeting Fraternity and Sorority presidents. There were 22 students attendees.
4. On February 18, 2015, the WGEC presented Human Sex Trafficking. This is a Sexual Assault awareness program. It happens annually targeting students at large. There were 230 students attendees.
5. On April 15, 2015, the WGEC presented Dirty Talk. This is a Sexual Assault awareness and prevention program. It is a theatrical docudrama. It was a one-time event and targeted students at large. There were 84 students attendees.
6. On April 22, 2015, the WGEC presented Clothesline Project. This is a Sexual Assault Awareness program. It is a display and resource tabling. It happens annually targeting students. There were 100 students attendees.
7. On April 22, 2015, the WGEC presented Take Back the Night. This is a Sexual Assault awareness program. It is a rally/march, and Speak-out. It happens bi-annually targeting students. There were 100 students attendees.
8. On April 28, 2015, the WGEC presented Brave Miss World. This is a Sexual Assault awareness program. It is a documentary with guest speaker and student health representatives. It was a one-time event targeting students. There were 25 student attendees.
9. On June 9, 2015, the WGEC presented Gender Violence Prevention. This is a Sexual Assault awareness and prevention program. It uses the bystander intervention approach and is three-hour seminar. It is a one-time event and targeted coaches and athletic administrators. There were 48 people in attendance.
10. On October 8, 2015, the WGEC presented “Let’s Talk Consent.” This was a Sexual Assault awareness and prevention program. It is an interactive program with students participating in group discussions about consent. This one-time program and targeted students during the “Red Zone” – beginning of semester until Thanksgiving break. There were 124 attendees.
11. On October 21, 2015, the WGEC presented Clothesline Project. This is a Sexual Assault awareness program. It is a display and resource tabling. It happens bi-annually targeting
students. The event is set up along a high-traffic walkway on upper campus so, although we do not have an official student count for the event, a large number of students stop by information tables or look at shirts on the clothesline between classes.

12. On October 21, 2015, the WGEC presented Take Back the Night. This is a Domestic Violence awareness program. It is a rally/march, and Speak-out that allows students to anonymously share their own experiences. It happens bi-annually targeting students. At this semester’s event the attendance was 50 for the Rally and 120 for the Speak-out.

13. On October 23, 2015, The WGEC presented Not Alone at the Beach Ally Training. This is a Sexual Assault awareness program highlighting support services. It happens bi-annually targeting faculty, staff, and students. There were 15 attendees.

14. On November 19, 2015, the WGEC presented Inappropriate Pursuit, a stalking awareness and prevention program presented by CSULB interACT troupe. It educated students on different types of stalking. It happens annually targeting students. There were 110 student attendees.

Through the Office of Equity and Diversity (OED):

On April 8, 24, and 28, and May 8, 2015, OED presented Title IX training to Fraternity and Sorority members. The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. Students were also provided with a copy of the ‘Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s’ handbook. Between the 4 trainings, 651 student fraternity and sorority members attended.

On August 4, 9, 17, 24, 25, 26, 27, and 28, 2015, OED presented Title IX training to all student athletic teams. The training featured a Title IX video covering CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, and confidential on- and off-campus support resources for survivors. There were 372 student athletes representing 10 sports in attendance.

On June 2, 2015, OED presented Title IX training to Student Orientation, Advising and Registration (SOAR) Advisors. The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. Students were provided a digital copy of the “Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s” handbook. This training occurs annually for SOAR Advisors. There were 28 student attendees.
On July 29, and August 13, 2015, OED presented Title IX training to student undergraduate and graduate employees of Housing and Residential Life (HRL). The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. Students were also provided with a copy of the “Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s” handbook containing the policy and procedure related to sexual violence, reporting options, and confidential on- and off-campus support resources for survivors. This training occurs annually for HRL student employees. There were 63 student Resident Advisors and Graduate Assistants attendees.

On August 19, 20, and 21, 2015, OED presented Title IX training to student employees in the Geology department, Learning Assistance Center, and Writer’s Resource Lab. The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. These trainings occur annually at the request of each department. There were 65 student employee attendees.

On August 20, 2015, OED presented Title IX training to ROTC students. The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. Students were also provided with a copy of the “Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s” handbook. There were 53 ROTC student attendees.

On November 6 and 9, 2015, OED presented Title IX training to 2 student leadership programs. The training covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, case scenarios, and confidential on- and off-campus support resources for survivors. Students were also provided with a copy of the “Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s” handbook. These trainings occur annually at the request of the President’s Ambassadors Program and CHHS Student Council. There were 44 student attendees.

