

# UCI and UCI Health

## 2023 Annual Security Report



Contains policy information for 2023 – 2024 academic year

Contains calendar years 2020, 2021, 2022 crime statistics



## A Message from Chief Griffin

To the UCI and UC Irvine Health Communities,

On behalf of the UCI Police and Public Safety Department, I am pleased to present our 2023 Annual Security and Fire Safety Report. Every member of the UCI community has a role in providing a safe environment for our students, staff, faculty, patients and visitors at the UCI Campus and the UCI Health Medical Center. This comprehensive report contains valuable information for campus partners, the entire UCI community and the public at large. We also publish this report to comply with important provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the “Clery Act”).

We encourage you to review the information we have made available to you in this report. You will find information about the UCI Police Department, including descriptions of certain services that we provide. You will also become familiar with our strong commitment to victims and survivors of crimes and the extensive and comprehensive services available to crime victims and survivors surrounding sexual violence response and prevention. You will also find important information about security policies and procedures; Clery Act crime data; crime prevention and reporting; emergency response and evacuation; emergency notifications; timely warnings; alcohol, drug and weapon policies; department policies, and other topics.

We are committed to fostering and maintaining a secure, supportive and inclusive environment at UCI and UCI Health. Safety and security is a collaborative effort. We partner with the many departments that have a critical role in fostering safety at UCI and UCI Medical Center, including the Office of Equal Opportunity and Diversity (OEOD) / Title IX Office, Student Affairs, Campus Assault Resources & Education (CARE), Office of Academic Integrity & Student Conduct, Environmental Health & Safety, Athletics, various department within UCI Health, as well as our other community partners including the Orange County Fire Authority, the City of Irvine and the City of Orange Police Departments, and the Orange County Sheriff’s Department. We strive to provide the highest quality of services to our community and we are honored to collaborate with the entire UCI and UCI Health communities. The UCI Police Department is committed to making our community a safe inclusive place in which to live, work, and study.

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**UCI**  
**BRILLIANT**  
**FUTURE**



## 1.0 Introduction

**Important note:** Unless otherwise specified in this Annual Security Report, the statements of policy and various procedures discussed apply to both the UCI Campus and the UCI Health Medical Center. Where statements of policy and procedure differ, such differences are noted.

### 1.1 Overview of the Clery Act

Selecting the right college or university to attend is a very large decision for students and their families. Additionally, deciding where to work and build a career is also a big decision and one that needs to be made based on an assessment of a number of factors. Campus safety and security is an important factor that goes into the decisions of potential students and employees and should not be taken lightly. Additionally, access to campus safety and security information for current students and employees is important for individuals who study and work at UCI.

Responding to concerns regarding campus safety and security at colleges and universities, Congress enacted the Crime Awareness and Campus Security Act of 1990, which amended the Higher Education Act of 1965. The 1998 amendments to this Act renamed it the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery. This federal law has largely become known across the United States as the “Clery Act”.

All public and private postsecondary institutions that participate in Title IV student financial assistance

programs must comply with the Clery Act and institutionalize its mandates. Among the various requirements, colleges and universities are required to prepare, publish, and distribute a report concerning campus crime statistics, statements of safety and security policies and procedures on an annual basis through appropriate publications. The notice of availability must be distributed to all current students and employees as well as all prospective students and employees.

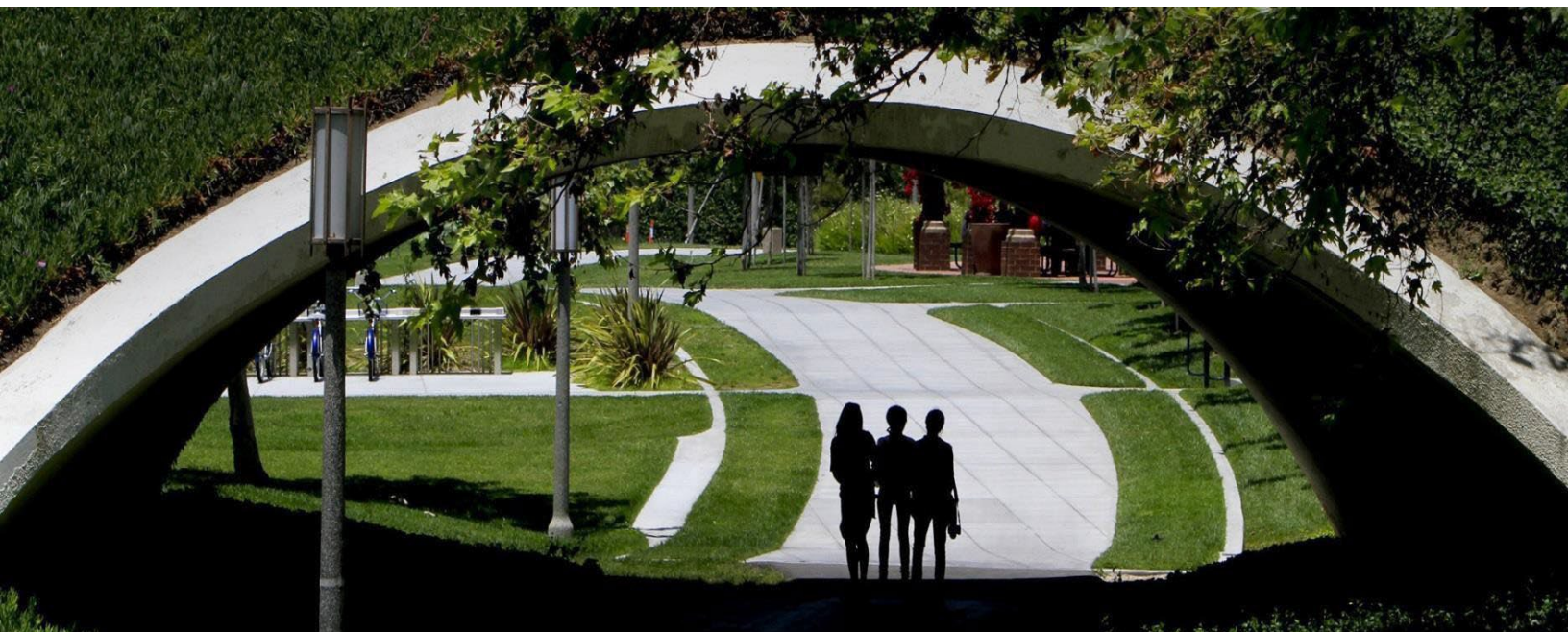
UCI has embraced a culture of compliance surrounding the Clery Act with a focus on meeting the technical compliance requirements of the Clery Act, but also embracing the spirit of the law: knowledge is power.

UCI has implemented a “Program of Compliance” model to manage and implement the various parts of the Clery Act. The UCI Clery Act Compliance Program Manager oversees this program for UCI and UCI Health Medical Center, coordinating all aspects of the Clery Act mandates and requirements. In order to further enhance institutional buy-in and implementation, a Clery Act Compliance Committee was formed to provide general direction and oversight from a university-wide perspective on implementation of the many requirements of the law. This Committee convenes on an annual basis or as otherwise needed. The Clery Act Compliance Program Manager reports on an annual basis to the UCI Chief Ethics and Compliance Officer (CECO) to provide an update on the Clery Act Program of Compliance.

This report, known as the Clery Act Annual Security Report (ASR), is the combined UCI campus and UCI Health Medical Center campus (part of UCI Health) ASR for calendar year 2023. This report contains specific UCI and UCI Health Medical Center Clery Act crime, arrest and disciplinary referral data, as well as information about safety, security policies and practices intended to promote awareness about security and safety at the UCI and UCI Health Medical Center campuses. This report is coordinated, prepared and updated by the UCI Police Department, Clery Act Compliance Program Manager in conjunction with various campus partners.

The 2023 ASR can be directly accessed by visiting [https://www.police.uci.edu/clery/annual-reports/uci\\_security\\_report.pdf](https://www.police.uci.edu/clery/annual-reports/uci_security_report.pdf). Copies of this ASR can be obtained at UCI from the UCI Police Department (Administrative Building) during normal business hours (generally Monday -Thursday, 8:00 a.m. to 4:00 p.m., excluding weekends and holidays). The UCI Police Department (Administrative Building) is located in UCI Parking Lot 1C. Copies of this ASR can also be obtained at UC Irvine Health Medical Center from the UC Irvine Health Security and Parking Services Department (Office Lobby) during normal lobby business hours (generally Monday – Friday, 7:15 a.m. – 4:00 p.m., excluding weekends and holidays). The UCI Health Security and Parking Services lobby is located in Building 33 on the UCI Health Medical Center campus.

Additionally, all Title IV institutions with on-campus student housing facilities are required to prepare and distribute an Annual Fire Safety Report (“AFSR”). This report contains specific statements of fire safety policies and procedures as well as the UCI annual fire safety statistics for the past three calendar years. UCI’s AFSR, along with the fire statistics, is prepared and distributed by the UCI Environmental Health & Safety (“EH&S”) department in conjunction with the UCI campus Fire Marshal. The 2023 AFSR can be directly accessed by visiting:[https://ehs.uci.edu/fire-safety/pdfs/UCI\\_HEOA\\_Report.pdf](https://ehs.uci.edu/fire-safety/pdfs/UCI_HEOA_Report.pdf)





## 1.2 UC Nondiscrimination & Affirmative Action Policy Regarding Academic and Staff Employment

University policy prohibits discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veteran. This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable state and federal laws and University policies.

University policy also prohibits retaliation against any employee or person seeking employment for bringing a complaint of discrimination or harassment pursuant to this policy. Further, this policy prohibits retaliation against a person who assists someone with a complaint of discrimination or harassment, or participates in any manner in an investigation or resolution of a complaint of discrimination or harassment. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment. UCI implements the nondiscrimination policy through the UCI Guidelines on

Discrimination and Harassment and disseminates this to the UCI community annually. These policies are also posted on the Office of Equal Opportunity and Diversity (OEOD) [website](#).

## 1.3 Nondiscrimination Policy Statement for UC Student-Related Matters

UCI, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of race, color, national origin, religion, gender expression, gender identity, gender transition status, pregnancy, physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services, including protected veteran. The University also prohibits sexual harassment, as covered in the UC SVSH Policy. This nondiscrimination policy covers admission, access, and treatment in university programs and activities. UCI implements the nondiscrimination policy through the UCI Guidelines on Discrimination and Harassment and disseminates this to the UCI community annually. These [policies](#) are also posted on the OEOD website.



## 1.4 Important Telephone Numbers

UCI Police Department Emergency Line	<b>9-1-1</b>
UCI Police Department Non-Emergency Line (from UCI)	(949) 824-5223
UCI Police Department Non-Emergency Line (from UCI Medical Center)	(714) 456-5222
UCI Medical Center Operator	(714) 456-7890
Center for Student Wellness & Health Promotion	(949) 824-9355
Campus Assault Resources and Education (CARE)	(949) 824-7273
Counseling Center (UCI)	(949) 824-6457
Community Service Officer (CSO) Program	(949) 824-7369
Office of Academic Integrity & Student Conduct (UCI)	(949) 824-1479
Environmental Health & Safety (UCI)	(949) 824-6200
Environmental Health & Safety (UCI Medical Center)	(714) 456-5700
Faculty and Staff Counseling Center	(949) 824-6457
Human Resources (UCI)	(949) 824-5210
Lesbian, Gay, Bisexual, Transgender Resource Center (LGBTRC) (UCI)	(949) 824-3277
Lost and Found/Fingerprinting (UCI)	(949) 824-1885
Lost and Found - Dispatch a Security Officer (UCI Medical Center)	(714) 456-5493
Lost and Found (UCI Medical Center)	(714) 456-5493
Office of the Ombudsman (UCI)	(949) 824-7256
Title IX/Office of Equal Opportunity and Diversity (OEOD)	(949) 824-5594
Poison Control Center	(800) 222-1222
Purchasing and Risk Services (UCI)	(949) 824-6516
Safety Escort Service (UCI)	(949) 824-SAFE (7233)
Safety Escort Service (UCI Medical Center)	(714) 456-5493
Student Health Center (UCI)	(949) 824-5301
UCI Police Department Investigations Unit	(949) 824-5223
UCI Police Department Reports / Records	(949) 824-7798
Major Utility/Electrical Failure	(949) 824-5444
UC Irvine Health Security & Parking Services Department Admin	(714) 456-5636
Workers' Compensation	(949) 824-9152
UCI Police Department Website	<a href="http://www.police.uci.edu">www.police.uci.edu</a>



## 2.0 UCI Police Department and UCI Health Public Safety Division

### 2.1 UCI Police Department

The mission of the UCI Police Department is to serve in partnership with our community, supporting a safe and inclusive University. By upholding our values (Integrity, Respect, Transparency, Fairness and Teamwork) we aspire to achieve the highest standards of ethics and excellence in providing service to our community. The primary responsibility of the UCI Police Department is to provide police services at the UCI campus in Irvine, CA and at UCI Health Medical Center campus in Orange, CA on a 24 hour a day, 365 days a year.

The UCI Police Department actively collaborates with the UCI and UCI Health communities to help promote a safe and secure environment through prevention, intervention, education, and enforcement (PIEE). The UCI Police Department uses innovative practices, technology, continuing training and partnerships to provide professional police services to prevent, prepare for, respond to and recover from all criminal activity, hazards and threats. In doing so, the UCI Police Department fosters and maintains an inclusive environment that supports the well-being of the UCI and UCI Health students, faculty, staff and visitors.

The Operations Division contains Patrol, Special Events, and Community Engagement. It is led by a Lieutenant and staffed with Sergeants and Officers. The primary function of the Operations Division personnel is to provide a uniformed response to calls for service, investigate criminal activity, enforce traffic laws, provide safety presentations to the community, assist other divisions as needed, and to act as a visible deterrent to crime. Police officers patrol the campus using marked and unmarked patrol vehicles, bicycles and on foot. A patrol officer's duties include protecting life and property, preventing crime, and keeping the peace. Patrol officers provide a wide variety of safety related services to the UCI community. When a crime is reported to the UCI Police Department, a patrol officer will take the initial crime report, which outlines the circumstances of the incident reported. When possible, and as needed, the patrol officer will collect evidence, arrest offender(s) and testify in court.

The Services Division is led by a Lieutenant and contains a Detective Sergeant, Detectives, Clery Act Compliance Staff and the Court Liaison/Property and Evidence staff. The Detectives conduct criminal investigations of crimes occurring on the UCI campus and UCI Health Campus. The Detectives are responsible for conducting criminal investigations, solving crimes,

and presenting investigations to the District Attorney. They also make crime prevention recommendations.

The Communications Unit operates 24 hours a day, 7 days a week and is managed by a Communications supervisor and staffed with Dispatchers. Dispatchers are responsible for answering business telephone lines, emergency and non-emergency calls for service, calls for service at the UCI Health and dispatching operations for the UCI Health Public Safety Division. This unit is also responsible for monitoring campus security alarms, surveillance security cameras, blue light emergency phones and elevator phones. All calls for service are dispatched utilizing the 800 MHz radio system.

Detectives also augment the Operations Division with uniform patrol assistance during large campus demonstrations or other events. The Services Division also works closely with the Title IX Officer, Deputy Title IX Officer, Title IX Investigators, the Office of Equal Opportunity and Diversity (OEOD) staff, CARE office, and Student Affairs. Additionally, UCI Police Department Detectives receive annual training on issues related to dating violence, domestic violence, sexual assault and stalking. This training is trauma informed and promotes the safety of the victim.

The Administration Division is dedicated to providing support to the entire UCI Police Department. The Director of Administration oversees the Administrative Division, which includes the following: Business Manager, Community Service Ambassador Manager, Financial Analysts, Administrative Analyst, student staff and interns. The primary functions of this Division include handling payroll, accounting and financial needs, responding to concerns of the public, maintenance of department records, fingerprinting services, and maintaining lost and found property. In addition, this Division assists with the recruiting and hiring processes of Police Officers, Administrative Staff, Dispatchers, Community Service Ambassadors (CSAs), and Interns. This Division also manages budgeting and purchasing matters for the UCI Police Department.

The UCI Police Department also employs student Community Service Ambassadors (“CSAs”) who provide safety escort services, general campus patrols, building lockups, and special details at scheduled UCI events.

CSAs also function as a liaison between the UCI Police Department and the students, staff, faculty, and other community members. CSA’s can be identified by their identification card, which includes their photograph, name, and CSA number. They wear blue uniform shirts, which display the University of California seal and the words, “Police Department” and “Community Safety Ambassador” on the front left side, as well as the words, “Community Service Ambassador” on the back.



## 2.2 UCI Police Department Jurisdiction, Enforcement Authority and Arrest Authority

The current authority of The Regents of the University of California (“The Regents”) to appoint University Police is set out in section 92600 of the California Education Code and section 830.2(b) of the California Penal Code. Under Section 830.2(b) of the Penal Code, UCI Police Officers have legal authority to exercise full peace officer powers any place in California, provided that the primary duty shall be the enforcement of law within the area specified in Section 92600 of the Education Code, i.e.,

(a) upon the campuses of the University of California and an area within one mile of the exterior boundaries of each campus and (b) in or about other grounds or properties owned, operated, controlled, or administered by The Regents.

The UCI Chancellor is responsible for the protection of the physical and academic environment of the UCI campus, the protection of the physical and patient care environment of the UCI Health Medical Center and for the police and public safety program assigned to provide the foregoing protection. The UCI Chief of Police, under the general direction of the Vice Chancellor, Finance & Administration, is responsible for and has commensurate authority to plan, organize, staff, direct, and control the Police and Public Safety Program for the UCI campus and the UCI Health Medical Center campus within the University of California Police Services

System. UCI Police Officers are vested with the authority and responsibility to enforce, on university property, all applicable local, state, and federal laws, with a special emphasis on the enforcement of laws involving weapons, alcohol, drugs and narcotics.

The UCI Police Department is computer linked to city, state and federal criminal justice agencies for access to criminal records, information on wanted persons, as well as stolen property and stolen vehicle information.

UCI Police Officers are duly sworn peace officers under California Penal Code section 830.2(b). As such, UCI Police Officers are armed, have authority to make arrests and possess the same authority under the law as municipal (i.e., city) police officers. The UCI Police Department follows to the standards of the California Commission on Peace Officer Standards Training (“POST”). Officers receive the same basic training as municipal and county peace officers as well as additional training to meet the unique needs of the campus community environment.

The UCI Police Department provides immediate response to all police, fire and medical emergencies both on the UCI campus as well as at the UCI Health Medical Center campus. Accidents involving automobiles and



bicycles are also investigated by the UCI Police Department.

The UCI Police Department and Irvine Police Department (IPD) have concurrent legal jurisdiction and authority on the UCI campus, including properties leased by UCI that are located off-campus and within the City of Irvine. IPD has legal authority to exercise peace officer powers throughout California and to enforce City of Irvine ordinances, and state and federal laws on those areas of the UCI campus located within the City of Irvine (not including enforcement of UCI Rules and Regulations).

Additionally, UCI Police Department officers are authorized to enforce the City of Irvine’s Municipal Code on UCI’s campus and in or about other grounds or properties owned or controlled within the City of Irvine.

The UCI Police Department and the Orange Police Department (OPD) have concurrent legal jurisdiction and authority at the UCI Health Medical Center campus, including properties leased by UCI that are located off-campus and within the City of Orange. OPD officers have the legal authority to exercise peace officer powers throughout California and to enforce City of Orange’s municipal Code, and state and federal laws on those areas of the UCI Health Medical Center located within the City of Orange (not including enforcement of UCI Rules and Regulations).

Additionally, UCI Police Department officers are authorized to enforce the City of Orange’s Municipal Code on the UCI Health Medical Center campus and in or about other grounds or properties owned or controlled within the City of Orange.

The Sheriff of Orange County has concurrent jurisdiction on the UCI and UCI Health Medical Center campuses, as is the case for the entire county. The two agencies cooperate and assist each other upon request by any deputy or officer of either department. The Orange County Sheriff’s Department restricts its primary patrol jurisdiction activity to the unincorporated areas and contract cities within the County of Orange.

### 2.3 UCI Health Public Safety Division

The UCI Police Department is committed to providing the UCI Health personnel and community with effective and efficient public safety services that enrich the spirit

and quality of life, while keeping UCI Health a safe and inclusive place to work, teach, and heal.

The UCI Police Department formed the UCI Health Public Safety Division to help streamline operations, combining the dedicated medical center security and police professional within one division overseen by a UCI Police Department Lieutenant to provide police and public safety services to UCI Health.

The UCI Health Public Safety Division innovatively integrates layers of safety in support of its mission to provide a safe and inclusive UCI Health campus through its use of police & public safety personnel, access controls, infant protection systems, emergency blue light phones, code grey (panic) alarms, visitation management system, public safety cameras, workplace violence prevention consultation team, and community engagement efforts.

The police officers assigned at UCI Health provide a uniformed response to law enforcement calls for service, enforce traffic laws, investigate criminal activity, and provide a visible deterrent through proactive patrols on UCI Health property and within the parking areas.



The Public Safety personnel are licensed under the California Bureau of Security and Investigative Services and include three distinct positions: Public Safety Supervisor, Public Safety Officer, and Public Safety Ambassador. The Public Safety Ambassadors, whose primary role is to observe and report, provide a high visible security presence in high traffic areas, such as the Douglas Hospital lobby and Manchester Building lobby.

All students, staff, faculty, patients, visitors, and other guests on UCI Health properties should dial 9-1-1 for any police, fire, or other emergency situation. For non-emergencies or to seek additional information regarding the UCI Health Public Safety Division please contact (714) 456-5493 or visit

<https://www.ucihealth.org/patients-visitors/security>.

## 2.4 Memorandum of Agreements on Operational Responsibilities, Concurrent Jurisdiction, and Other Working Relationships

Pursuant to California Education Code section 67381, the UCI Police Department has adopted and signed Memorandum of Agreements (MOAs) with the Irvine Police Department and the Orange Police Department. These MOAs clarify and affix operational responsibilities and working relationships for the investigation of violent and non-violent crimes occurring on the UCI main campus (i.e., MOA with Irvine Police Department) and the UCI Health Medical Center campus (i.e., MOA with Orange Police Department). Due to the sophisticated investigative resources required to properly investigate certain crimes, the UCI Police Department, by agreement, has arranged for assistance from the Irvine Police Department and the Orange Police Department in certain circumstances

Both MOAs seek to achieve the following goals: (a) to ensure that felonies committed on institution property

are promptly and effectively reported, investigated and prosecuted; (b) to enhance communication and cooperation between both departments and UCI Police Department in providing services and assistance to students, staff, faculty and visitors of UCI who are victims or witnesses to crimes; (c) to enhance UCI's ability to alert the campus community about incidents or crimes that require the issuance of an emergency notification ("zotALERT") or timely warning ("Crime Alert").

"Concurrent Jurisdiction" means Local Law Enforcement Agencies (such as Irvine Police Department and Orange Police Department) have statutory jurisdiction for performance of peace officer functions on those areas of campus located within the relevant city.

"Operational Responsibility" includes the responsibility for prevention of crime, preservation of peace and order, enforcement of laws and ordinances, investigation, reporting and accounting of criminal offenses, and providing such other police services as the Standard Operating Procedures of the respective departments may require.





### **MOA between UCI Police Department and Irvine Police Department (“IPD”)**

The IPD has Operational Responsibility, including the investigation of Part 1 Violent Crimes that have occurred or are occurring in the City of Irvine with the exception of the UCI campus as described below.

The UCI Police Department has Operational Responsibility including the investigation of Part 1 Violent Crimes that have occurred or are occurring within the limits of the UCI campus and its properties. The limits of the UCI campus are defined as a line on the campus side of boundary roads, at the edge of the curb or the edge of the roadway, where there are no curbs, with the exception of a portion of land located within the boundaries, which is private property under the jurisdiction of the City of Irvine. This land is located in the vicinity of University Drive, Campus Drive, California Drive, and Bonita Canyon Road. Where UCI owns and operates, or is the Lessee, of properties located outside the limits of the UCI campus, but within the City of Irvine limits, UCI Police Department has Operational Responsibility over those properties. Where UCI owns property located outside the limits of the UCI campus, but the property is leased to a non-university lessee, the IPD has Operational Responsibility.

### **MOA between UCI Police Department and Orange Police Department (“OPD”)**

The UCI Police Department acts as a first responder to facilities located within the limits of the UCI Health Medical Center. As a first responder, UCI Police Department responds to 9-1-1 and other emergency calls.

The OPD acts as a first responder to properties leased by UCI that are located off-campus within the City of Orange. As a first responder, OPD responds to 9-1-1 and other emergency calls.

UCI Police Department has Operational Responsibility for the facilities located within the limits of the UCI Health Medical Center including the investigation of Part 1 Violent Crimes that have occurred or are occurring within the limits of the UCI Health Medical Center and its properties. The limits of the Medical Center campus are defined as a line on the campus side boundary roads, at the edge of the curb or at the edge of the roadway, where there are no curbs, with the exception of a portion of land located within the boundaries, which is private property under the jurisdiction of the City of Orange. This land is located in the vicinity of The City Drive, Chapman Avenue, Dawn Way, and the Interstate 5 Freeway. Where UCI owns and operates, or is the Lessee, of properties located outside the limits of the UCI Health Medical Center, but within the City of Orange limits, UCI Police Department has Operational Authority over those properties. Where UCI owns property located outside



the limits of the UCI campus, but the property is leased to a non-university lessee, the OPD has Operational Responsibility.

### **MOAs between both IPD and OPD**

IPD and OPD will both assist UCI with its Timely Warning (“Crime Alert”) compliance requirements for Clery Act crimes reported to them that occurred on UCI Clery Act geography by promptly forwarding any such reports to the UCI Police Department.

Moreover, both departments will promptly notify UCI Police Department about any emergency or dangerous situation that poses an immediate threat to the health and safety of the UCI and/or UCI Health Medical Center communities to assist UCI with its Emergency Notification (“zotALERT”) requirements. Additionally, both departments will notify UCI Police Department as soon as practical about the occurrence of sexual assault, dating violence, domestic violence, or stalking if one of UCI’s students and/ or employee is a victim to assist UCI with its Title IX requirements, whether or not the incident is a subject of a criminal investigation.

IPD and OPD will share crime statistic information with UCI Police Department as required by state and federal law. Additionally, in compliance with the requirements of California Education Code Section 67380, UCI Police Department will immediately, or as soon as practicably possible, send any report required to be disclosed to both IPD and OPD.

## **3.0 Reporting Criminal Activity**

### **3.1 Accurate and Prompt Reporting of Criminal Activity**

In order to make the UCI and the UCI Health Medical Center campuses as safe and secure as possible, all students, staff, faculty, other community members and visitors are strongly encouraged to promptly and accurately report all criminal activity and/or suspicious activities to the UCI Police Department or other agencies when a victim of a crime elects to, or is unable to, make such a report. The prompt and accurate reporting of all criminal activity also assists the UCI Police Department in assessing Clery crimes for a potential Timely Warning Notice (Crime Alert) and for inclusion in the annual Clery crime statistics disclosure and the Daily Crime and Fire Log.

For crimes that occur in the City of Irvine, but not within UCI campus boundaries, UCI encourages accurate and prompt reporting of all crimes to IPD by calling (949) 724-7000, or by going to 1 Civic Center Plaza, Irvine, CA 92606.

For crimes that occur in the City of Orange, but not on the UCI Health Medical Center campus grounds, UCI encourages accurate and prompt reporting of all crimes to the OPD by calling (714) 744-7444, or going to at 1107 North Batavia Street, Orange, CA 92867.



The UCI Police Department is located on the UCI campus at 410 East Peltason Drive, Irvine, CA 92697. “Free short-term” visitor parking at the UCI Police Department is available in UCI Parking Lot 1C. Please park in a parking spot labeled “Visitor Parking” and note any time restrictions with parking in these visitor parking spaces. UCI Parking Lot 1C is located directly behind the UCI Police Department Public Services Building. All crimes that occur off of the UCI or UCI Health Medical Center campuses should be reported to the local law enforcement agency with jurisdiction where that crime occurred.

All reported crimes may become a matter of public record. The UCI Police Department shares information regarding police reports with various other departments, including but not limited to the Title IX Office / Office of Equal Opportunity and Diversity (OEOD), the CARE (Campus Assault Resources and Education) Office, the Office of Academic Integrity & Student Conduct, and the Dean of Students. For more information about maintaining victim confidentiality, please see the Protecting the Victim section 9.8 of this document.

Additional information obtained during an investigation may be forwarded to other offices at UCI when deemed necessary and determined on a case-by-case basis. If assistance is needed from IPD, OPD, another police agency or the Orange County Fire Authority (“OCFA”), UCI Police Department will contact the appropriate agencies for assistance. If a sexual assault, dating violence, domestic violence, or stalking should occur, staff initially on scene, including responding UCI Police Officers, will offer a victim/survivor with written information on their rights, options and resources, regardless of whether the crime occurred on or off the UCI or the UCI Health Medical Center campuses. Additionally, when appropriate, a victim advocate may respond as well.

Presently, UCI does not have any non-campus locations of registered student organizations, in the event a registered student organization establishes a non-campus location or non-campus housing facilities, UCI will monitor and record any criminal activity with the assistance of the applicable local law enforcement agency.



### 3.2 Emergencies at UCI and the UC Irvine Health Medical Center Campuses

Police, fire and medical emergencies on the UCI and UCI Health Medical Center campuses can be reported by dialing 9-1-1 from any telephone on either campus. 9-1-1 calls made from cell phones on either campus could be routed to an outside law enforcement agency depending on which cell phone tower the 9-1-1 call is routed to. UCI Police Department's 9-1-1 system has interoperability with all 9-1-1 call centers in Orange County. All 9-1-1 calls received by outside law enforcement agencies can be immediately transferred to UCI Police Department's 9-1-1 Dispatch Center.

Emergencies can also be reported on the UCI and UCI Health campuses by using any one of the more than 150 blue light emergency call-boxes located throughout the campuses, or by using the emergency intercom system located in most building elevators. At all non-campus locations where there is an emergency, calls for emergency service should be directed to the local law enforcement agency that has jurisdiction in the area where the emergency is occurring or has occurred.

Typically, 9-1-1 calls made from GPS enabled cell phones will be routed to a local law enforcement agency that has jurisdiction in the area where the cell phone 9-1-1 call is being made from.

### 3.3 Non-Emergencies at UCI and the UC Irvine Health Medical Center

Non-emergency incidents on the UCI and UCI Health campuses can be reported to the UCI Police Department by dialing (949) 824-5223. However, all suspected on-campus crimes at the UCI and UC Health Medical Center campuses, regardless of their nature, should immediately be reported to the UCI Police Department as indicated above in section [3.2](#).





### 3.4 Voluntary Anonymous and Confidential Reporting Options

In certain instances, a crime victim may be reluctant to file a police report for various reasons, including fear of the criminal justice process and/or loss of their confidentiality. In such circumstances, UCI still encourages crime victims to make a confidential report to the UCI Police Department. With a crime victim's permission, the UCI Police Department can file a report on the details of the incident without revealing a victim's identity. How to make a confidential report with UCIPD: (1): Call 949-824-5223 (2): Tell the dispatcher that you would like to make a confidential report (3): An officer will take the report over the phone or in person. UCIPD will offer to have a victim advocate present for the intake of the report, for sexual violence cases. UCIPD will provide a written resource guide to the reporting party. The purpose of a confidential report is to comply with a crime victim's desire to keep the matter confidential, while taking steps to ensure their safety and the safety of others. At a minimum, crime victims will receive important counseling and referral information as well as helpful written information on certain rights, options and resources. Confidential reports are important because they provide valuable information to help keep a more accurate record as to the actual crime occurring on the UCI and UCI Health Medical Center campuses and help determine where there is a pattern of crime with regard to a particular location, method, or perpetrator. Confidential reports of Clery Act crimes also assist with the potential issuance of Crime Alerts to the campus communities to warn of serious or on-going threats

when deemed necessary by the UCI Police Department. Additionally, crime reports filed in this manner are classified and disclosed in the annual crime statistics information, without revealing any individual identifying information of the victim.

If a crime victim or any other person wants to report a crime anonymously, UCI Police Department offers a couple of options to submit anonymous reports. First, a "Silent Witness" form is available on the UCI Police Department website, located at: <https://www.police.uci.edu/how-do-i/silent-witness.php>

and is an anonymous reporting channel, allowing a person to provide information anonymously to the UCI Police Department by filling out an online submission form. The UCI Police Department will use any information it receives via the Silent Witness form in an appropriate manner. Reports of Clery Act reportable crimes filed in this manner are classified, counted and disclosed in the Clery Act annual crime statistics information, to the extent possible, without revealing any personally identifying information about the victim.

Additionally, any person can remain anonymous by calling "OC Crime Stoppers" at (855)-TIP-OCCS (847-6227), texting "OCCS" plus the crime tip(s) to CRIMES (274637), or submitting a crime tip via the OC Crime Stoppers website at <http://occrimestoppers.org/>.

For more information about the multiple ways that victim's/survivors personally identifying information is

protected from disclosure, see Protecting Victim Confidentiality section 9.8 of this document.

### 3.5 Campus Security Authorities (“CSAs”)

UCI encourages the reporting of all criminal activity at or on the UCI and UCI Health campuses directly to the UCI Police Department. The Clery Act specifically includes four groups of individuals and organizations associated with UCI that are designated as CSAs: (1) a campus police department or security department of an institution; (2) any individual(s) who have responsibility for campus security but who do not constitute a campus police or a campus security department; (3) any individual or organization to which students and employees should report criminal offenses (Note: for crimes that occur on the UCI or UCI Health campuses, all criminal offenses should be reported to the UCI Police Department), and (4) an official of the institution who has significant responsibility for student and campus activities. An “official” is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The UCI Clery Act Compliance Program Manager continuously identifies and trains new CSAs based on an individual’s function and position at UCI and/or UCI Health.

In addition to gathering Clery Act crime statistic information from police reports generated by the UCI Police Department, Clery Act crime statistic data is continuously requested via email on a quarterly basis by identified and designated CSAs and is compiled using the Clery Act CSA Report Form located at <https://www.police.uci.edu/how-do-i/img/csareportform.pdf>. This CSA Report Form is also available in a paper version at the UCI Police Department, Administrative side. CSAs are instructed during CSA training that reports of Clery Act crimes made to a CSA must immediately, or as soon as practicably possible, be transmitted to the UCI Police Department’s Clery Act Compliance Program Manager via email at [Clery@uci.edu](mailto:Clery@uci.edu) or by fax machine (949) 824- 0150, or by campus mail Zot Code 4900, Attention: UCI Clery Act Compliance Program Manager.

### Pastoral and Professional Counselors

UCI pastoral and professional counselors are encouraged to inform their clients about the criminal reporting procedures outlined in this Annual Security Report document, if and when they deem it appropriate. As noted in section 3.4, there are options available for voluntary and anonymous confidential reporting. Pastoral and professional counselors are encouraged to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential or anonymous basis for inclusion in the annual crime statistics disclosed in UCI’s Annual Security Report and web-based report to the Department of Education. This practice is encouraged in an effort to prevent further victimization and to obtain a more accurate picture of crime reported on the UCI and UCI Health Medical Center campuses Clery Act reportable geographic locations. More information on CSA’s can be found in the [UC Clery Act Policy](#).



### 3.6 Daily Crime and Fire Log

The UCI Police Department maintains a combined Daily Crime and Fire Log, which is titled the “Daily Crime and Fire Log.” UCI Police Department produces one Daily Crime and Fire Log, for the UCI and UCI Health campuses. The document contains a record of crimes reported to the UCI Police Department and includes crimes reported to CSA’s who send in reports to the Clery Act Compliance staff. All entries or additions to the Daily Crime and Fire Log are made within two (2) business days of the report being received by the UCI Police Department, unless the disclosure of such crime is prohibited by law or would jeopardize the confidentiality of the victim.