Beginning August 10, 2015 through November 15, 2015, OED facilitated a required online Title IX video to be viewed by all incoming CSULB students entitled, “Not Anymore.” Most continuing students were also prompted to view the video. The video covered CSULB’s policy and procedure related to sexual violence prevention and education, reporting options, and confidential on- and off-campus support resources for survivors. Students were also provided
with a link to the “Title IX Notice of Non-Discrimination: Sexual Violence Prevention & Education Statement FAQ’s” handbook. A total of 25,432 students viewed the video.

While the above programs have already occurred, repetitions and similar programs will also be offered on an ongoing basis.

**Definitions per Executive Orders 1095-1097**
*As mandated by the Clery Act’s Violence Against Women Act (VAWA)/Campus SaVE Act, 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.

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

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

a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a person’s employment terms or conditions, academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or

b. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as limiting their ability to participate in or benefit from the services, activities or opportunities offered by the University; or

c. 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 Misconduct:** All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law. Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. When based on gender, Domestic Violence or Stalking also constitute Sexual Misconduct. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity. Persons of all genders can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

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

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

**Rape** is a form of Sexual Misconduct, and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when the person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused’s relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)
**Acquaintance Rape** is a form of Sexual Misconduct committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

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

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions.
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making ability, awareness of consequences, and ability to make informed judgments. A person’s own intoxication or incapacitation from drugs or alcohol does not diminish that person’s responsibility to obtain Affirmative Consent before engaging in sexual activity.
- A person with a medical or mental disability may also lack the capacity to give consent.
- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.

- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
  - The person was asleep or unconscious;
The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
- The person was unable to communicate due to a mental or physical condition.

- It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
  - The respondent’s belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
  - The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

Domestic Violence is abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the abuser has a child; someone with whom the abuser has or had a dating or engagement relationship; or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are 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 husband and wife, (5) the continuity of the relationship, and/or (6) the length of the relationship. For purposes of this definition, “abuse” means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to themselves or others. Abuse does not include non-physical, emotional distress or injury.

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

Stalking is engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for their own or another’s safety, or to suffer Substantial Emotional Distress. For purposes of this definition:
• Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property;
• Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the complainant;
• Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
• Protected Status includes Age, Disability, Gender, Genetic Information, Gender Identity or Expression, Nationality, Marital Status, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status.

What You Can Do To Help Stop Sexual Misconduct
• Sexual contact requires mutual consent. An incapacitated person (s/he lacks the physical and/or mental ability to make informed, rational decisions) is incapable of giving consent.
• No one deserves to be sexually assaulted, stalked or victimized in any way.
• Don’t engage in any behavior that may be considered dating/domestic violence, sexual assault, stalking or any other form of violence.
• Never use force, coercion, threats, alcohol or other drugs to facilitate sexual activity that otherwise would not have likely occurred.
• Take responsibility for your actions.
• Avoid alcohol and other drugs.
• Remember “no” means “No!” and “stop” means “Stop!”
• Report incidents of violence (including coercion) to law enforcement and campus authorities.
• Discuss dating/domestic violence, sexual assault and stalking with friends—speak out against violence and clear up misconceptions.
• Don’t mistake submission or silence for consent.

What You Can Do To Help Minimize Your Risk of Becoming a Victim
• Be aware. Does your partner: Threaten to hurt you or your children? Say it’s your fault if he or she hits you and then promises it won’t happen again (but it does)? Put you down in public? Force you to have sex when you don’t want to? Follow you? Send you unwanted messages and gifts?
• Be assertive. Speak up.
• Stay sober and watch out for dates and/or anyone who tries to get you drunk or high.
• Clearly communicate limits to partners, friends, and acquaintances.
Never leave a party with someone you don’t know well and trust.

Trust your feelings; if it feels wrong, it probably is.

Learn all you can and talk with your friends. Help them stay safe.

Report incidents of violence to law enforcement and campus authorities.

What You Can Do If You Are a Victim, in General

- Go to a safe place as soon as possible.
- Preserve evidence.
- Report the incident to CSULBPD.
- Be assisted by campus authorities in notifying local law enforcement.
- Report the incident to your campus Title IX Coordinator.
- Call a domestic violence, sexual assault or stalking hotline.
- Call a friend or family member for help.
- Be assisted by campus authorities in seeking protection orders or restraining orders from criminal, civil, or tribal courts.
- Choose to decline to notify campus authorities.
- Know that you are not at fault. You did not cause the abuse to occur and you are not responsible for someone else’s violent behavior.