Regarding criminal incidents, the Daily Crime and Fire Log reflect the nature of the reported crime, the time and date the crime was reported to the UCI Police Department, the time and date the crime occurred (if known), the location of the crime (if known) and the current disposition of the case for the past 60 days (if

known). A crime is considered “reported” when it is brought to the attention of a Campus Security Authority (“CSA”) (including the UCI Police Officers and the UC Irvine Health Security Officers). All crimes in the Daily Crime and Fire Log are recorded by the date the crime was reported to the UCI Police Department.

Regarding fire incidents, any fire that occurs in a student housing facility on the UCI campus that is reported to any official at UCI is documented and reported in the UCI Daily Crime and Fire Log. It should be noted that the UCI Health campus does not contain any on-campus student housing facilities. Fire incidents are cataloged in the Daily Crime and Fire Log by the date the fire was initially reported, not the date that the UCI Police Department or the UCI Campus Fire Marshal learns of the reported fire. UCI goes above and beyond the Daily Fire Log Clery Act requirements by typically including information about other reported fires that occur on the UCI and UCI Health Medical Center campuses in the Daily Crime and





Fire Log (i.e., those fires that occur outside of UCI on-campus student housing facilities) for purposes of disclosure and making this information available to the public.

In compliance with the Clery Act, UCI Police Department may withhold information from the Daily Crime and Fire Log if there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The UCI Police Department will disclose any information withheld from the Daily Crime and Fire Log once the adverse effect is no longer likely to occur.

The UCI Police Department's Daily Crime and Fire Log for the UCI and UCI Health Medical Center campuses include all crime and required UCI on-campus student housing facility fire incidents (and typically information about other reported fires outside of on-campus student housing facilities) from the most recent 60-day period. The Daily Crime and Fire Log are open for public inspection at the front desk administrative lobby of the UCI Police Department during normal business hours (which excludes weekends and holidays), generally Monday through Thursday, 8:00 a.m. to 4:00 p.m. additionally, the Daily Crime and Fire Log will usually be accessible on the UCI Police Department website by going to <https://www.police.uci.edu/clery/about-crime-fire-log.php>. The Daily Crime and Fire Log is also available for public inspection at the UCI Health Medical Center's

Security and Parking Services Department lobby during normal business hours (which excludes weekends and holidays), generally Monday through Friday, 7:15 a.m. to 4:00 p.m. Daily Crime and Fire Log information older than 60 days (up to 7 years) will be made available for public inspection within two (2) business days of a request.

### 3.7 Non-Campus Buildings and Property Crime Statistics

Crime statistics from Clery geographic locations defined as "non-campus buildings and property" (also referred to as "non-campus" locations) encompass two distinct types of geography associated with UCI and the UCI Health Medical Center campuses: (1) any buildings and property owned or controlled by officially recognized student organizations; and (2) any buildings and property located off campus but owned or controlled by UCI or the UCI Health Medical Center, that is used in direct support of, or in relation to, UCI's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area as the UCI campus or the UCI Health Medical Center campus. UCI and UCI Health have numerous locations throughout Orange County, Los Angeles County, and locations that are considered non-campus locations. UCI does not have any buildings or property located off campus that is owned or controlled by an officially recognized student organization.

Non-campus locations are neither contiguous to nor located within a reasonable geographic area surrounding UCI property and these locations fall within the jurisdiction, protection, and reporting responsibility of different law enforcement agencies (in different cities, counties, states and/or countries) depending upon where the buildings and property may be geographically located. The UCI Police Department makes a good faith effort to identify on an annual basis geographic location from various UCI and UCI Health Medical Center stakeholders that fit within these "non-campus" definitions. Then, written requests for Clery crime statistic data from all outside law enforcement agencies that have jurisdiction where UCI owns or controls non-campus buildings or property, are made on an annual basis.

It should be noted that on-campus buildings and property locations may also include locations such as hotels, motels, resorts/conference centers, temporary classrooms, etc. where UCI or UCI Health Medical Center “control” such space for a certain period of time by virtue of an agreement for control of space and where such location is used for educational purposes, is frequented by students, and is not contiguous to the main UCI campus or UCI Health Medical Center campus. Any type of agreement (i.e., a contract, reservation, invoice, receipt, etc.) can be used to establish an “agreement” for purposes of classifying a location as a non-campus building or property location for purposes of UCI Clery Act Geography. Study abroad trips, short “stay-away” trips, and other official university travel may involve geographic locations that create “non-campus” Clery Act geography implications that are tracked for purposes of requesting crime statistic data. UCI uses guidance from the U.S. Department of Education and other industry best practices to fully comply with this requirement.

## 4.0 Missing Persons

### 4.1 General Policy on Missing Persons

It is the policy of UCI, through the UCI Police Department, to accept all reports of missing persons without delay. Investigative priority will be given to investigating missing persons over the handling of property crimes. A missing student often has a temporary residence on the UCI campus and a permanent family residence in another jurisdiction; yet, the student may have last been seen or heard from another jurisdiction. When a person’s disappearance is deemed suspicious, when foul play is suspected, and/or the person may be “at-risk” based on a number of factors, the UCI Police Department may request assistance from IPD or other appropriate law enforcement agency.





## 4.2 Missing Student Notification Policy Statement

If any person has reason to believe that a student who resides in on-campus student housing is missing, they should immediately notify the UCI Police Department at (949) 824-5223. UCI Police Department will immediately generate a missing person report and initiate an investigation. This policy statement focuses on students residing in on-campus student housing facilities. While UCI has two (2) campuses for Clery Act purposes (i.e., both the UCI and UC Irvine Health Medical Center campuses), this policy statement only applies to the UCI campus since that is the only campus with on-campus student housing facilities. UCI will follow policy and procedures established jointly by the UCI Police Department, UCI Student Housing and American Campus Communities (“ACC”) Housing, based on the facts and circumstances known to UCI, to ensure prompt and appropriate action is taken in compliance with the Clery Act. It should be noted that UCI Police Department’s policy on missing students for Clery Act purposes is parallel to and reflects the UCI Student Housing and ACC Student Housing policies.

It is important to note that missing student reports can include reports made by anyone, even individuals not affiliated with UCI. A student is considered to be “missing” after a reasonable investigation by the UCI Police Department fails to discover the location of the student reported missing or where a set of extenuating circumstances may suggest immediate concern to UCI officials. Such conditions may include, but are not limited to students who have health related problems, a student who has not regularly attended class and has not been seen elsewhere, and/or parent(s) and roommate(s) of the missing student reports that a student is missing because they have had irregular contact with the student. The UCI Police Department is the department with the official responsibility for determining whether a student is “missing” for Clery Act purposes.

It is imperative that any missing student report be referred immediately to the UCI Police Department at (949) 824-5223, regardless of how long the student is believed to have been missing. The official determination that a student is missing can be made at any time by the UCI Police Department. In addition to the UCI Police Department, students, employees or other individuals are encouraged to report that a student has been missing for 24 hours to the following list of offices and officials on the UCI campus:

- UCI Student Housing Administrative Office, Housing Director, (949) 824-7962;
- Office of Student Life & Leadership, Dean of Students, (949) 824-5181;
- Vice Chancellor of Student Affairs Office, (949) 824-4804;
- Department of Undergraduate Education Office, Dean’s Office, (949) 824-3291;
- Graduate Division Office, Dean’s Office, and (949) 824-6351.

If a missing student report is received by any of the above offices, the following offices will immediately be notified of the missing student report:

- UCI Police Department;
- Undergraduate and/or Graduate Deans’ Office;
- Vice Chancellor for Student Affairs Office;
- UCI Student Housing Office.
- American Campus Communities, Regional Vice President (if determined to be a student residing in one of the American Campus Community properties, i.e., Vista del Campo, Vista Del Campo Norte, Puerto Del Sol, Camino Del Sol, and Plaza Verde)



In addition to registering an emergency contact, students residing in on-campus student housing facilities (regardless of age) have the option, but are under no obligation, to identify confidentially one or more individuals to be contacted by UCI staff strictly in the event the student is determined to be missing for more than 24 hours by the UCI Police Department. This missing student contact person(s) can be anyone selected by the student.

All students are given this option to identify a missing student contact person(s) even if a student has already identified a general emergency contact person. The same person may be identified for both purposes (i.e., emergency contact person and missing student contact person) and UCI will not assume that a general emergency contact person that is identified by a student is also the missing student contact person.

Students will complete the Missing Persons Contact Form in the UCI Student Housing or ACC Student Housing complex they are living in upon move-in day and will submit the completed document to a UCI Student Housing or ACC Student Housing staff member in accordance with the student housing procedures for submission of form.

Students are given the opportunity to provide missing student contact person(s) information on an annual basis regardless of whether they chose to register a missing student contact person(s) the previous year. Additionally, students who move into on-campus student housing mid-year are given the option to name and register a missing student contact person(s) as well. Only authorized UCI campus officials will have access to this missing student contact person(s) information and the information will not be disclosed except to law enforcement, in furtherance of a missing person

investigation. If a student registers a missing student contact person(s), they are providing permission for law enforcement personnel to contact the identified person(s) for the purpose of a missing student investigation.

If a student has identified a missing student contact person(s), the UCI Police Department will notify that designated contact person within 24 hours after the student is determined to be officially “missing” for Clery Act purposes.

This missing student contact person(s) information will be kept separate from general emergency contact information that is on file since missing student contact information is provided a higher level of protection under FERPA than general emergency contact information. All attempts made by UCI Police Department to contact the missing student contact person(s) will be documented.

After investigating the report of a missing student, if the UCI Police Department determines the student has been missing for 24 hours, UCI will contact the custodial parent or legal guardian if the student is under 18 years of age and not an emancipated individual. UCIPD will notify IPD or local law enforcement agency within 24 hours of the determination that the student is missing; unless IPD or the local law enforcement agency was the entity that made the determination that the student was missing. After investigating the missing person report, if UCI Police Department determines that the student has been missing for more than 24 hours, regardless of whether the student has identified a missing student contact person(s), is above 18 years of age, or is an emancipated minor, UCI will notify IPD or the law enforcement agency with jurisdiction in the area the student went missing.

If the missing student is under 18 years of age and is not an emancipated individual, UCI Police Department will notify the student's custodial parent or legal guardian, UCI Student Housing and/or ACC Student Housing and any registered missing student contact person(s), that the student has been determined to be "missing." These notifications will be made within 24 hours from the point in time after which the UCI Police Department has determined that the student is "missing."

If the UCI Police Department or IPD have been notified and a determination is made by the UCI Police Department that a student, who is the subject of a missing person report, has been missing for more than 24 hours and has not returned to the UCI campus, UCI Police Department will initiate contact with the registered missing student contact person(s) in accordance with the student's designation. UCI Police Department will obtain any designated missing student contact person(s) information from the housing community office in which the student lives.



### 4.3 Missing Student Resources

Upon notification from any person that a student is reported to be missing and once UCI Police Department has made the determination that the student is deemed to be “missing”, UCI may use any of the following resources to assist in locating the student. These resources may be used in any order and combination:

- UCI Student Housing and/or ACC Student Housing (the housing professional staff or RA/HA on duty) may be asked by the UCI Police Department to assist with providing UCI Police Officers a key to the student’s assigned unit and/or room for UCI Police Department to gain access to the unit/room and/or talking with known associates.
- UCI Police Department - Officers may search on campus locations to find the missing student.
- UCI Police Department – Officers may issue an identification picture to assist in identifying the missing student.
- UCI Police Department – Officers may access vehicle registration information for vehicle location and other information and distribution of such information to the appropriate authorities.
- UCI Police Department – Officers may obtain access to card access logs in order to determine last use of the card and track card usage for future uses.
- Office of Student Life & Leadership or the UCI Police Department – Staff or Officers may try to contact known friends, family, staff, or faculty members for a last known sighting of the missing student or additional contact information.

- UCI Student Affairs or individual academic departments – staff may be contacted to seek information on last known sighting of the missing student or additional contact information.
- The UCI Office of Information Technology (OIT) – staff may be asked to look up email logs for last known login of the missing student and use of the UCI email system.
- If there is any indication of foul play, the local law enforcement agency may immediately be contacted for assistance.

If the search for the missing student is successful, the Incident Manager (i.e., a Student Housing or Dean of Students staff member), will contact the student and inform him or her of support services available on campus (e.g., Student Counseling Center, Student Health Center, Social Worker, Campus Assault Resources Education (CARE) Office, etc.). The Incident Manager will also offer support services to any other students (i.e., roommates, friends) affected by the incident.

If the search for the missing student is deemed to be unsuccessful, the UCI Campus Consultation Team will decide what further action should be taken based on the facts of the situation known at that time. The UCI Campus Consultation team, under the guidance of the Assistant Vice Chancellor for Wellness, Health and Counseling Services, provides a coordinated campus response to the management of crisis because of its reach, complexity, or potential for risk, demand the involvement of multiple campus agencies and stakeholders.



## 5.0 Crime Prevention and Security Awareness Programs

In general, crime is a serious problem for which there are no easy answers or solutions. The UCI and UCI Health Medical Center campuses are not immune to crime. Therefore, the prevention of crime is a top priority for the UCI and UCI Health administration, including the UCI Police Department. All members of the UCI and UCI Health communities are encouraged to take responsibility for their own safety and security, and when it is possible and safe to do so, assist others with their safety and security needs. While the UCI Police Department may offer guidance and assistance regarding safety and security at the campuses, each individual must take primary responsibility for their own safety and security.

The UCI Police Department supports proactive crime prevention strategies working closely with community members to help create and maintain a safe environment at UCI and the UCI Health Medical Center campuses. For the UCI campus, crime prevention and security awareness programs begin with first year orientation presentations.

UCI Health introduces crime, workplace violence, and personal safety awareness during New Hire orientations and New Resident orientations. Topics of discussion include the Student Code of Conduct, sexual harassment, sexual violence (including sexual assault, dating violence, domestic violence, stalking), substance abuse, alcohol abuse, hate violence, and personal property safety. Throughout the year, the UCI Police Department gives various presentations and workshops regarding personal safety, self-defense, office safety/workplace violence, sexual violence prevention, vehicle security, residential security, and active shooter/workplace violence incidents. In addition, the UCI Police Department provides training in managing aggressive behaviors and non-violent crisis intervention.

The UCI Police Department's effort to educate the campus community about incidents of crime, the importance of reporting crime, and the prevention of crime is performed on a continuous and on-going basis throughout the year.

The CARE Office, Title IX/OEOD, the UCI Police Department, Student Affairs, Student Life and Leadership, UC Student Housing, ACC Student Housing, Dean of Students' Office of Academic Integrity & Student Conduct, Center for Student Wellness and Health Promotion, among others all actively participate and contribute to this on-going effort. From the time in which a student begins their studies to the time in which they graduate, students are presented with and offered a number of different safety and security programs and campaigns, designed to create safer campus environments at both UCI and the UCI Health Medical Center campuses. The above listed departments offer a combined average of 3-5, or more, educational programs per month on a variety of topics, which may vary depending on requests by community members.

UCI Health and the UCI School of Medicine Human Resources Departments provide University, State, and Federal mandated competency training upon initial hire and annually based on position and licensure for employees within UCI Health and those working at the UCI Health Medical Center.



## 5.1 Campus Safety and Security Education, Programming and Other Events

The UCI Police Department works closely with CARE, OEOD, UCI Student Housing, American Campus Communities (“ACC”) Student Housing, Student Affairs, Student Life & Leadership and other key campus departments to provide security and safety programs, presentations and workshops throughout the year. In addition, UCI Police Department, in conjunction with various campus partners, produce and publish brochures and pamphlets relating to various topics relating to crime prevention, personal safety, bystander intervention, and risk reduction strategies. The following are examples of the programs that were made available in 2021 to the UCI campus community from these various departments.

### UCI Police Department Education, Programming and Events

The UCI Police Department actively collaborates with the UCI and UCI Health communities to help create a safe and secure environment through prevention, intervention, education and enforcement. Officers work in a diverse environment and take pride in delivering exceptional law enforcement services to the UCI and UCI Health communities.

The UCI Police Department utilizes a community-oriented policing philosophy that uses a synergistic approach to meeting the safety and security needs of the community served.

The UCI Police Department offers various programs designed to inform students, faculty and staff about campus security procedures, practices, and programs to encourage students, faculty and staff to be responsible for their own security and the security of others as well as programs designed to inform students, faculty and staff about the prevention of crimes. The programs offered are:

- Active Shooter
  - o Interactive workshop on workplace violence and active shooter incidents tailored for faculty, staff and students.
- Ride Along Program
  - o Ride with a patrol officer to observe their day and learn about the law enforcement process.
- S.A.F.E.R. Program
  - o Designed to help foster engagement between the Police Department and faculty, staff and students.



## Campus Assault Resources and Education (CARE) Programs and Events

UCI Campus Assault Resources and Education (CARE) supports the goal of providing an educational environment free from violence and discrimination. Guided by the values of respect for diversity, human rights and community responsibility, the CARE office provides comprehensive programs to serve those affected by sexual assault, relationship abuse and stalking. CARE offers counseling, advocacy, prevention education, leadership and training opportunities, while working closely with the community on collaborative response and policy development. CARE provides awareness and prevention education and campaigns through various peer education programs, web-based trainings, campus-wide events and other educational campaigns. The following are some of the programs and events that CARE provided to the community in 2022:

- First-Year Internet Required Safety Program (FIRST)
- Student Parent Orientation Program (SPOP) workshops and trainings
- International Student Orientation workshops
- On-going workshops and trainings for campus organizations, staff, and faculty
- Training for Housing staff
- Green Dot Bystander Intervention Training for all student athletes
- Green Dot Bystander Intervention program and trainings
- Greek Life New Member Education training
- Dating & Domestic Violence Awareness Month
  - CARE Package Donation Drive
  - Social Media Campaign
- Get Safe Self Defense Training
- Stalking Awareness Month
  - Stalking Education Tabling
- Girls Conference OC
- Sexual Assault Awareness Month
  - Take Back the Night
  - The Clothesline Project
  - Denim Day
- Dynamic Womyn of UCI Awards
- Yoga as Healing





## **Alcohol and Other Drug (AOD) Task Force and Health Education**

UCI has a comprehensive drug and alcohol abuse prevention program available to all students and employees at the UCI and the UCI Health Medical Center campuses, pursuant to the requirements of the Drug-Free Schools and Communities Act of 1989.

The UCI Center for Student Wellness & Health Promotion, including Peer Educators, are available to create and present programs and facilitate activities to meet persons' health promotion needs. Programs can be presented in an individual, group, workshop or training format.

The Center for Student Wellness & Health Promotion provides various training and program options to its community around the topic of alcohol and other drugs.

### **Alcohol Awareness Class**

The Center for Student Wellness & Health Promotion hosts a 90-minute class that provides students with information about alcohol physiology, BAC management, safe practices, how to handle alcohol, alcohol emergencies and other valuable knowledge relating to alcohol awareness.

### **BASICS (Brief Alcohol Screening and Intervention for College Students)**

BASICS is a two-session alcohol assessment and education program offered for free to all UCI students who want to explore their alcohol use on a more personalized level.

### **Alcoholics Anonymous Meetings**

These are open meetings for students, staff, faculty and other community members.

### **UCI Alcohol and Other Drug Task Force**

The UCI Alcohol and Other Drug ("AOD") Task Force meets once a quarter to discuss the issue of alcohol and other drugs on the UCI and UCI Health Medical Center campuses.



## Alcohol & Other Drugs Education Programs

The Center for Student Wellness & Health Promotion promotes safe practices, responsibility and awareness around alcohol consumption and other drugs. A professional health educator is available to provide presentations on the following topics:

- Alcohol, Marijuana, Tobacco, Prescription Drugs, and other abused drugs
- Blood Alcohol Content (“BAC”)
- BASICS
- AA Meetings
- UCI Alcohol Task Force
- Safe Onto Sober Program
- Safe Practices
- Assess Your Alcohol Use (eChug)
- Assess Your Marijuana Use (eToke)

In addition to alcohol and other drugs, the Center for Student Wellness & Health Promotion has developed programs on the following topics:

- General Health & Wellness
- Body Image and Eating Disorders
- Emotional Wellness
- Nutrition and Physical Activity
- Sexual & Relationship Health
- Stress and Time Management

To request a workshop, please complete the Healthy-Tune Up Request Form at:

<https://studentwellness.uci.edu/services/workshops>

When requesting a workshop, the Center for Student Wellness & Health Promotion asks that you:

- Make the request at least two weeks before the workshop date;
- Get a minimum of 12 participants to attend;
- Communicate any changes in needs, logistics, or preferences for the workshop with us;
- Meet the facilitator(s) at the location at least 15 minutes prior to the program.

For more information, contact the Center for Student Wellness and Health Promotion at (949) UCI-WELL (949-824-9355)



## UCI Police Department Available Brochures, Pamphlets and Handouts

The following brochures, pamphlets and handouts are available in the UCI Police Department main lobby Monday through Friday, 8:00 a.m. to 5:00 p.m. or online at: <https://www.police.uci.edu/how-do-i/safety-brochures.php>

- Active Shooter
- Alcohol Safety
- Automobile Safety and Accidental Checklist
- Bicycle Safety
- Blue Light Phones
- Community Service Officer (“CSO”) Program
- Conflict Management
- Earthquake Preparedness for Faculty and Staff
- Earthquake Preparedness for Students
- Emergency Preparedness for Faculty and Staff
- Emergency Preparedness for Students
- Freedom of Expression
- Hate Crimes
- Identity Theft
- Marsy's Law
- Partying Rules and Guidelines
- Personal Safety Tips
- Residence Hall, Apartment, and Home Security
- Safeguarding Personal Property
- See Something, Say Something
- Sexual Assault Information
- Stalking, Dating Violence & Domestic Violence
- Suicide Prevention
- Victim’s Resource Guide

## 5.2 Campus Residents

UCI and UCI Health Medical Center campus community members are reminded that crime can happen anywhere, at any time, to anyone and the UCI and UCI Health Medical Center campuses are not crime free zones. Students, staff and faculty must take their own personal safety very seriously. Since the UCI campuses are open 24 hours each day, and visitation to campus housing facilities is mostly unrestricted, campus residents are advised to:

- Keep room and apartment doors locked at all times;
- Ask strangers to wait in the common areas and restrict access to private areas;
- Keep valuables out of plain sight;
- Not leave personal property in common areas;
- Report suspicious activity immediately to the UCI Police Department at (949) 824- 5223.





### 5.3 Safety Escort Program

The UCI Police Department Community Service Ambassador (“CSA”) Safety Escort Program is a free service to members of the UCI community. Safety escorts are also available at the UCI Health Medical Center campus and provided by the UCI Health Public Safety Division. The objective of these safety escort programs is to provide a safe alternative to walking alone. Safety escorts will offer timely (or as soon as possible) safety escorts on the UCI and UC Irvine Health Medical Center campuses. Safety escort staff are trained in radio communication and dispatch procedures. They are equipped with two-way radios that allow them to keep in constant contact with the UCI Police Department Dispatch Center, which may be contacted 24 hours a day, 7 days a week. Safety Escorts on the UCI campus may be requested for free by dialing (949) 824-7233 (SAFE) and on the UCI Health Medical Center campus by dialing (714) 456-5493.

Safety escort staff at the UCI campus can be identified by their blue shirt/jacket bearing “Community Safety” in white lettering, a UCI Police Department CSA identification badge, a radio, and a flashlight.

Safety escort staff at the UCI Health Medical Center can be identified by Public Safety Officer uniform and identification. If identification is not visible when the safety escort arrives, please feel free to request that the safety escort staff present their official identification to you prior to beginning the safety escort service.

Safety escorts are provided to the entire UCI campus community, including University Hills, ACC student housing facilities, and will extend to the residential complexes located in the University Town Center, if needed on a case-by-case basis. More information regarding UCI safety escorts can be located on the UCI Police Department webpage at:

<https://www.police.uci.edu/how-do-i/safety-escort.php>

Public Safety Officer Escorts are available at the UCI Health Medical Center from dusk until dawn or at any time if it is part of a threat management strategy under the Workplace Violence Prevention (“WPV”) Program and supported by the WPV Consultation Team. Safety escorts are provided to parking lots and parking structures both on and off the property of the UCI Health Medical Center.

If you have any questions about these safety escort services, or would like to request brochures or additional information, please contact:

- Safety escorts at the UCI campus: UCI Police Department Dispatch Center at (949)824-5223.
- Safety escorts at the UCI Health Medical Center campus: On-duty UC Irvine Health Security Department Supervisor at (714) 456-5493.

## 6.0 Emergency Management

### UCI Campus

The mission of the Emergency Management Department is to continuously improve the resilience and readiness of the campus community and the ability to respond to and recover from natural and human-caused emergencies within the framework of the phases of emergency management: mitigation, preparedness, response and recovery. The Emergency Management Department is responsible for readiness and training of the Chancellor's Executive Policy Group (CEPG) and staff selection, plan development and training for the Emergency Operations Center (EOC) and all of the Department Operations Centers (DOCs) on the UCI campus. Significant energy is given to ongoing preparedness efforts with presentations upon request, and training for the UCI campus Zone Crew staff members who facilitate evacuations to pre-designated assembly areas when necessary.

Through use of the award-winning UC Ready online tool, schools, and departments improve their resilience and business recovery capabilities.

Under the general direction of the Associate Vice Chancellor for the Division of Finance and Administration, the Emergency Management Department is staffed by the Emergency Management Director, Deputy Director, Business Continuity Program Manager and Training & Exercise Coordinator.

### 6.1 Emergency Management Response and Evacuation Procedures

The Emergency Management Department's website (<https://em.uci.edu>) contains information related to campus safety and emergency response. University departments are responsible for developing departmental emergency standard operating procedures, policies, procedures, contingency plans, and continuity of operations plans for their staff and areas of responsibility. UCI conducts emergency response exercises each year, such as table top exercises, field exercises, and quarterly tests of the emergency notification systems on the UCI campus.

These tests are designed to assess and evaluate department emergency plans and capabilities of the institution, and educate the campus community on the systems they may encounter.

UCI emergency response personnel have received training in the principles of the Incident Command System and responding to critical incidents on the UCI campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually UCI Police Department, Orange County Fire Authority ("OCFA"), Irvine Police Department ("IPD") and general services at UCI (i.e., Facilities Management, Environmental Health & Safety ("EH&S"), and Transportation and Distribution Services (TD&S)). These entities work together to manage the incident. Depending on the nature of the incident, affected UCI departments and other local or federal agencies may also be involved through the provision of mutual aid. General information about the emergency response and evacuation procedures for UCI is published each year to the UCI community as part of the institution's Clery Act compliance efforts, and that information is available on the UCI Police Department website (<https://www.police.uci.edu>) or in hard copy.

### UCI Campus Evacuation Guidelines

An evacuation is defined as the emptying of an occupied area and the transference of its occupants to a safe location. Should it become necessary to evacuate a building, an area, or the entire campus, the UCI campus has [procedures](#) in place. All members of the UCI campus community should familiarize themselves with the campus emergency response procedures posted on the EM [website](#). The [emergency response procedures](#) provide general guidance regarding response actions for many emergency situations including but not limited to evacuations. In addition, floor plans with emergency procedures and evacuation routes are posted in accordance with Title 19 of the California Code of Regulations near stairway and elevator landings, and inside public entrances to the buildings. Please also refer to campus recommendations on the evacuation of persons with disabilities, access and functional needs.

## **CAMPUS WIDE EVACUATIONS:**

In a major emergency, the decision to implement evacuation procedures generally rests with the Chief of Police in consultation with the Chancellor's Executive Policy Group. In situations requiring immediate action, public safety responders (i.e., Police and Fire) can also order an evacuation. When evaluating possible evacuation options, consideration will be given to the specific threat that exists (i.e., bomb, fire, storm, earthquake, explosion, hazardous materials incident, etc.), its context (time of day, likelihood, etc.), and the recommendation of public safety officials. In a major earthquake, individuals should "drop, cover, and hold": take cover until the shaking stops, and then assess their surroundings for damage and injuries. If safe, remain in place. If unsafe, individuals should evacuate to the nearest safe assembly area and wait for information from campus emergency services personnel.

The procedures for a campus-wide evacuation will vary depending on the nature of the event. The UCI Police Department and Transportation and Distribution Services will take the lead in coordinating and conducting the evacuation. In all cases when the decision has been made to evacuate, the campus will likely be evacuated in stages using our evacuation zones, beginning with the areas that are in the immediate vicinity of the threat. Other areas may then be evacuated, depending on the

nature of the threat. This graduated evacuation is preferable to a total, immediate evacuation as it triages the populations most in danger, minimizes the likelihood of gridlock and congestion, and provides for ingress of emergency vehicles and personnel. In all cases, evacuees would be directed away from the vicinity of the threat.



## **BUILDING EVACUATIONS:**

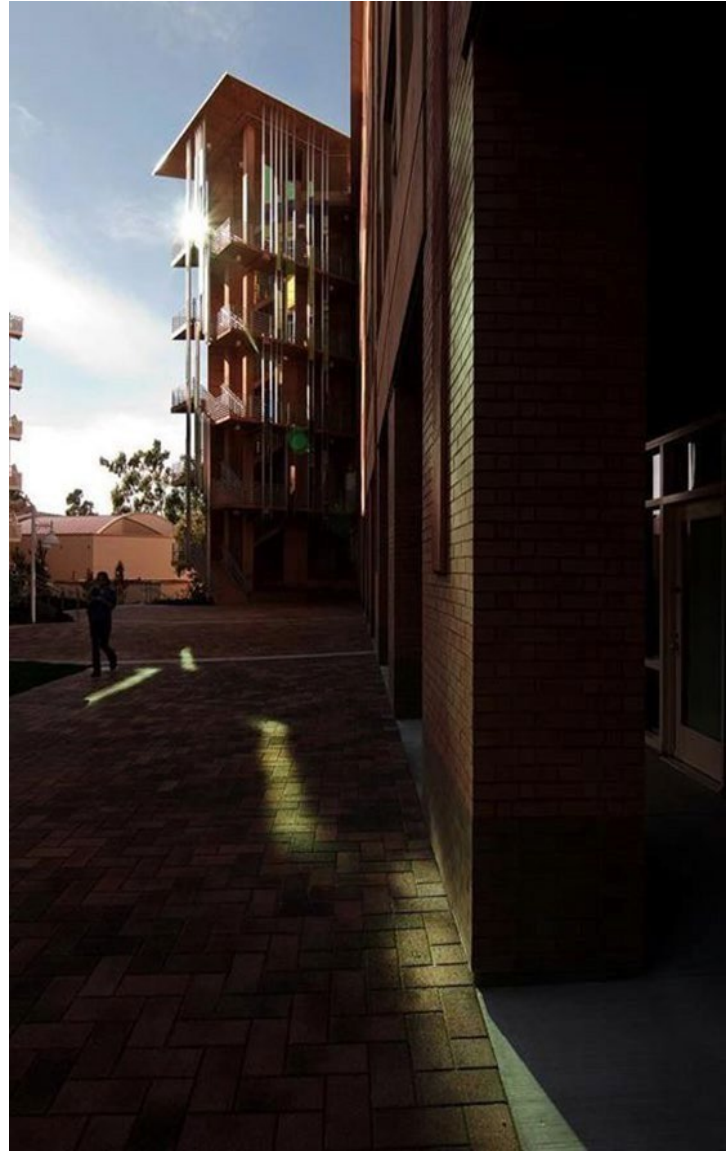
Emergencies may include a building fire or fire drill, localized hazardous materials spill, or bomb threat. In a building-specific incident, follow these evacuation guidelines: When a fire alarm sounds, everyone must evacuate in accordance with California state regulations. In the event of a bomb threat, the UCI Police Department has authority to assess the credibility of the threat and determine whether to evacuate the site. For incidents involving hazardous materials, established department protocols for notification and response should be followed.

## **EVACUATION OF PERSONS WITH DISABILITIES, ACCESS, OR FUNCTIONAL NEEDS:**

Persons with disabilities, access, or functional needs at the UCI and the UC Irvine Health Medical Center campuses are urged to self-identify and work with their supervisor, colleagues, classmates, and Zone Crew members to determine evacuation routes and methods, areas of safe refuge, and other emergency planning needs before an emergency occurs.

Persons with disabilities who may prevent or impair a timely and safe evacuation from a building via a designated fire exit stairwell may be evacuated utilizing a specially designed evacuation chair with the assistance of one or two trained “buddies.” If no evacuation chair is available, or trained evacuation chair buddies are not available, the disabled person is to be moved to a fire exit stairwell and the building occupants are to notify of the individual’s name and location so that responding fire or police may evacuate the disabled individual.

Departments at UCI needing to purchase evacuation chairs for self-identified persons with disabilities, access, and functional needs should contact the UCI Emergency Management Director at (949) 824-7147 for information on the recommended equipment and training. Departments at UCI Health should contact the Director of Environmental Health & Safety at (714) 456-6738 for information on the recommended equipment and training.



## Emergency Management Related Resources:

- Earthquake Safety:  
<https://em.uci.edu/emergency-response-procedures/earthquake.php>
- Campus Assembly Area Locations:  
<https://map.uci.edu/?id=463&!ce/28824%3Fsb/c/%3Fct/28825#!ce/28825?ct/61979,28825?s/>
- Campus Emergency Response Team (CERT):  
<https://em.uci.edu/training/cert.php>
- Preparedness Resources:  
<https://em.uci.edu/training/preparedness-resources.php>
- Sign-Up for zotALERT Emergency Messaging:  
<https://www.oit.uci.edu/zotalert/>
- Zone Crew:  
<https://em.uci.edu/zotready/zone-crew.php>

For more information, please contact the UCI campus Emergency Management Director at (949) 824-7147.



## UCI Health Medical Center

### EMERGENCY MANAGEMENT RESPONSE:

UCI Health Medical Center departments are responsible for developing departmental emergency plans, policies, procedures, contingency plans, and continuity of operations plans for their staff and areas of responsibility. The Medical Center tests the Emergency Operations Plan (“EOP”) at least twice a year, and during disaster training events such as table top exercises and county-wide drills.

These EOP activations are designed to evaluate the Medical Center’s response to an event as well as any exercised department emergency plans, policies, procedures and/or other capabilities of the institution, and educate the organization on the systems they may encounter during an emergency response.

UCI Health Medical Center has designated leaders who are trained in the principles of the Hospital Incident Command System (“HICS”) to manage emergency response efforts. When a serious incident occurs on-site that may cause a disruption to hospital services, the first responders to the scene are usually the UCI Health Public Safety Division, UCI Police Department, OPD, OCFA, Environmental Health and Safety and Facilities Services. These entities work together to manage the incident until the situation is resolved or until backup staff arrives to assist.

Depending on the nature of the incident, affected UCI Health departments and other local or federal agencies may also be involved through the provision of mutual aid. General information about the emergency response and evacuation procedures for UCI Health is published each year as part of the institution’s Clery Act compliance efforts



## UCI Health Evacuation Guidelines

When a building or an area within a building has been rendered unsafe for occupancy or patient care, the appropriate response is evacuation.

### Definitions:

- **Evacuation** – The removal of patients, staff or visitors from a specific location or an entire building.

### Stages of Evacuation:

- **Rescue** – The immediate removal of a person from the site of danger or risk.
- **Partial Evacuation** – To move from one location to another within the same building.
- **Lateral Evacuation** – Immediate response where distance and physical separation is essential; movement occurs horizontally, on the same floor. If fire and smoke continue to propagate, lateral evacuation to another smoke compartment is essential to remove patients and staff from the danger of smoke.

- **Vertical Evacuation** – When lateral evacuation is not appropriate, movement occurs vertically to other floors(s).
- **Building (Full) Evacuation** – When vertical evacuation is not appropriate; to move outside the affected building.

### Evacuation Categories (as defined by the Orange County EMS)

1. **Ambulatory Patient** – A treated patient who is able to ambulate (walk) and capable of sitting up for extended periods of time; does not require intensive nursing care.
2. **Non-Ambulatory Patient** – A treated patient who is not able to ambulate (walk) and requires the use of a hospital bed; is incapable of sitting up for extended periods of time; however, does not require intensive nursing care.
3. **Critical Care Patient** – A treated patient who is seriously ill, incapable of ambulating (walking), and requiring intensive nursing care; possibly including sophisticated monitoring equipment.