General Pattern of Behavior:
Tension Building: Relationship begins to get strained or tense between partners.
Explosion: Outburst that includes verbal, emotional, or physical abuse.
Honeymoon: Apologies where the abuser tries to re-connect with his/her partner by shifting the blame onto someone or something else.

What Dating/Domestic Violence Looks Like
Any actions used for the intent of gaining power and control over a person:
- Physical Abuse: any intentional use of physical force with the intent to cause injury (i.e. grabbing in a way to inflict pain, hitting, shoving, strangling, kicking)
- Emotional Abuse: non-physical behaviors such as threats, insults, constant monitoring, humiliation, intimidation, isolation, silent treatment, or stalking
- Sexual Abuse: any action that impacts the partner’s ability to control their sexual activity or the circumstance which sexual activity occurs, including rape, coercion or restricting access to birth control

Warnings or Signs of Potential Dating/Domestic Violence
Ask yourself if your partner engages in one or any of the following activities:
- Checks my cell phone or email without my permission.
- Monitors where I’m going, who I’m going with, what I’m doing.
- Repeatedly says or does things to make me feel inadequate or inferior to him/her.
- Extreme jealousy or insecurity.
- Isolates me from my friends and family.
- Explosive temper.
- Mood swings.
- Assumes financial control over my access to financial resources.
- Tells me what to do.
- Possessiveness.
- Physically hurts me in any way.

Sexual Misconduct- Risk Reduction Tips

“What can I do in order to help reduce my risk of being a victim of sexual misconduct?”
Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame and with recognition that only those who commit sexual misconduct are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act:
- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs may lower your sexual inhibitions and possibly make you vulnerable to a predatory person looking for opportunities to take advantage of you.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
- In an emergency, call 9-1-1

“What can I do in order to help reduce my risk of being an initiator of sexual misconduct?”
If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk of being accused of sexual misconduct:
- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
DON'T MAKE ASSUMPTIONS about consent, about someone’s sexual availability, about whether they are attracted to you, about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.

Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

Don’t take advantage of someone’s drunkenness or drugged state, even if they did it to themselves. Incapacitation means a person is unable to give valid consent.

Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don’t abuse that power.

Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

How You Can Help Yourself
Think about ways you can be safer. This means thinking about what to do, where to go for help and who to call ahead of time:

- Where can you go for help?
- Who can you call?
- Who will help you?
- How will you escape a violent situation?

Other Things You Can Do

- Let friends or family members know when you are afraid or need help.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Avoid isolated areas.
- Avoid putting headphones in both ears so you can be more aware of your surroundings.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, remove yourself.
- Vary your routine, your driving routes and where you park your car.
- When you go out, tell someone where you are going and when you’ll be back.
- In an emergency, call 911 or your local police department.
- Memorize the phone numbers of people to contact or places to go in an emergency.
• Don’t load yourself down with packages or bags restricting your movement.
• Keep your cell phone handy; check to see that you have reception and that your cell phone is charged.
• Have money for a cab or other transportation.
• Save notes, letters or other items that the stalker sends to you. Keep a record of all contact that the stalker has with you; these items will be very useful in an investigation.

How You Can Help Someone Else
If you know someone who is being stalked, you can:
• Encourage your friend to seek help.
• Be a good listener.
• Offer your support.
• Ask how you can help.
• Educate yourself about stalking.
• Avoid any confrontations with the stalker; this could be dangerous for you and your friend.

For additional information and resources on stalking, contact CSULBPD at 562-985-4101 or the Los Angeles County District Attorney’s Office at http://da.co.la.ca.us/stalking/ or:

Stalking and Threat Assessment Team (S.T.A.T.)
Los Angeles County District Attorney’s Office
320 West Temple Street, Room 780
Los Angeles, CA 90012
(213) 974-5985

Section 21: Reporting Sexual Assault, Domestic Violence, Dating Violence or Stalking

Reporting Options and Confidentiality

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

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

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

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

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

Certain University employees, listed below, are required by law to maintain near or complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain the victim’s identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator, including the identity of the perpetrator. Most other University employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim, and take steps to correct and eliminate the misconduct.