Holding Areas are designated locations outside of the affected area where patients are evacuated.

In the event that rescue requires partial evacuation, the individual staff members onsite must assess the situation and make the decision that evacuation is necessary to avoid risk to life.

When the danger is not immediate and various options exist, notify the AOC/House Supervisor who may activate a CODE TRIAGE - INTERNAL to provide a coordinated response.

### Evacuation

The only individuals authorized to approve an evacuation of a hospital department are the Incident Commander, Senior Administrative Officer, or the ranking fire department official.

Evacuations should be done horizontally first to the next smoke compartment unless otherwise directed. Horizontal evacuation occurs only if fire and smoke continue to spread. Patients located nearest to the hazard should be evacuated first and expand out from there.

### Non-Patient Care / Non-Treatment Areas:

All staff not involved in the fire control/containment shall evacuate the area.

### Patient Care / Treatment Areas:

Department leader shall designate personal for:

1. Ambulatory/non-ambulatory patient evacuation
2. Census of patient evacuation status
3. Removal of patient records

**Ambulatory Patients** – Shall be assembled and evacuated by one staff member who shall remain with them and be prepared to account for them throughout the event.

**Non-Ambulatory Patients** – Shall be reassured and will be prepared for possible evacuation by remaining staff. Evacuation equipment is available for non-ambulatory patient movement.

## 6.2 UCI Campus Emergency Procedures

### Evacuation Procedures

EVACUATE when:

- A fire and/or life safety emergency occurs;
- The fire alarm activates (audible and/or visual);
- Notified to do so by emergency response personnel or Zone Crew members;
- Be aware of all exits from your area and building. Know the routes from your work area;
- When the fire alarm activates or you are told to leave, WALK quickly to the nearest marked exit and ask others to do the same. DO NOT RUN;
- DO NOT USE ELEVATORS unless directed to do so;
- ASSIST persons with disabilities, access or functional needs if you are willing and able;
- Notify emergency personnel if you suspect someone may be trapped in the building;
- Follow instructions given by Zone Crew members in red, yellow, or green vests or emergency personnel;
- Once outside, move to your designated assembly area. Keep streets and walkways clear for emergency vehicles and personnel;
- DO NOT return to an evacuated building until an all-clear message is given and you are directed to do so.





### **Violence or Crime in Progress Procedures**

#### **1. DO NOT TAKE UNNECESSARY CHANCES**

Do not interfere with:

- Persons committing the crime/creating the disturbance
- Law enforcement authorities on the scene

#### **2. If you are the victim of, are involved in, or witness any on-campus violation of the law such as an assault, robbery, theft, stalking, etc. that is in progress:**

Call the UCI Police Department by dialing 9-1-1 or use a campus blue-light emergency phone IMMEDIATELY and provide the Dispatcher with the following information:

- a) Nature of incident;
- b) Location of incident;
- c) Description of person(s) involved;
- d) Location of person(s) involved;
- e) If the person(s) left the scene, their direction of travel;
- f) What time the incident occurred;
- g) Your name, location, department, and phone or extension number.

3. Get a good description of the suspect(s) if personal safety allows. Note suspect(s) height, weight, sex, race, approximate age, clothing, method and direction of travel, and name if known. This provides vital information to responding police officers. Should the suspect(s) attempt to or get away in a vehicle, bicycle, etc., note the make and model, license plate number (if possible), color, outstanding characteristics (i.e., bumper stickers, dents, scratches, broken windows), etc.
4. Remain where you are, if safe to do so, until a police officer arrives.

## Active Shooter Procedures

Active Shooter incidents, where a suspect has started shooting, are highly unpredictable and volatile. They are also very rare.

Here is a list of actions that are recommended.

Remember, use common sense and follow the instructions of emergency personnel.

### RUN

- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind.
- Help others escape if possible.
- Prevent individuals from entering an area where the active shooter may be.
- Follow the instructions of police officers.
- Do not attempt to move wounded people.

### HIDE

- Remain out of the active shooter's view.
- Your hideout should provide protection if shots are fired in your direction (i.e., an office with a closed and locked door).
- Blockade the door with heavy furniture, turn off the lights, close blinds, and silence cell phones.
- Your location should not trap you or restrict your options for movement.
- Remain quiet and do not answer the door until emergency personnel arrive.

### FIGHT

- As a last resort, only when your life is in imminent danger, you may choose to attempt to take the active shooter down:
  - Act aggressively against him/her.
  - Throw items
  - Improvise weapons.
  - Yell and fight.
  - Commit to your actions and follow through.



## Secure-In-Place – Police Activity

A Secure-In-Place notification may be issued when the UCI Police Department determines there is a potential threat to the campus. When notified to Secure-In-Place, initiate action immediately. Take ALL zotALERTS seriously. You will be safest by placing a locked door or other barricade between you and the associated threat.

### How do I Secure-In-Place?

- REMAIN CALM!
- Find an interior room and lock or barricade the doors.
- If there are other employees, students/visitors with you or in the vicinity, tell them to go to the closest office/classroom/lab/residence hall.
- To minimize vulnerability, turn off lights, silence phones, and draw blinds.
- Move away from doors and windows.
- Move/use furniture to provide added protection.
- Follow instructions from Police, Fire, Zone Crew team members, and other first responders.
- DO NOT leave until an all-clear message is received.

### What if I am outside?

- If you are outside during a Secure-In-Place emergency, you should seek shelter in a nearby building.
- If you are unable to get inside a building, seek nearby shelter, i.e., large trees, walls, cars in a parking lot/garage, away from the danger area (if known).
- Follow instructions from Police, Fire, Zone Crew team members, and other first responders.
- Stay sheltered until an all-clear message is received.

### What if I am in a classroom or lecture hall?

- Notify class of “Secure-In-Place” order (students: if your professor or TA does not see the alert, notify them).
- Lock or barricade the doors.
- Turn off lights, silence phones, and draw blinds.
- Move away from doors and windows.
- Move/use furniture to provide added protection.
- Follow instructions from Police, Fire, ZoneCrew team members, and other first responders.
- DO NOT leave until an all-clear message is received.





## Utility Failure Procedures

### MAJOR UTILITY FAILURE

1. NOTIFY A SUPERVISOR. Supervisor will contact: Facilities Management Service Desk, (949) 824-5444. This number is in operation 24 hours a day, 7 days a week.
2. IF A SUPERVISOR IS UNAVAILABLE, call (949) 824-5444 and give a brief, clear description of the problem.
3. If you are responsible for an area with a critical back-up generator and it does not begin to operate, contact (949) 824-5444.
4. REMAIN CALM.
5. FOLLOW DIRECTIONS OF EMERGENCY PERSONNEL.
6. If evacuation is directed by emergency personnel, follow their direction and provide assistance to others in accordance with your training.
7. Department heads may call Facilities Management at (949) 824-5444 for information regarding scope and expected length of outages.

## UTILITY PROBLEMS

Call Facilities Management Service Desk, (949) 824-5444.

### General Action Guide:

- a. Natural Gas Leaks: Vacate area.
- b. Ventilation: If smoke or strong burning odors occur, evacuate immediately.
- c. Elevator Failure: Push button on elevator intercom. Describe the problem. Remain calm until help arrives.
- d. Plumbing/Flooding: If personal safety allows, shut off electrical equipment and evacuate the area.
- e. Electrical Failure: Call (949) 824-5444.

**DO NOT RE-ENTER AREA/BUILDING UNLESS TOLD IT IS SAFE.**

### Persons in Distress

#### PERSONS WHO ARE DISRUPTIVE

If a person displays conduct that is reckless, disorderly, dangerous, threatening, including self-harmful behavior, and you are concerned for your safety or the safety of others, please dial 9-1-1.

- If the person is a UCI student, report the incident to the Office of Academic Integrity & Student Conduct.
- If the person is a UCI employee, report the incident to Human Resources.

## Persons Who Are Distressed

A person who is distressed could display persistent behaviors, such as: unduly anxious, sad, irritable, withdrawn, confused, lacks motivation and/or concentration, seeks constant attention, demonstrates bizarre or erratic behavior, or expresses suicidal thoughts.

- If the person is a UCI student, please contact the Counseling Center, Student Health Center, Campus Assault Resources and Education (CARE), or the UCI Police Department for help.
- If the person is a UCI employee, please contact Human Resources, Guidance Resources Employee Assistance Program, or the UCI Police Department for help.

For consultation regarding any of the above information, please contact the UCI Consultation Team through the Office of the Clinical Social Worker.

### IMPORTANT PHONE NUMBERS:

Associate Vice Chancellor – Wellness Health & Counseling Services	(949) 824-4642
Campus Assault Resources & Education (CARE)	(949) 824-7273
Employee Assistance Program	(844) 824-3273
Campus Social Worker	(949) 824-0101
Counseling Center	(949) 824-6457
Campus Human Resources	(949) 824-9400
Office of Academic Integrity & Student Conduct	(949) 824-1479
Student Health Center	(949) 824-5301
UCI Police Department	(949) 824-5223



## Suspicious Package

### Suspicious Package/Mail

If you receive or discover a suspicious package, letter, or object under no circumstances should you touch it, tamper with it, or move it. Report it immediately to the UCI Police Department by dialing 9-1-1.

Characteristics of suspicious letters and packages may include:

- Origin - Postmark does not match the city/area of the return address, name of sender is unusual or unknown, or no return address is given.
- Postage - Excessive or inadequate postage.
- Balance - The letter is lopsided or an unusually thick weight - the letter or package seems heavy for its size.
- Contents - Stiffness or springiness of contents; protruding wires or components; oily outer wrapping or envelope; feels like it contains powdery substance.
- Smell - Particularly almond or other suspicious odors.
- Writing - Handwriting of sender is not familiar or indicates a foreign style not normally received by recipient, or cut-and-paste or rub-on-block letters are used. Common words, names, or titles are misspelled or special instructions like "fragile," "confidential," or "do not delay" are present.

If the letter or package is a mail bomb, the letter or package may also have:

- Protruding wires, strange odors, or stains.
- An unusual amount of tape.
- Buzzing, ticking, or a sloshing sound.
- Irregular shape, soft spots, or bulges.
- Excessive weight for its size.
- Letter bombs may feel rigid or appear uneven or lopsided

## Hazardous Materials Incident

### PERSONNEL EXPOSURES/CONTAMINATION

1. Remove exposed/contaminated individual(s) from the area, unless it is unsafe due to medical condition of the victim(s), or potential hazards to rescuer(s).
2. Notify: For medical attention – Police dial 9-1-1
  - a. During normal working hours – Environmental Health & Safety (EH&S) (949) 824-6200
  - b. After hours – Police dial 9-1-1
3. Use the nearest emergency eyewash/shower to flush contamination from eyes/skin.
4. Remove any contaminated clothing and place them in a bag.
5. Administer First Aid as appropriate.
6. Stand by to provide information or assistance including the Material Safety Data Sheet (MSDS) to emergency response personnel in cases where they are dispatched.





## SPILL/CONTAMINATION OF EQUIPMENT/FACILITIES

### STOP THE SPILL – WARN OTHERS – ISOLATE THE AREA – MINIMIZE EXPOSURE

1. Avoid spreading contamination by restricting access to the equipment/area only to individuals who are properly protected and trained to deal with the type of hazard which exists (e.g., radioactive, corrosive, flammable, biological).
2. Notify: During normal working hours - EH&S (949) 824-6200. After hours –dial 9-1-1
3. Evacuate all persons from the immediate area of the spill to a nearby location where they can be checked for contamination if deemed appropriate or directed by EH&S.
4. Do not attempt any clean up or decontamination procedures alone or without proper personal protective equipment (PPE). Persons performing decontamination of radioactive material need to have radiation monitoring equipment appropriate for the radiation emitted by the radionuclide involved in the spill.

5. Attempt spill cleanup if you feel it is safe, you are familiar with the properties of the spilled material, and are trained to handle spills. If it is a liquid spill, attempt to contain it by using the appropriate absorbent material.
6. Decontaminate the equipment/area using appropriate methods under EH&S direction.
7. Dispose of waste material. Complete the appropriate Hazardous Waste Pick-up form on-line to request pick-up by EH&S. Temporarily store the bag of waste in the fume hood if material is volatile.
8. Stand by to provide information/assistance to emergency response personnel in cases where they are dispatched.

### RELEASE TO THE ENVIRONMENT (AIR, WATER, SOIL)

1. If it is safe to do so, stop the release.
2. Follow procedures described above for contamination of equipment/facilities.





### **Shelter-In-Place – Hazardous Materials**

Shelter-In-Place simply means seeking immediate shelter inside a building. This action may be taken during a release of toxic chemicals, biological or radioactive materials to the outside air or other emergency. If the outside air quality is threatened or compromised, sheltering in place keeps you inside an area offering more protection. Although rarely called for, Shelter-In-Place events usually last only a few hours. Emergency supply kits of food, water, and other items can be used during Shelter-In-Place events.

#### **Immediate Shelter-In-Place:**

- When the release is nearby and the need to seek shelter is immediate.
- Stay inside a building.
- If outside, enter the nearest building.
- Remain in place until advised by emergency personnel that it is safe to leave.

#### **Delayed Shelter-In-Place:**

- When a release occurs off- campus and there is time (30 minutes or more) to move people to large, enclosed areas.
- Follow directions of emergency personnel to move quickly to a delayed Shelter-In-Place location.
- Remain in place until advised by emergency personnel that it is safe to leave.
- Information Sources include, but are not limited to:
  - o Designated Zone Crew members will receive phone notifications.
  - o Zot Mail and zotALERT text messages will be sent campus wide.

**Additional Procedures:**

- Move to floors above ground level. Shelter-In-Place in an interior room without windows or with the least number of windows.
- Shut and lock all windows. Shut exterior and interior doors. Limit use of telephones to emergency calls only.
- If in a laboratory, reduce all operations to a safe condition as quickly as possible. Follow instructions from the Lab Manager or Principle Investigator.
- Do not use elevators. Movement of elevators pumps significant amounts of air in and out of the building.
- Many buildings' ventilation systems are remotely controlled by Facilities Management. If necessary, locally turn off heat, fans, air conditioning, or ventilation systems. Close vents as you are able.
- Follow instructions of Zone Crew members.
- Make yourself comfortable. Look after one another.

**All Clear:**

- The campus will be advised of the all clear via zotALERT.
- Open doors and windows.
- Return ventilation system to normal operations.

**Evacuation of Persons with Disabilities, Access or Functional Needs**

1. Persons with disabilities, access or functional needs are urged to self-identify and work with their supervisor, colleagues, classmates and Zone Crew members to determine evacuation routes and methods, areas of safe refuge, and other emergency planning needs before an emergency occurs.
2. In many cases, evacuation from the building may not be necessary or advisable. Evacuate when the fire alarms are activated, directed by emergency personnel, or danger is imminent.
3. Proceed to the nearest safe exit. Implement your individual emergency plan. Request assistance from others in the area if exit is difficult or obstructed.
4. If unable to evacuate the building:
  - Take safe refuge in a fire-rated stairwell. Close the door to keep smoke out. OR
  - Evacuate 'horizontally' to a room away from hazards. Close the doors. Signal rescuers by placing a sign in the window. Place wet clothes around and under the door to prevent smoke from entering. Dial 9-1-1 and provide your location and situation to the dispatcher. Follow their directions.
  - If safe to do so, it is preferred that someone stay with the person with the disability.
  - Use an evacuation stair chair to assist people unable to get down stairs on their own.
  - Designate one person to contact on-scene emergency personnel with location, nature of evacuation needs, etc.

## **Assisting Persons with Disabilities, Access or Functional Needs During Evacuation:**

Persons with mobility limitations:

- Listen to the individual; they are the expert regarding their own disability. Always ask the individual how you can help before attempting any rescue technique or giving assistance.
- Wheelchairs have many movable or weak parts that were not constructed to withstand the stress of lifting. Ask the individual for the safest method for lifting/carrying them.
- Use an evacuation stair chair to assist people unable to get down stairs on their own. Persons with visual disabilities:
  - Tell the person the nature of the emergency, how and where to exit.
  - Offer to guide them by having them take hold of your elbow.
  - As you walk, say where you are and advise of any obstacles.
- Persons with hearing loss and/or speech impairments:
  - o Turn the light switch on and off, tap the individual on the shoulder or make eye contact to get the individual's attention.
  - o For those who read lips, clearly state the problem. Use gestures and pointing as visual instructions.
  - o Write concise notes. Example: "FIRE! Go to the exit now."

## **Blood Exposure and Medical Emergency**

An exposure is defined as contact with blood or other potentially infectious materials to the eyes, nose, mouth and other mucous membranes, or non-intact skin.

If you are exposed:

- Immediately wash the exposed area with soap and water for 15 minutes, or flush eyes with water for 15 minutes at the nearest eyewash station.
- Notify your supervisor.
- Seek medical attention at one of the locations listed below and notify EH&S of your exposure at (949) 824-6200.



### **Medical Emergency**

DIAL 9-1-1 if the condition is LIFE THREATENING or REQUIRES IMMEDIATE MEDICAL ATTENTION BEYOND BASIC FIRST AID

For Infectious Agent Exposure call (714) 456-7890 request the Infectious Disease Fellow On-Call. If poisoning is suspected, contact the Poison Control Center at (800) 222-1222.

### **Students (non-UCI employees)**

Campus: Go to the Student Health Center (East Peltason & Pereira) or call (949) 824-5301. Hours: 8:00 a.m. - 5:00 p.m., Monday – Friday.

After hours: Go to the nearest urgent care center or emergency room. Contact the Student Health Center for follow-up care as soon as possible.

For further information, contact the UCI Student Health Center Health Insurance Program (GSHIP) or (USHIP) (949) 824-5301 or see the GSHIP or USHIP web site available at the Student Health Services website <https://shc.uci.edu/>.

Students with private health insurance instead of GSHIP or USHIP will be charged for services rendered at the Student Health Center and provided a receipt to obtain reimbursement.

ALL WORK-RELATED INJURIES MUST BE REPORTED via

the On-line Incident Form available at the Human Resources website at [www.hr.uci.edu](http://www.hr.uci.edu) from the Workers Compensation link, or by phone at (949) 824-9152 or by email at [wcdm@uci.edu](mailto:wcdm@uci.edu).

### **Employees, all student-employees, and volunteers with work-related injuries:**

Employees and supervisors must contact UCI Worker's Compensation Desk at (949) 824-9152 during regular working hours to obtain medical authorization within 24 hours of any injury. In the event that a supervisor or Department Administrator is not available, go directly to a clinic listed below.

- Newport Urgent Care, (949) 752-6300. 1000 Bristol Street North, Suite 1-B, Newport Beach (Bristol & Jamboree) Hours: 8:00 a.m. - 9:00 p.m., Monday - Friday; 8:00 a.m. - 8:00 p.m., Saturday – Sunday; call for after-hours physician.
- Occupational Health Clinic, located at the UC Irvine Health Medical Center, (714) 456-8300.
- ProCare Work Injury Center, 17232 Red Hill Ave, Irvine, CA 92614 (949) 752-1111.

- Kaiser Occupational Health Center, Irvine location (949) 932-5899, Santa Ana location (714) 830-6660.
- UC Irvine Health Medical Center: (714) 456-6011. 101 City Drive South, Orange. Hours: 24 hours / 7 days per week.
- Occupational Services, Long Beach Memorial Hospital location (562) 933-0085.

conditions permit, it may be preferable to move to another building.

8. Do not re-enter the area until instructed to do so.

### Bomb threat questions to ask:

**BOMB THREAT REPORT** - Questions to Ask

1. When is the bomb going to explode? \_\_\_\_\_ 5. What will cause it to explode? \_\_\_\_\_  
 2. Where is it right now? \_\_\_\_\_ 6. Did you place the bomb? \_\_\_\_\_ Why? \_\_\_\_\_  
 3. What does it look like? \_\_\_\_\_ 7. What is your name? \_\_\_\_\_  
 4. What kind of bomb is it? \_\_\_\_\_ 8. What is your address? \_\_\_\_\_

Exact wording of the threat: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Caller's Voice: (Circle all that apply)**

• Calm	• Nasal	• Slow	• Raspy	• Loud	• Angry
• Stutter	• Excited	• Rapid	• Deep	• Soft	• Clearing Throat
• Laughter	• Normal	• Slurred	• Distinct	• Deep Breathing	• Crying
• Accent	• Disguised	• Lisp	• Ragged	• Cracked Voice	• Familiar

If voice is... FAMILIAR, who did it sound like? \_\_\_\_\_  
 ACCENTED, was it Local, Foreign, Regional? Describe: \_\_\_\_\_  
 DISTINCTIVE, in what way? \_\_\_\_\_

Sex of caller: \_\_\_\_\_ Age: \_\_\_\_\_ Length of Call: \_\_\_\_\_  
 Number at which call was received: \_\_\_\_\_ Time: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Background Sounds: (Circle all that apply)**

• Street Noises	• Animal Noises	• PA System	• Voices	• Static	• Local	• Factory Machinery
• Long Distance	• House Noises	• Cell Phone	• Music	• Booth	• Motor	• Office Machinery
• Airport Noises	• Bus/Mass Transit Noises					
• Other						

**Threat Language: (Circle all that apply)**

• Well Spoken (Educated)	• Incoherent	• Taped	• Obscene/Foul	• Message Read by Threat Maker
• Irrational	• Rambling			

If you are unable to seek medical attention at one of these clinics, please contact the Workers' Compensation Unit at (949) 824-9152 for a clinic referral.

If you have any questions, please contact an expert in the Workers' Compensation & Disability Management Unit at (949) 824-9152, Fax (949) 824-9299 or email [wcdm@uci.edu](mailto:wcdm@uci.edu).

Notice: University policies, procedures and applicable collective bargaining agreements supersedes information in this document.

### Bomb Threats

Bomb threats usually come on the telephone and generally are made by individuals who want to create an atmosphere of general anxiety or panic. All bomb threats should be assumed to pose a legitimate danger to the UCI and UCI Health campus's population.

By Telephone:

1. Take the caller seriously, but remain calm.
2. Ask a lot of questions. Use the checklist below as a guide.
3. Take notes on everything said and on your observations about background noise, voice characteristics, etc.
4. If possible, get a co-worker, classmate or other person nearby to call UCI Police Department by dialing 9-1-1 while you continue talking to the caller.
5. Call 9-1-1 immediately after the call.
6. Notify your supervisor/department head.
7. UCI Police Department will determine if evacuation is necessary. If you do evacuate, take your personal belongings with you and move to an evacuation assembly area. If weather



## Fire

When fire or smoke is discovered, RACE to respond.

- RESCUE OR REMOVE anyone (including yourself) who is in immediate danger from the fire to the closest safe area. Simultaneously notify other building occupants to evacuate the area. Use the stairs. Do not use elevators.
- Activate the ALARM by pulling the nearest fire alarm pull station and dial 9-1-1.
- CONFINE OR CONTAIN the fire by closing all doors and windows in and around the fire area to prevent the spread of smoke and fire. Shut off all appliances and other equipment if safe to do so.
- EXTINGUISH the fire with a portable fire extinguisher if safe. EVACUATE the area. Use fire extinguishers on small fires only – trash cans or smaller. After extinguishing a fire, back away and watch for re-ignition. Attend fire extinguisher training (sign up via [www.ucl.uci.edu](http://www.ucl.uci.edu), search words: fire extinguisher).

To operate a Portable Fire Extinguisher

- PULL- the pin to release the handle.
- AIM - the extinguisher at the base of the flames.
- SQUEEZE - the handle to release the extinguishing agent.
- SWEEP - back and forth across the base of the flames, and if the fire does not seem to be getting any smaller, LEAVE THE AREA IMMEDIATELY and call for help.

IF YOU CANNOT EVACUATE:

- Move to a safe location with fire-rated walls, doors, and few interior openings.
- Use a phone to dial 9-1-1 for assistance.
- Place wet towels or other materials around or under doors to keep smoke out.
- Display a sign or signal in the window to alert others to your location.
- Heat and smoke rise so stay as low as possible. Breathe shallowly through nose and use clothing as a filter.
- If clothing catches fire: Stop, Drop, and Roll.

## Earthquake

During an earthquake:

If inside:

- Drop – Drop down on the floor
- Cover - Take COVER under a sturdy desk, table, or other furniture. If that is not possible, seek cover against an interior wall and protect your head and neck with your arms. Avoid danger spots near windows, hanging objects, mirrors, or tall furniture.
- Hold - If you take cover under a sturdy piece of furniture, HOLD on to it and be prepared to move with it. Hold the position until the ground stops shaking and it is safe to move.
  - o Do not run outdoors.
  - o Do not use elevators.
  - o Follow directions of emergency personnel.

If in a Crowded Stadium, Theater, or Lecture Hall:

- Stay in your seat; protect your head and neck.
- Do not rush for the exits.
- Follow directions of emergency personnel.

If in an Elevator:

- If power fails, elevators will stop and lights will go off.
- Be patient. Emergency personnel will rescue you as soon as possible.

If Outside:

- Move to a clear area if safe to do so. Avoid falling hazards.
- Drop, cover, and hold in an open area. Protect your head and neck.
- Follow directions of emergency personnel. If in a Vehicle:
  - o Pull over and stop in clear area. Avoid overpasses, power lines, and structural hazards.
  - o Stay with your vehicle.



#### AFTER THE SHAKING STOPS:

If inside a UCI or UCI Health campus building:

- Expect aftershocks over the next hours or days.
- Check yourself and others for injuries. Report any injuries to supervisor or emergency personnel.
- Use your training to provide first aid, use fire extinguishers, clean up spills, etc.
- Assess your surroundings, check for damage and hazardous conditions. Report them to supervisor or emergency personnel.
- Phone systems may be severely impacted. Limit phone use to emergency calls only.
- **DO NOT EVACUATE AUTOMATICALLY.** Outdoor hazards may be greater than indoor hazards.
- If asked to evacuate to assembly areas, move swiftly. Grab keys, personal items, and emergency supplies only if convenient and safe to do so.

- Follow directions of emergency responders.
- Do not re-enter the building until told it is safe to do so. If outdoors on the UCI and UCI Health campus:
- Stay clear of buildings, trees, or other falling hazard areas.
- Move to evacuation assembly areas.
- Follow directions of emergency personnel.

#### WHEN TO GO HOME:

In the event of a major earthquake, be prepared to stay on the UCI and UCI Health campus. You should not try to get home until emergency personnel say it is safe, the streets are cleared for travel, and most emergency conditions have been stabilized. UCI is prepared to provide emergency care and shelter in partnership with the American Red Cross.



## Emergency Preparedness

Are you prepared for an emergency? Take these simple steps to improve the preparedness of you, your family and your work colleagues / classmates.

### GET A KIT

- WATER – one gallon per person per day for at least 3 days for drinking and sanitation
- FOOD – at least a 3-day supply of non-perishable food
- Battery operated RADIO and FLASHLIGHT with extra batteries
- FIRST AID KIT
- WHISTLE to use as a signaling device
- Simple TOOLS such as wrench, pliers, can opener
- Basic SANITATION items like disinfectant wipes, garbage bags, tissues
- Change of CLOTHES including sturdy SHOES

### MAKE AN EMERGENCY PLAN

- Have an OUT-OF-TOWN contact for all family members to report in to
- ICE your cell phone – identify who to call in case of an emergency
- Be prepared to LIMIT PHONE USE to essential calls only
- Select a FAMILY MEETING LOCATION in case your house is not safe or accessible

### BE INFORMED

- Get to know the Zone Crew members in your area. They are vital members of the comprehensive UCI response and recovery plan
- Know the emergency plan for your department
- Inquire about the emergency plan for family members' work and school
- Go to <https://www.ready.gov> for more preparedness guidance
- For workplace preparedness, go to <https://em.uci.edu/emergency-response-procedures/index.php>
- Sign up to receive zotALERT text messages at <https://www.oit.uci.edu/zotAlert/>

Emergencies can come without warning – natural disasters, human caused events, deliberate or accidental. The information included in this guide is intended to cover most emergencies but is not all-inclusive. No matter what the incident, THINK before you ACT, then act swiftly to minimize your exposure to danger.

UCI Emergency Information Line: 866-IRV-NEWS. After a large-scale emergency, UCI will activate this emergency information line. Information regarding the status of the campus, employees, and students will be available through this number. DO NOT CALL THIS NUMBER TO REPORT AN EMERGENCY.

For area wide emergency information and instructions, tune to the Emergency Alert System:

**Local KUCI:** <https://kuci.org> and 88.9 FM

**UCI Zot Radio:** WQTB 1690 AM

**Orange County Radio Station:** KWVE 107.9 FM

**Los Angeles County Radio Stations:** KFI 640 AM, KNX 1070 AM, and KFWB 980 AM

Safety of faculty, staff, and students is of primary importance when emergencies occur. Follow the instructions of your supervisor, Zone Crew members, and Emergency Responders. Plans have been made to protect the life and health of all persons on campus and all essential campus functions. Personnel and facilities may be operating on a limited basis. UCI will work to restore normal operations as quickly as possible.

### GET INVOLVED:

- To become a Zone Crew member, contact your Zone Captain. For more information on Zone Crew <https://em.uci.edu/training/zone-crew.php>
- To become a member of The Community Emergency Response Team (CERT), <https://em.uci.edu/training/cert.php>
- For First Aid and CPR training: The ARC offers free or low-cost classes conducted by the American Red Cross. Go to <https://www.campusrec.uci.edu>, Classes and Clinics for details.

## 6.3 UCI Health Medical Center Emergency Procedures

### CODE SILVER – HOSTAGE/WEAPON/ACTIVE SHOOTER

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A Code Silver will summon security or police assistance and should be activated when there is a real or perceived threat of immediate danger including the use of a weapon and/or a hostage situation.

A Code Silver can be activated by:

- Pushing a Panic Device (if available)
- Calling 9-1-1

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<b>Active Shooter</b> <b>Run, Hide,</b> <b>Fight</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> <b>RUN</b> – Have an escape route in mind and try to help others. Leave belongings behind and keep your hands visible for responding law enforcement agencies.</li><li><input type="checkbox"/> <b>HIDE</b> – Hide in an area out of the shooter’s view. Block entry to your hiding place and lock the doors. Silence your cell phone and any other electronic devices.</li><li><input type="checkbox"/> <b>FIGHT</b> – As a last resort and only when your life is in imminent danger. Attempt to incapacitate the shooter. Act with physical aggression, yell, throw items and use improvised weapons. Commit to your actions and follow through.</li></ul>
<b>All Staff and Faculty</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> If a person is found or suspected of having a weapon, dial <b>9-1-1</b> immediately. If you are in an emergency and you cannot speak, dial the number and set the phone down.</li><li><input type="checkbox"/> If someone is being held hostage, call 911 immediately.</li><li><input type="checkbox"/> If you call, describe your location, number of subjects and hostages, and the type of weapon(s) involved.</li><li><input type="checkbox"/> If you use a panic device, attempt to immediately follow-up with a call to <b>911</b> to speak to someone about the incident in progress.</li></ul>
<b>Staff in the Affected Area</b>	<p>The following will serve as recommendations for those in the affected area(s).</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Do not panic.</li><li><input type="checkbox"/> Do not try to negotiate with the subject or attempt to take the weapon away.</li><li><input type="checkbox"/> Do not stay in the area unless your escape could cause harm to yourself or others.</li><li><input type="checkbox"/> Do not allow anyone to pass through the affected area.</li><li><input type="checkbox"/> Do make mental records of the area, subject and weapons to assist law enforcement as a credible witness.</li><li><input type="checkbox"/> Do lock doors to the affected area only if the subject(s) are alone in the area and to keep anyone else from entering.</li><li><input type="checkbox"/> Avoid the affected area at all costs.</li></ul>

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## CODE GRAY – DISORDERLY PERSONS

A Code Gray will summon security assistance and should be activated when there is a real or perceived threat of immediate danger such as a violent/combative patient, visitor or staff member.

A Code Gray can be activated:

- If confronted by a verbally aggressive or violent and threatening subject, staff should initiate a Code Gray by pushing a panic device (activation devices could be wall mounted panels or under the counter buttons) or using a phone to call 9-1-1.
- If possible, move to a safe location to place call for assistance. If a panic panel/button is activated, attempt to call (714) 456-6123 as well to provide verbal instructions to identify violent/combative person(s), current location, and if weapon(s) or hostage(s) are involved.
- If panic devices are used, immediately call (714) 456-6123 to describe the incident.
- If weapon(s) or hostage(s) is involved, follow procedures outlined in the Code Silver policy.
- Make mental notes or write out notes as quickly as possible to be used to pass on to a supervisor or an Event Report.
- Do not take unnecessary chances.

Do not interfere with:

- Persons committing the crime/creating the disturbance.
- Law enforcement authorities on the scene.



## HAZARDOUS MATERIALS INCIDENT – CODE ORANGE

If the spill contains radioactive material, also see **RADIATION INCIDENT** section.

Small Spill - Spill does not pose a threat to human health and the environment and can be mitigated at the time of release by the employee(s) in the immediate release area.

<b>Remove Exposed Individuals</b>	<b>Eyes</b> - Immediately flush eyes with water (approximately 15 minutes), and remove any contact lenses immediately. <b>Skin/Clothing</b> - Flush contaminated skin with water and remove contaminated clothing. <b>Medical Attention</b> - Seek the appropriate medical care from Occupational Health or the Emergency Department.
<b>Isolate</b>	Isolate and remove individuals from the immediate area. <ul style="list-style-type: none"><li>• Do not allow spill to enter drains.</li><li>• Remove all ignition sources.</li></ul>
<b>Notify</b>	The area Supervisor/Manager and contact EH&S <b>(714) 456-6475</b> if assistance is needed.
<b>Contain / Neutralize Clean Up</b>	<b>If safe to do so;</b> <ol style="list-style-type: none"><li>1. Put on the (PPE) Personal Protective Equipment (at minimum, gloves, gown and goggles).</li><li>2. If applicable, neutralize the spill (e.g., acetic acid) with a neutralizing agent (sodium bicarbonate/baking soda) to eliminate vapors from the chemical.</li><li>3. Use absorbents to contain/clean up the spill.</li><li>4. Collect, package, and label spill residue. All absorbed spill material must be collected in double plastic bags or plastic containers with secure lids and disposed of as hazardous waste.</li><li>5. Contact the Safety Office to coordinate pick up.</li></ol>
<b>Incident Report</b>	Complete SQIS report and forward the report to Environmental Health & Safety

## HAZARDOUS MATERIALS INCIDENT – CODE ORANGE (cont.)

**Other Incident** – Spill may pose a threat to human health and/or the environment

<b>Notification</b>	Notification Call EH&S at <b>(714) 456-6475</b> on days or <b>(714) 456-6123</b> on nights and weekends and report the following: <b>Code Orange</b> <ul style="list-style-type: none"><li>• Type of chemical or substance involved, if known</li><li>• Quantity of chemical or substance, if known</li><li>• Any special hazards such as flammability, corrosivity, toxic fumes, etc.</li><li>• Any special difficulties with the spill</li><li>• Any injuries to personnel</li></ul>
<b>Evacuate</b>	Evacuate persons from the area if the spill cannot be contained or fumes are spreading.
<b>Remain at a Safe Distance</b>	Remain at a safe distance (and upwind of the area, if applicable).
<b>Identify Yourself</b>	<ul style="list-style-type: none"><li>• Identify yourself to responding EH&amp;S personnel as they arrive.</li><li>• If possible, have the Safety Data Sheet (SDS) available for responding EH&amp;S personnel.</li></ul>
<b>Incident Report</b>	Restrict Area - the incident area should be considered a "Restricted Area" until the area is deemed safe for re-occupancy.

In the event of a major spill, EH&S will make the decision whether to proceed with the clean up under EH&S direction or to call in an outside contractor to clean up the spill.