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

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

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

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

**Exceptions to Confidentiality**
Under California law, any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient/victim
who they know or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Misconduct, Domestic Violence, and Dating Violence).

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

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

**Reporting Options**

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

**Criminal**

Reporting to University Police and/or local police is an option at any time. Victims who choose not to report to the police immediately following a Sexual Misconduct, Dating and Domestic Violence, or Stalking incident, can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on the victim’s behalf.
Reporting to the Police
As soon after the incident as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking may be reported to the University Police Department by dialing 911. The University Police will support all victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking regardless of their decision to seek criminal prosecution of the offender or not. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim. University Police will protect the confidentiality of the victim to the extent permitted by applicable California State law. University Police will assist the victim by calling the appropriate police department should the reported incident not have occurred on campus.

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

In cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the preservation of physical evidence is important to facilitate the identity and successful prosecution of the offender. The victim should not change clothes, bathe, douche, or shower following the attack. Sexual Assault Response Team (S.A.R.T.) medical personnel are trained to collect, process, and preserve physical evidence of Sexual Misconduct, and are committed in their assistance to the victim. Victims may request a S.A.R.T. exam to preserve forensic evidence without completing a police report. This evidence may be used in the case a victim wishes to report the assault at a later date. Victims are not financially responsible for S.A.R.T. exams and the cost will be the responsibility of the local law enforcement jurisdiction. The SART facility is located in the Long Beach Community Hospital at, 1720 Termino Avenue and can be contacted at 562-498-1000.

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

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

**Reporting to a CSA**

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

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

**Administrative**

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

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

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

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

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

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

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

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

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation), transportation situations or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.
The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

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

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

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

**Non-Reporting**

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

**Civil Lawsuits**

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

**Restraining Orders**

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

The following agencies and telephone numbers are provided for victims who require assistance for counseling, housing, temporary restraining orders or other mental health needs.

**CSULB Services:**
- Police 562-985-4101
- Counseling & Psychological Services 562-985-4001
- Student Health Services 562-985-4771
- Equity & Diversity 562-985-8256
- Women's & Gender Equity Center 562-985-8687

**Off-Campus Services**
- Long Beach Police Department 562-435-6711 or 9-1-1
- National Sexual Assault Hotline 800-656-4673
- Interval House 562-594-4555 / Su Casa 562-402-4888
- Rape Treatment Center: www.911rape.org
- Women's Health Information Center: www.womenshealth.gov

**University Ombuds**
“The Office of the Ombuds provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in Sexual Misconduct cases, California law mandates that the Ombuds as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates as above) report Sexual Misconduct incidents to the Title IX Coordinator.

**Disciplinary Procedures**
The University has procedures that provide for an administrative investigation of reports of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, and written findings based on the preponderance of the evidence standard, provided to the complainant and respondent. Both the complainant and respondent may appeal written findings to the CSU Chancellor’s Office, as well as the ultimate sanction for violation of CSU policy in student misconduct cases. The procedure for CSU employees and third parties is separate from but similar to the procedure for CSU students.
When a student or employee reports to the University that the student or employee has been a victim of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of their rights and options.

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

Before reaching a final conclusion or issuing a final investigation report, the Investigator shall have: a) advised the Parties, or have offered to do so, verbally or in writing, of any evidence upon which the findings will be based; and, b) given the Parties an opportunity to respond to the evidence, including presenting further relevant evidence, information or arguments that could affect the outcome. The Investigator will not reach a final conclusion or issue an investigation report until giving careful consideration to any such relevant evidence, information or arguments provided by the Parties. The Investigator retains discretion and authority to determine relevance.

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

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking and how to conduct a hearing process that protects the of victims and promotes accountability;
- Provide the complainant and respondent the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Simultaneously inform the complainant (or next of kin if complainant is deceased) and respondent in writing of:
  - The outcome of the disciplinary proceeding;
Complaint Procedures
The CSU has adopted and published complaint procedures that provide for prompt, impartial, and equitable resolution of complaints of Sex Discrimination, including Sexual Harassment, Sexual Misconduct, including Rape and Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

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

Complaints made by students

Complaints made by employees, former employees, third parties and applicants for employment
Executive Order 1096, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, 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, Sexual
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 http://www.calstate.edu/EO/EO-1096-rev-6-23-15.pdf.