## RADIATION INCIDENT

<p><b>Rescue and/or Administer First Aid to Injured Personnel</b></p>	<p>Seek immediate medical attention for major or life-threatening injuries.</p>
<p><b>Call for Assistance</b></p>	<p>Call Radiation Safety at <b>(714) 456-5607</b> on days and the Operator at <b>(714) 456-6123</b> on nights and weekends. State that assistance is needed from Radiation Safety. State your name, phone extension, location, and spilled material.</p>
<p><b>Contain the Spill</b></p>	<p>Notify persons in the immediate area that a spill has occurred. Cover the spill with absorbent paper, cloth, or other suitable material to confine the spread of contamination. If spill involves therapy activities;</p> <ul style="list-style-type: none"> <li>• Switch off fans and/or air conditioning.</li> <li>• Evacuate the room (see below).</li> <li>• Close and post a notice on the door.</li> </ul>
<p><b>Evacuation</b></p>	<p>Evacuate all involved personnel from the immediate area of the spill to a nearby area or room where they may be surveyed for contamination. <b>Limit the movement of involved persons to confine the spread of contamination.</b></p>
<p><b>Decontamination</b></p>	<p>If personnel are known to be contaminated with radioactive material:</p> <ul style="list-style-type: none"> <li>• Immediately remove all contaminated clothing.</li> <li>• Rinse contaminated skin areas with small amounts of tepid water, then wash with water and mild soap.</li> </ul> <p><b>Note:</b> Always work from a clean area inward to the center of the contaminated area.</p>
<p><b>Note</b></p>	<p>Additional decontamination of personnel and/or facilities should be performed only by individuals, who are properly trained, protected, and have appropriate monitoring equipment for the type of material involved. Refer to the "Management of Radiation Incidents" section of the UC Irvine Medical Center Radiation Safety Manual for further information. The manual may be found on the Radiation Safety Share-Point page.</p>



## BOMB THREAT – CODE YELLOW

<p><b>If you receive a telephone bomb threat:</b></p>	<ul style="list-style-type: none"><li><input type="checkbox"/> Do not hang up.</li><li><input type="checkbox"/> Remain calm.</li><li><input type="checkbox"/> Utilize the Code Yellow (Bomb Threat) Policy Attachment A: Bomb Threat Telephone Checklist.</li><li><input type="checkbox"/> Try to prolong the conversation and get as much information as possible.</li><li><input type="checkbox"/> Note what you hear.<ul style="list-style-type: none"><li>o Are there background noises, such as music, voices, or cars?</li></ul></li><li><input type="checkbox"/> How does the caller’s voice sound?<ul style="list-style-type: none"><li>o Any accent? What sex? What age? Any unusual words or phrases?</li></ul></li><li><input type="checkbox"/> Does the caller seem to know about the facility?<ul style="list-style-type: none"><li>o How is the bomb location described? Does the caller use a person’s name? Does the caller give his/her name?</li></ul></li><li><input type="checkbox"/> When the call is over, call 911 immediately; stay on the line while resources are being dispatched and be prepared to answer questions.</li><li><input type="checkbox"/> Notify your supervisor. Stand by for further instructions.</li></ul> <p><b>When Security arrives, they will assess the situation.</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Follow their directions and assist if asked.</li><li><input type="checkbox"/> You may be asked to assist in a search because you are familiar with the area.</li><li><input type="checkbox"/> When searching, look for objects out of place or suspicious in nature.</li><li><input type="checkbox"/> If it is deemed necessary to evacuate, you will be notified by Security or your supervisor. (See Emergency Procedures Response Guide - Code Red Evacuation)</li><li><input type="checkbox"/> Evacuate via the primary route for your area, or by the alternate route if so directed.</li></ul>
<p><b>If you discover a suspicious item:</b></p>	<ul style="list-style-type: none"><li><input type="checkbox"/> Call <b>911</b> to request Security/Police assistance.</li><li><input type="checkbox"/> Leave it untouched and secure the area until Security/Police arrive.</li><li><input type="checkbox"/> Do not use any electronic communications devices.</li><li><input type="checkbox"/> Security/Police will provide further direction.</li></ul>
<p><b>All Clear</b></p>	<ul style="list-style-type: none"><li><input type="checkbox"/> When it has been determined that there is no threat, and if Security or the Police Department gives instructions, the AOC (Administrator on Call) will notify the Telecom Operator to announce an <b>“All Clear”</b>.</li><li><input type="checkbox"/> All departments will then return to normal duties.</li></ul>



## HOSPITAL FIRE PLAN – CODE RED

WHEN FIRE OR  
SMOKE IS  
DISCOVERED

**R**

Remove  
persons in

**A**

Activate Alarm

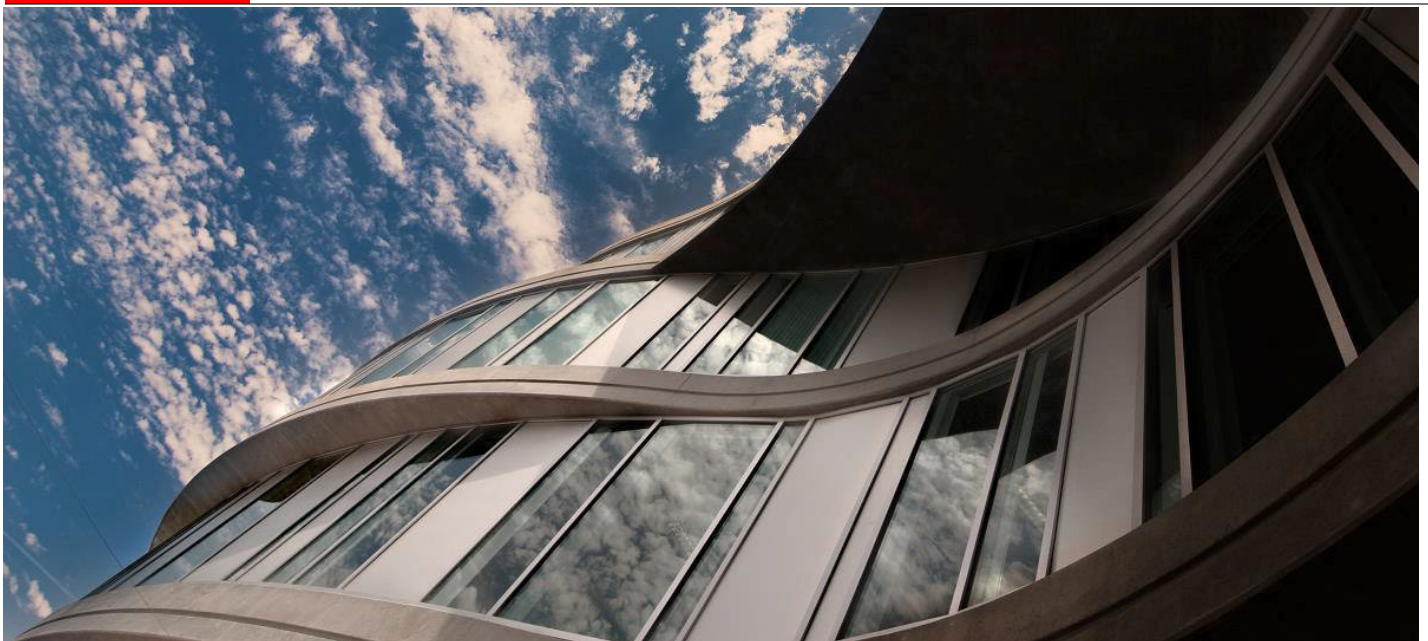
**C**

Confine the fire

**E**

Extinguish  
And/or  
Evacuate

- Remove persons in immediate danger.
- Activate Fire Alarm closest to fire.
- On Site Locations – Phone **(714) 456-6123** to notify the Hospital Operator
- Off Site Locations – Dial **9-1-1** to notify the Fire Department
  - Specific location of fire
  - What is on fire
- Close all doors and windows.
- Extinguish with portable fire extinguisher, if possible, remember **PASS**
  - **P**ull the pin
  - **A**im at the base of the fire
  - **S**queeze the handle
  - **S**weep in a back-and-forth motion
- Clear corridors of all obstructions in preparation for possible evacuation.
- Notify “Senior Staff” to assume command, pass information quickly, and account for all staff, patients and visitors.
- Identify yourself and provide responding support staff the following information:
  - Security / Facilities
  - Where / What is on fire / How long fire has been burning
  - Need for assistance with patient evacuation if necessary
  - Need for utility / sprinkler shut off
  - Number & location of patients on Oxygen
- Medical Gas shall be shut off only by the person in charge (or designee).
- When Facilities arrive, responsibility for fire control / containment is passed to them along with overall command, and then to the responding Fire Department upon their arrival. For any incident that requires fire suppression operations from the fire department and/or the evacuation of patients, the AOC (Administrator on Call / House Supervisor) will activate the Hospital Incident Command System (HICS) as appropriate.



## EARTHQUAKE RESPONSE

During an Earthquake	<p><b>S</b> – Stay in Place</p> <p><b>H</b> – Hold onto or hide under Something Sturdy</p> <p><b>A</b> – Assess Your Environment – Report Injuries / Damage</p> <p><b>K</b> – Keep Calm</p> <p><b>E</b> – Evacuate if Necessary (e.g., you are in danger, building is damaged)</p>
After the Shaking Stops	<ul style="list-style-type: none"> <li><input type="checkbox"/> Be prepared for aftershocks. They can occur at any moment and could be as powerful as the original earthquake. Stay out of damaged buildings.</li> <li><input type="checkbox"/> Move cautiously and observe your surroundings for potentially hazardous situations.</li> <li><input type="checkbox"/> Check for injured people. Do not move seriously injured people unless they are in immediate danger.</li> <li><input type="checkbox"/> Check for fire hazards.</li> <li><input type="checkbox"/> If you think the building has been damaged, evacuate. After-shocks can level severely damaged buildings.</li> <li><input type="checkbox"/> Do not use the telephone except to report an emergency. If a call is necessary, call <b>(714) 456-6123</b> and report the emergency situation to the Operator. Be sure to give your name, building, room number, and telephone extension.</li> <li><input type="checkbox"/> Do not use plumbing or anything electrical (including elevators) until after the utility and electrical lines have been checked.</li> <li><input type="checkbox"/> Open doors carefully, watching for falling objects that may fall.</li> <li><input type="checkbox"/> Do not use matches, lighters, or open flames until it is assured that no gas leaks exist.</li> <li><input type="checkbox"/> Wait for a clearance from Facilities Management before flushing toilets. Sewage lines must be checked to assure they are intact.</li> <li><input type="checkbox"/> Facilities Management will inspect all damage from the earthquake and determine priority of repair work needed.</li> <li><input type="checkbox"/> Immediately clean-up spilled medicines, drugs and other potentially harmful materials.</li> <li><input type="checkbox"/> The Medical Center external disaster plan will be activated if necessary.</li> </ul>

## GENERAL EMERGENCY PROCEDURES – CODE TRIAGE

Code Triage is the basic emergency response that activates the UCI Medical Center’s Emergency Operations Plan (EOP). The four types of Code Triage announcements are as follows:

<b>ALERT</b>	<p>Notifies appropriate staff that an event has occurred, or may occur, that could potentially impact the facility.</p>
<b>INTERNAL</b>	<p>Activation of the organization’s Emergency Operations Plan (EOP) to respond to an event that has occurred within the facility. (i.e., Fire, Flood, Utility Outage, Code Pink, Code Silver, etc.).</p>
<b>EXTERNAL</b>	<p>Activation of the organization’s Emergency Operations Plan (EOP) to respond to an external event that has disrupted, or may disrupt, the facility’s normal operations. (i.e., Earthquake, Mass Casualty Incident, Area Hospital Evacuation, etc.).</p>
<b>SURGE</b>	<p>Activation of the UC Irvine Health Medical Center’s Surge Plan when;</p> <ul style="list-style-type: none"> <li>• A disaster event that would require a large influx of patients, which requires patient triage to occur an alternate location.</li> <li>• A disaster impacts patient care delivery due to unique staffing requirements</li> </ul>



A Code Triage is to inform Medical Center personnel that activation of the Medical Center's Emergency Operations Plan (EOP) may be occurring. A Code Triage provides an appropriate response to all hazards and events that may potentially have a significant impact on the normal operation of the Medical Center; i.e., natural or manmade disasters, internal utility failures, supply shortages, acts of terrorism, disease outbreak, etc.

UC Irvine Health utilizes the Hospital Incident Command System (HICS) as an organizational tool to respond to all disasters. This guide outlines the appropriate steps staff should follow during Code Triage activation. Staff who may be selected for a HICS position during a disaster may find information for their assigned role in their Job Action Sheet in the Emergency Operations Center.

#### 6.4 Methods of Emergency Communications across the campuses

When large-scale emergencies, urgent crisis situations or other dangerous situations occur on the UCI and/or UCI Health Medical Center campuses, there may be a need to deliver emergency notifications to the campus and establish stable, secure communications within and beyond the campus to gather information, direct emergency responders and inform the campus communities and the public. The goal with emergency communications is to have significant redundancy to effectively disseminate desired messages in a timely manner. Listed herein are descriptions of a myriad of communication channels that can be used to facilitate communications. For more information, please visit <https://em.uci.edu/index.php>

1. UCI and UCI Health Medical Center: Campus Voice mail
2. UCI and UCI Health Medical Center: Zot Mail (Campus-wide email)
3. UCI and UCI Health Medical Center: zotALERT SMS Text Messaging and Email
4. UCI Health Medical Center: Everbridge
5. UCI Health Medical Center: Internal Intranet Homepage
6. UCI and UCI Health Medical Center: Social Media Websites (e.g., blog, Facebook, Twitter, Nixle, Google +)

7. UCI: Alertus Desktop Notifications & Classroom Beacons
8. UCI Health Medical Center: Desktop Marquee Banner Desktop Notifications
9. UCI Health Medical Center: Computer Terminal Screen Savers
10. UCI: UCI Preparedness Website
11. UCI and UCI Health Medical Center: Hotline 866 IRV-NEWS
12. UCI and UCI Health Medical Center: 800 MHz Radios with Campus Channels
13. UCI: Zot Radio AM 1690 and KUCI Radio FM 88.9
14. UCI: Marquee Message Boards
15. Call Experts Call Center

The following systems are available to members of the larger community who are interested in receiving notification information regarding emergencies on the UCI campus:

- Zot Radio AM 1690
- KUCI Radio FM 88.9
- Facebook <http://facebook.com/UCIrvinePD>
- Twitter <http://twitter.com/UCIrvinePD>





## 6.5 Testing Emergency Response and Evacuation Procedures

UCI tests its emergency response and evacuation procedures on an annual basis in compliance with the Clery Act. A “test” for Clery Act purposes includes regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. A test may be announced or unannounced. The UCI Emergency Management Department designs at least one scheduled exercise<sup>1</sup> and drill<sup>2</sup> each year to test emergency response and evacuation on a campus-wide scale<sup>3</sup>. The test is designed to address UCI’s plan for evacuating all of the buildings on campus and reviewing the plans for the evacuation of each building.

This test is announced to the campus community each year in conjunction with publication to the UCI campus community of emergency response and evacuation procedures. The UCI Emergency Management Department drafts and sends out a UCI community-wide email utilizing the ZotMail email system in conjunction with the test each year, in compliance with the Clery Act regulations for addressing emergency response and evacuation on a campus-wide scale. The campus-wide email contains a link to UCI’s emergency response and evacuation procedures. The test contains follow through activities managed by the Emergency Management Director in the form of an After-Action Report and gathering feedback from participants.

Furthermore, this test is designed for assessment of emergency plans and capabilities at UCI with defined

and measurable goals. The test is designed such that once it is completed and an assessment has been done, the Emergency Management Department, in conjunction with other campus partners, can determine whether the test met its goals.

The UCI Emergency Management Department, in conjunction with other campus partners, performs a number of other various tests, including a wide variety of drills and exercises, throughout each calendar year. Each test is documented and kept in the Emergency Management Department records, with the following information documented: (a) a description of the test, (b) the date the test was held, (c) the time the test started and ended, and (d) whether the test was announced or unannounced.

UCI Health tests the emergency response and evacuation procedures at least twice a year during scheduled Emergency Operation Plan (“EOP”) activations, and during disaster training events such as tabletop exercises and county-wide drills. These EOP activations are designed to evaluate the UCI Health Medical Center’s hospital response to an event as well as any exercised department emergency plans, policies, procedures and/or other capabilities of the institution, and educate the organization on the systems they may encounter during an emergency response. Multiple training, exercise and drill activities are coordinated each year, including activation of the Hospital Command Center (HCC) and participation in state and county wide disaster planning activities. All EOP activations are evaluated by trained observers, critiqued by all participants, include a

debrief to add feedback from any involved party, and contain ongoing follow-through activities that are monitored by the UCI Health Emergency Management Committee, designed to assess and evaluate UCI Health's emergency plans and capabilities. All UCI Health EOP activation after action reports, which contain an improvement plan follow-through activity, are available upon request from the Emergency Management Department at UCI Health. A UCI Health (Medical Center) community-wide email utilizing the ZotMail email system is sent out in conjunction with at least one of the tests each calendar year.

## 7.0 Emergency Notifications ("zotALERTS")

The Clery Act requires all colleges and universities to have an emergency notification policy and procedures in place in accordance with emergency notification criteria. Emergency notifications must be issued to the UCI campus and/or UC Irvine Health Medical Center campus communities upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees occurring on either of the campuses. As described below, the UCI Police Department has developed a comprehensive emergency notification policy that sets forth university guidelines in issuing an emergency notification, generally known as a "zotALERT" notification at UCI and the UCI Health Medical Center. The zotALERT text message and email notification systems for the UCI and the UCI Health

Medical Center campuses are separate systems given the geographic distance and difference in populations between the two campuses. Both emergency notification systems may be activated separately or together at the same time, depending on the situation.