**Complaints made by student-employees**

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

**Section 22: Disciplinary Procedures for Sexual Assault, Domestic Violence, Dating Violence or Stalking**

The Title IX Coordinator (or designee) is responsible for investigating complaints of Gender Discrimination, Harassment and Retaliation, including Sex Discrimination and Sexual Harassment, as well as Complaints of Sexual Misconduct, Domestic and Dating Violence, and Stalking. (See Executive Orders 1095, 1096 and 1097.) In accordance with Executive Orders 1096 and 1097, the Title IX Coordinator investigates those complaints, determines whether the accused violated the applicable Executive Order(s), and prepares a report that includes findings of facts and conclusions about whether the applicable Executive Order was violated. Unless the determination is appealed as provided in Executive Orders 1096 or 1097, it is final and binding in all subsequent proceedings.

Where a complaint is made against a student and the applicable Executive Order is found to have been violated, the Title IX Coordinator shall also notify the Student Conduct Administrator of the investigation outcome and provide a copy of the investigation report.

Where a complaint is made against an employee, Human Resources or Academic/Faculty Affairs shall be notified and provided a copy of the investigation reports. Sanctions are imposed in accordance with current collective bargaining agreement, when applicable, and may include:
• verbal reprimand
• written reprimand,
• reduction in salary
• temporary or permanent demotion
• paid or unpaid administrative leave
• suspension
• denial or curtailment of emeritus status
• mandated education or training
• change in work location
• restrictions from all or portions of campus
• restrictions to scope of work
• dismissal

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

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

Student Conduct Proceedings
Where the investigative report finds a violation of Executive Order 1096 or 1097 and any appeal has been exhausted, the report is referred to the Student Conduct Administrator to initiate student conduct proceedings. The Student Conduct Administrator will offer to conduct pre-hearing conferences separately with the complainant and respondent to review information concerning the charges, interim remedies, proposed sanctions or range of sanctions, the nature of further proceedings, and possible disposition without hearing.
The Student Conduct Administrator shall, in consultation with and agreement from the Title IX Coordinator, determine which cases are appropriate for disposition without hearing, taking into consideration the investigation report and any additional information provided during any conferences. If a proposed resolution agreement can be reached, the terms shall be put in writing and signed by the student charged and the University (after a reasonable opportunity to consult with an advisor). Any proposed resolution may be appealed by the complainant and is not final until any such appeal is exhausted.

If not resolved, the Student Conduct Administrator will issue a Notice of Hearing and shall schedule the hearing promptly, but in any event no sooner than 10 working days after, and no later than 20 working days after, the date of the Notice of Hearing. The findings and conclusions of the investigations conducted in accordance with Executive Orders 1096 and 1097, once any appeals are exhausted, are final and binding. The hearing is limited to determining appropriate sanctions; the findings of the investigation are not under review.

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

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

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

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

President’s Sanction Decision/Notification
The president shall review the investigative report and the Hearing Officer's report and issue a
decision concerning the appropriate sanction. The president's decision letter shall be issued
within 10 working days after receipt of the Hearing Officer's report. The president shall
simultaneously send the decision electronically to the student charged and complainant(s).
Unless the Chancellor's Office notifies the campus that an appeal has been filed, the president’s
sanction decision becomes final 11 working days after the date of the decision letter.

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

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 policies) 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.

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

MORE THAN ONE SANCTION MAY BE IMPOSED FOR A SINGLE VIOLATION

Other Considerations Related to Sanctions

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

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.

Appeal of President’s Sanction
The complainant and student charged each may file an appeal of the president’s decision of appropriate sanctions to the Chancellor’s Office no later than 10 working days after the date of the president’s decision letter. The complainant may also appeal any proposed sanctions agreed to as part of a proposed resolution agreement with the student charged.
Sanction appeals are limited to a determination as to whether the sanction is reasonable under the facts and circumstances as determined by the investigation and whether any prejudicial
procedural errors occurred during the hearing. The Chancellor’s Office appeal review will not involve a new investigation and will not consider evidence that was not introduced during the investigation or hearing. The record will be limited to the record at the hearing. The Chancellor’s Office shall issue a final appeal response no later than 10 working days after receipt of the written appeal.

Whom to Contact If You Have Complaints, Questions or Concerns
Title IX requires the university to designate a Title IX Coordinator to monitor and oversee overall Title IX compliance. Your campus Title IX Coordinator is available to explain and discuss: your right to file a criminal complaint (sexual assault and violence); the university’s complaint process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters. If you are in the midst of an emergency, please call the police immediately by dialing 9-1-1.

Campus Title IX Coordinator:
- Main Line: 562-985-5587
- Website: www.csulb.edu/depts/oed/policies/title-ix.html
- Office Hours: Monday-Friday (8AM-5PM)
- Dr. Jeane Caveness, Associate Dean
- Email: Jeane.Caveness@csulb.edu
- Address:
  - 1250 Bellflower Blvd. (Brotman Hall 377)
  - Long Beach, CA 90840

CSULBPD
- Main Line: 562-985-4101 (24 Hour)
- Website: daf.csulb.edu/offices/ppfm/police/sex_assault.html
- Address:
  - University Police Department
  - 1250 Bellflower Blvd.
  - Long Beach, CA 90840-8001
  - (Brick building south of the Student Recreation and Wellness Center)

U.S. Department of Education, Office for Civil Rights (OCR):
- (800) 421-3481 or ocr@ed.gov
- If you wish to fill out a complaint form online with the OCR, you may do so at: www2.ed.gov/about/offices/list/ocr/complaintintro.html
CALIFORNIA STATE UNIVERSITY, LONG BEACH  
CAMPUS SECURITY AUTHORITY

CLERY INCIDENT REPORT

One important purpose of the Clery Act is to encourage the accurate collection of campus crime statistics in order to promote and enhance campus crime awareness and campus safety through reliable statistical crime reporting. The purpose of this report form is to provide Campus Security Authorities (CSAs) with a uniform mechanism for documenting the (who, what, when, where) of crimes reported to them, especially, confidential reporting.

Clery provides the following definitions for reporting locations:

1. On-campus property: Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University’s educational purpose, including any buildings or property that is owned by the University but controlled by another person which is frequently used by students and supports institutional purposes such as a food or other retail vendor. (Excluding Residential Colleges)
2. Off-campus Residential Colleges (Hillside, Parkside and Beachside Colleges)
3. Non-campus property: Any building owned or controlled by a student organization that is officially recognized by the University; or any building or property owned or controlled by the University that is used in direct support of, or in relation to the University’s educational purpose, is frequently used by students, and is not within the same reasonably contiguous geographic area of the University (includes Blair Field/Greeks/Foundation, etc.).
4. Public property: All public property, including: thoroughfares, streets, sidewalks, parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.
5. Off-campus: Locations not included above.

Data collected on this form shall not include personal identifying information. The student status of the offender or victim is not a relevant fact when determining if a report should be accepted. All reports involving any of the listed crimes must be documented and reported to the University Police Department. The annual Clery statistics count shall be determined by the University Police Department. Use a separate report form for every Clery reportable incident; if in doubt...file a report.

A Campus Security Authority (CSA) is defined in the Annual Clery Report and on the reverse side of this form.

<table>
<thead>
<tr>
<th>Crime Type</th>
<th>Location of Incident</th>
<th>Date of Incident</th>
<th>Time of Incident</th>
<th>CSA Tracking #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homicide</td>
<td>On-campus (excluding student housing)</td>
<td>Date report received</td>
<td>Time report received</td>
<td></td>
</tr>
<tr>
<td>Manslaughter</td>
<td>On-campus student housing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>Public property (adjacent to campus)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robbery</td>
<td>Non-campus property (Blair Field/Greeks)</td>
<td></td>
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<tr>
<td>Assault</td>
<td>Off campus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Battery</td>
<td>Unknown location</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Hate Crime:** (in conjunction with above and below listed incidents):
- Body Inj
- Habitation
- Intimidation
- Other

**Date of Incident:**
- Time of Incident:
- CSA Tracking #:

**Name of CSA receiving report:**
- CSULB Department/Unit:
- Date report received:
- Time report received:

**CSA received report from:**
- Victim
- Witness
- Friend
- Offender
- Family
- Other

**Police Report filed:**
- Yes
- No
- Unknown

**Date/time reported to Police Department:**
- CSULB PD Case #: (if known)

**Sex Offense:** Sex offenses are of special concern to the campus community because historically they have been under reported. The victim of a sex offense typically desires confidentiality and anonymity, as a result the will often seek a reporting source other than law enforcement such as a designated Campus Security Authority. Because the sex offender may continue to pose a threat to the community, the threat potential needs to be quickly evaluated and the campus community alerted/warned as deemed necessary. In this regard, the following additional information is requested.

- **Victim:**
  - Student
  - Faculty
  - Staff
  - Other
- Known offender:
  - Contact person:
  - Acquaintance:
- Unknown offender:
  - Stranger:
- Victim was physically injured:
  - Non-physically injured:
- Victim was physically injured:

**Describe Injuries:**

**Brief Description of Crime:**

**Race:**

**Gender:**

**Age:**

**Height:**

**Weight:**

**Hair Color:**

**Eye Color:**

**Physical Characteristics:**

**Sex Offense:**
- Alcohol Involved:
- Offender
- Victim
- Drug/facilitics Involved:
- Offender
- Victim
- Weapon Involved:
- Yes
- No

**Describe weapon:**

**Description of Offender:**

**Brief Description of Crime:**

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Definitions

Criminal Homicide (Manslaughter by Negligence)
The killing of another person through negligence. (Attempts are classified as aggravated assaults)

Criminal Homicide (Murder and Non-negligent Manslaughter)
The willful (non-negligent) killing of a human being by another. (Attempts are classified as aggravated assaults)

Robbery
The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of violence and/or fear

Aggravated Assault
An unlawful attack of another for the purpose of inflicting severe or aggravated bodily injury accomplished by the use of a weapon or means likely to produce death or great bodily harm. It is not necessary that an injury results when a gun, knife, or other weapon was used but which could have resulted in serious injury. (Includes attempts)

Burglary
The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Includes attempts, but excludes vehicle burglary.)

Motor Vehicle Theft
Taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts)

Sex Offense (Rape)
Any sexual act directed against another person without their consent or against an incapacitated person. (Includes attempts)

a. Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

b. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)

c. Statutory rape (consensual intercourse with a person who is under the age of consent - 18 yrs)

Sexual Battery (Forcible)

a. Sexual battery (the touching of the intimate parts: sexual organ, anus, groin, or the breast of a female)

Domestic Violence
(Sec.46002(a), VAWA 42 USC 13925(a)(9))
Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family-violence laws of the jurisdiction.

Stalking
(Sec. 46002(a), VAWA 42 USC 13925(a)(30))
The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) Fear for his/her safety or the safety of others; or (B) suffer substantial emotional distress

Hate Crime
A criminal act involving one or more of the previously listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the race, religion, gender, gender identity, sexual orientation, disability, national origin, or ethnicity of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Larceny-Theft (Except Motor Vehicle Theft)
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, workman checks, etc., are excluded.

Simple Assault
An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation
To unlawfully place another person is reasonable fear of bodily harm through the use of threatening words or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)

a. A police department or security department of the university.

b. Any individual who has responsibility for campus security but who does not constitute a campus police department or the campus security department (e.g. parking enforcement staff, community service officers, contract security).

c. Any individual or organization specified in the University’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

d. Any official of the University who has a significant responsibility for student and campus activities (e.g. Dean of Students; Student Judicial Affairs; Directors of Campus Community Centers; Director of Student Housing; ACS; RAs; Directors of Athletic and team coaches; Coordinators, directors and/or advisors to student organizations; programs, activities, campus recreation, Greek affairs, etc.)

INSTRUCTIONS

a. If the reported incident constitutes a threat to the safety of the CSULB community, the CSA shall immediately telephone the University Police Department at (562) 985-4101. If the reporting party is a victim of a sex offense, the victim should be encouraged to report the crime directly to the University Police Department. The University Police Department must file a Clery Report.

b. “Good faith” confidential, second hand or anonymous reports must be accepted and the CSA must file a Clery Report.

c. The potential for duplication of reported crimes is not to be a factor in determining whether or not a report is received.

d. This reporting form does not replace or change any existing reporting requirements or procedures established for disciplinary referrals for student or employee misconduct.

e. Hate crimes present a special reporting challenge, because Clery also requires the recording of a “category of bias” that is associated with the reported hate crime incident.

Send report: Please scan/email front page to clery@ugd.csulb.edu, fax to (562) 985-7796, or submit in person all Clery Incident Reports to CSU Long Beach Police Department. Questions about this report or the Clery Act should also be directed to clery@ugd.csulb.edu.
Core Campus Clery Map 2015

Public street address ranges adjacent campus:

- 7th Street, 6000-6100
- Atherton Street, 5700-6300
- Bellflower Blvd., 1200-1400
- Palo Verde Avenue, 1200-1790