### 7.1 zotALERT General Policy

UCI Police Department will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the emergency notification system, unless issuing such notification will, in the professional judgment of the UCI Police Department authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. An emergency notification may utilize other methods of communication to segments of the UCI and/or UCI Health Medical Center campus communities instead of or in addition from the "zotALERT" text message and email notification system, in compliance with the Clery Act.

The UCI Police Department has primary authority and responsibility for issuing emergency notifications, including zotALERTS, on behalf of UCI and UCI Health Medical Center and will do so in accordance with the UCI Police Department policy in effect at the time of each notification made. Each determination to issue a zotALERT notification will be based on the best professional judgment of on-duty personnel at the UCI Police Department, as set forth in departmental police.

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<sup>1</sup> An "exercise" for Clery Act purposes is a test involving coordination of efforts (i.e., a test of the coordination of first responders, including police, firefighters and emergency medical technicians).

<sup>2</sup> A "drill" for Clery Act purposes is an activity that tests a single procedural operation (i.e., a test of initiating a cell phone alert system or a test of campus security personnel conducting a campus lockdown).

<sup>3</sup> "Campus-wide" scale means that tests must address the plan for evacuating all of the campus buildings (not necessarily all at once)

## 7.2 zotALERT Sign-Up Information and Troubleshooting

All students, staff and faculty are strongly encouraged to sign-up to receive zotALERT emergency text message notifications. Each zotALERT notification message will be sent as a text message to the cell phones of those students, staff and faculty who sign up and opt-in to receive such notifications. Additionally, all students, staff and faculty with “uci.edu” email addresses will receive zotALERT notification messages as an email sent to their “uci.edu” email inbox regardless of whether they opt-in to receive zotALERT text message notifications.

### Students

Students are strongly encouraged to sign up for zotALERT text message notification messages. In order to do this, each student will need a "text-enabled" cell phone (standard data fees and text message charges may apply). The following steps involved in the sign-up process must be followed:

1. Login to Student Access located at <https://www.reg.uci.edu/access/student/welcome/>. Click “Click here to Login” and sign in with your unique UCInetID username and password.
2. Click Contact Information
3. Update your Mobile Phone and provide your cell phone number.
4. Click the “Submit Changes” button and close the web browser.

### Staff and Faculty

Staff and faculty are also strongly encouraged to sign up for zotALERT notification messages. In order to do this, each staff and faculty member will need a "text-enabled" cell phone (standard data fees and text message charges may apply). The following steps involved in the sign-up process must be followed:

1. Login to PhUpdate located at <https://phupdate.oit.uci.edu/phupdate>. Sign in with your unique UCInetID username and password.
2. Enter your cell phone number in the Emergency Cell field.
3. Click the “Submit Change Request” button and close the web browser.

Students, staff, and faculty can also enroll in the zotALERT system by visiting: <http://www.oit.uci.edu/zotALERT> and following the sign-up instructions on screen.

### UCI Health zotALERT Sign-Up Information

All UCI Health staff are encouraged to sign-up to receive UCI Health zotALERT emergency text message notifications. Each zotALERT notification message will be sent as a text message to the cell phones of those staff who sign up and opt-in to receive such notifications. Additionally, staff with “uci.edu” email addresses will receive the zotALERT notification message as an email sent to their “uci.edu” email inbox regardless of whether they opt-in to receive zotALERT text message notifications.

### UCI Health Staff

In order to do this, each staff member will need a "text-enabled" cell phone (standard data fees and text message charges may apply). The following steps involved in the sign-up process must be followed:

1. Login to UC Irvine Health zotALERT located at: <https://www.oit.uci.edu/services/communication-collaboration/zotalert/>
2. Update your Primary Cell, Secondary Cell number and Secondary Email into the form.
3. Click the “Update” button and close the web browser.

### zotALERT Troubleshooting

Students, staff and faculty who may have trouble receiving zotALERT text message notifications are encouraged to contact the OIT Help Desk at [oit@uci.edu](mailto:oit@uci.edu) or at (949) 824-2222. Additionally, the following steps may assist in resolving a particular problem:

1. Verify the emergency cell phone number entered is correct. There have been instances where a telephone number entered was a home telephone, was a disconnected telephone number, contained the incorrect area code, was one digit off, etc.
2. Ensure the cell phone number entered can receive text messages. If text messaging on a



particular cell phone is not used on a regular basis; confirm with the cellular service provider that the service plan includes text-messaging capabilities. Cell phone plans vary among cellular service providers. Not all cell phone plans include text messaging as a part of the plan. If you do not receive a zotALERT text message notification, the first troubleshooting step to try is to verify text messages are being received by sending a test text message to the cell phone device, or asking someone else to send a test text message to the cell phone device. Note: Users of Google Voice must enter cell phone numbers provided by the cellular carrier. Google Voice does not directly accept text messages from service providers who use short codes to send text messages.

3. Ensure the cell phone device does not have text messaging blocked. Some cellular carriers will allow peer-to-peer text messaging, but they may block text messages from third party mass marketing services or zotALERT system messages. For the zotALERT text messages to arrive successfully, no blocking should be on the account.
4. If using a pre-paid or pay-as-you-go cellular plan, ensure that sufficient credits are available to receive a zotALERT text message.

### 7.3 Standard for Issuing zotALERTS

A zotALERT emergency notification message will be issued to the UCI and/or UCI Health Medical Center campus communities immediately upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the UCI campus and/or UCI Health Medical Center campus.

“Confirmation” means that an official(s) has verified that a legitimate emergency or dangerous situation exists. This does not mean that all the pertinent details are known or even available at the time that an emergency or dangerous situation is confirmed. An “immediate threat” means an imminent or impending threat. Confirmation is based on several factors; a report, visual observation, and communication from the UCI community or neighboring law enforcement agency.

### 7.4 Process to Confirm a Significant Emergency or Dangerous Situation and Determine zotALERT Notifications

The types of incidents that may present an immediate threat to the UCI and/or UCI Health Medical Center communities may include, but are not limited to, emergency or dangerous situations involving an: in-progress serious or violent crime, earthquake, active shooter, hostage/barricade situation, riot/civil unrest, bomb threat, suspicious package with confirmation of a device, tornado, fire/explosion, homicide or suspicious

death, structural damage to a UCI or UCI Health Medical Center owned or controlled facility, biological threat, significant flooding, gas leak, hazardous materials spill (e.g., chemical, biological, radiological, nuclear), armed intruder, and/or illness outbreak. Other types of emergencies or dangerous situations may arise at any time. Each situation will be analyzed on a case-by-case basis.

When a significant emergency or dangerous situation has been reported to the UCI Police Department that involves criminal activity or public safety, the UCI Police Department Watch Commander on-duty has primary responsibility to confirm that a reported emergency or dangerous situation is legitimate and poses an immediate threat to the health or safety of students and employees occurring on the UCI and/or UCI Health Medical Center campuses. In addition to the Watch Commander on-duty, the UCI Police Department Patrol Lieutenant, Services Division Lieutenant, UCI Health Public Safety Lieutenant, Assistant Chief of Police or Chief of Police may also confirm that a significant emergency or dangerous situation exists. A confirmation decision will be made, given all of the information that has been reported to the UCI Police Department and that is known at that time.

Additionally, the confirmation process for confirming other types of significant emergencies or dangerous situations, not directly related to criminal activity or public safety situations, may involve input and consultation from additional UCI and UCI Health Medical Center departments and personnel:

#### **At UCI**

- Significant emergencies or dangerous situations involving a disease or illness outbreak on the UCI campus may be confirmed by members of the UCI Public Health Advisory Committee, UCI Student Health, UCI Emergency Management Department, Orange County Health Care Agency (OCHCA) and/or UCI Environmental Health & Safety (EH&S).
- Significant emergencies or dangerous situations involving weather on the UCI campus may be confirmed by the UCI Emergency Management Director, personnel at the Orange County Operational Area, and/or sources from the National Oceanic and Atmospheric

Administration (NOAA) and/or the National Weather Service (NWS).

- Significant emergencies or dangerous situations involving hazardous materials on the UCI campus may be confirmed by the UCI EH&S Department, UCI Facilities Management, the UCI Emergency Management Director, the UCI Police Department Watch Commander on-duty, and/or personnel from Orange County Fire Authority (OCFA).

#### **At UCI Health Medical Center**

- Significant emergencies or dangerous situations involving a disease or illness outbreak at the UCI Health Medical Center may be confirmed by members of the UCI Health Medical Center EH&S Department, UC Irvine Health Epidemiology and Infection Program (EIP), Orange County Health Care Agency (OCHCA), the California Department of Public Health, and/or the Center for Health and Human Services.
- Significant emergencies or dangerous situations involving weather at the UCI Health Medical Center may be confirmed by members of the UC Irvine Health EH&S Department, the Orange County Operational Area, and/or sources from the National Oceanic and Atmospheric Administration (NOAA) and/or the National Weather Service (NWS).
- Significant emergencies or dangerous situations involving hazardous materials at the UC Irvine Health Medical Center may be confirmed by UC Irvine Health Medical Center EH&S Department, UCI Health Medical Center Facilities Management, the UCI Police Department Watch Commander on-duty, and/or personnel from Orange County Fire Authority (OCFA), City of Orange Fire Department or the City of Anaheim Fire & Rescue Department.

## 7.5 Procedure to Issue and Send Out zotALERT Notifications

Once the decision has been made to issue a zotALERT notification utilizing the mass email and text message system or other communication method(s) for emergency notification at the UCI and /or UCI Health Medical Center campuses, the Dispatcher(s) on duty will draft the message and initiate the zotALERT notification system. Notification to the UCI Police Department Chain of Command to issue a zotALERT notification is not necessary when time is of the essence. In the event of an extreme circumstance or other emergency situation, and as an absolute last resort, if the Dispatcher(s) on-duty is unable to draft and initiate sending out the zotALERT notification, additional personnel at the UCI Police Department may be contacted to assist with drafting and sending out the zotALERT notification: Dispatch Supervisor, Clery Act Compliance Program Manager,

Patrol Division Lieutenant, Services Division Lieutenant, Watch Commander, Assistance Chief and the UCI Health Public Safety Division Lieutenant.

zotALERT text messages are limited to under 300 characters (including spaces) per message sent and therefore brevity is important. A second zotALERT message will be issued if more than 300 characters in the first zotALERT message are necessary. The Office of Information Technology (OIT) will automatically convert the text message and distribute it via email to all valid UCInetID email accounts depending on which campus the zotALERT notification is issued to (i.e., UCI and/or the UCI Health Medical Center campus email accounts).



## 7.6 Notification to Specific Segments of the UCI Community

While the Clery Act allows for flexibility in alerting only the segment of the UCI and/or UCI Health Medical Center campus population that is determined to be at risk, when a significant emergency or dangerous situation that poses an immediate threat to the health or safety of students or employees is confirmed, the zotALERT notification system by default notifies the entire UCI and/or UCI Health Medical Center campus communities via community-wide email and text messaging (text messages for students, staff and faculty who have opted-in to receive text messages). The zotALERT email and text messaging system will not be segmented to send a notification only to a specific population within the community. Rather, the zotALERT email and text messaging system will send a notification to all registered students, staff and faculty who have signed up to receive text message notifications and all student, staff and faculty uci.edu email addresses will receive a campus-wide email of any zotALERT notification that is sent out. The zotALERT text message and email notification systems are separate systems at the UCI and UCI Health Medical Center campuses. Both emergency notification systems may be activated separately or together at the same time, depending on the situation.

## 7.7 Content of the zotALERT

When a zotALERT notification is drafted, the following information may be included in the zotALERT message, if available: (a) the beginning of the message will state, "zotALERT," (b) the type of emergency or dangerous situation that poses an immediate threat to the UCI and/or UCI Health Medical Center campus community, (c) the time and location of the incident, (d) general guidance on action to take given the situation, and (e) suspect description information, if relevant and determined to be necessary by UCI Police Department. In accordance with federal law, no victim name or personally identifying information for or about the victim is allowed. Depending on the situation, other information may be included in the zotALERT message.

UCI Police Department has developed standardized script templates, based on various types of emergency or dangerous situation incidents, to serve as a reference guide for on-duty UCI Police Department staff to issue emergency notifications to the UCI and UCI Health

Medical Center campus communities via the zotALERT notification system.





## 7.8 Follow Up Information and Closure Message

When a zotALERT notification is issued, additional notification messages will be issued if and when new information becomes available, until such time that a zotALERT notification closure message is issued. Once the UCI Police Department has determined there is no longer an emergency or dangerous situation that poses an immediate threat to the UCI and/or UCI Health Medical Center campuses, a zotALERT closure message will be issued. This includes situations when there is no longer an immediate threat, the situation is under control, and/or the guidance provided in the zotALERT is no longer required.

## 7.9 Limited Exceptions to Issuing a zotALERT

As allowed by federal law, the only exceptions to issuing a zotALERT notification message are whether a notification will, in the judgment of the UCI Police Department first responders (including other first responders who may respond to a given situation) and/or UCI Police Department management team (i.e., Chain of Command), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. This exception to issuing zotALERT notification messages will not be construed broadly and is a very narrow exception that may apply in limited circumstances.



## 7.10 Other Emergency Communication Methods and Systems

There are other emergency communication methods and systems in place at both the UCI and UCI Health Medical Center campuses, in addition to the zotALERT mass email and text message notification system. Such other methods and systems include:

- UCI and UC Irvine Health Medical Center: Campus Voicemail
- UCI and UC Irvine Health Medical Center: Zot Mail (Campus-wide email)
- UC Irvine Health Medical Center: Everbridge
- UC Irvine Health Medical Center: Internal Intranet Homepage
- UCI and UCI Health Medical Center: Various Social Media Websites (i.e., blog, Facebook, Twitter, Nixle, Google +)
- UCI: Alertus Desktop Notifications & Classroom Beacons
- UCI Health Medical Center: Desktop Marquee Banner Desktop Notifications
- UCI Health Medical Center: Computer Terminal Screen Savers
- UCI and UC Irvine Health Medical Center: Hotline 866 IRV-NEWS
- UCI and UCI Health Medical Center: 800 MHz Radios with Campus Channels
- UCI: 800 MHz Radios with OC Channels
- UCI: Zot Radio AM 1690 and KUCI Radio FM 88.9
- UCI: Marquee Message Boards
- UCI and UCI Health Medical Center: Building Fire Alarm Systems

Some or all of these additional methods of communication may be activated in the event of an emergency or dangerous situation that poses an immediate threat to the health or safety of students or employees occurring on the UCI and/or UCI Health Medical Center campuses.

On a case-by-case basis, information may be distributed to the larger community. The different communication methods are as follows:

- Zot Radio AM 1690
- KUCI Radio FM 88.9
- Issuing a public information release
- Facebook <http://facebook.com/UCIrvinePD>
- Twitter <http://twitter.com/UCIrvinePD>

Should notification be needed to the larger Irvine community, UCIPD would follow their Media Relations procedures (UCIPD Policy 302 Media Relations) for media releases and media access of emergencies, criminal investigations, and scenes of disasters. The ultimate authority and responsibility for the release of information shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Lieutenants, Watch Commanders and designated Public Information Officer(s) may prepare and release information to the media and greater Irvine community.



## 8.0 Timely Warnings (“Crime Alerts”)

### 8.1 Crime Alert General Policy

In order to help safeguard the UCI and UC Irvine Health Medical Center campuses, to increase crime awareness and to meet the Clery Act Timely Warning (Crime Alert) requirements, a Crime Alert notification may be issued following the reporting of a Clery Act crime that was reported to have occurred within UCI’s Clery geography to the UCI Police Department that meets the standard for issuance set forth below. Issuance of a Crime Alert is not required based on the same circumstances, factors and criteria as a zotALERT emergency notification.

### 8.2 Reporting Clery Act Crimes to UCI Police Department

All crimes should be reported immediately to the UCI Police Department on the UCI and/or the UCI Health Medical Center campuses by dialing 9-1-1 (for all emergencies) or calling the UCI Police Department Dispatch Center 24 hours a day, 7 days a week at (949) 824-5223 (for all non-emergencies), in addition all crimes can be reported in person at the UCI Police Department, which is located at 410 East Peltason Drive, Irvine, CA 92697. Clery Act crimes include homicide/non-negligent manslaughter, negligent manslaughter, sex offenses (including rape, fondling, incest and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, hate crimes, dating violence, domestic violence, and stalking, alcohol, drug and weapons violations.

### 8.3 Responsibility for Issuing Crime Alerts

The UCI Police Department has the responsibility for issuing Crime Alerts at UCI and UCI Health Medical Center campuses. UCI Police Department will alert the community about Clery Act crimes in a manner that aids in the prevention of similar crimes. Although the Clery Act does not define the word “timely,” because the intent of a warning regarding a criminal incident(s) is to allow people to take precautions for their personal safety, a Crime Alert for a reported Clery Act crime that rises to the level of requiring the issuance of a Crime Alert should be issued as soon as pertinent information about the crime is available. Therefore, even if not all of the facts surrounding a criminal incident(s) are available, UCI will issue a Crime Alert for any Clery Act crime that meets the Crime Alert criteria set forth below.

## 8.4 Standard for Issuing Crime Alerts

A Crime Alert is a notification to the UCI and/or UCI Health Medical Center campus communities based on a report of a Clery Act crime where such crime is reported to the UCI Police Department or to a Campus Security Authority (“CSA”), who in turn reports such crime in a timely manner to the UCI Police Department, and the crime is considered by the UCI Police Department to represent a serious or continuing threat to students and employees at the time of the report.

The determination to issue a Crime Alert is made on a case-by-case basis in light of all of the facts surrounding a reported crime including, but not limited to such factors, whether there is a serious or continuing threat to students and/or employees, as the nature of the crime, the possible risk of compromising law enforcement efforts, whether a suspect has been apprehended and/or arrested, whether there has been a pattern or series of similar crime(s), and the potential risk of others becoming a victim of similar crimes.

### 8.5 Determination to Issue Crime Alerts

The decision to issue a Crime Alert is determined by the following UCI Police Department personnel: Chief of Police, Assistant Chief, Lieutenants, Watch Commander, and the Clery Act Compliance Program Manager.

The UCI Police Department may elect not to issue a Crime Alert in very limited circumstances. First, if the UCI Police Department or other law enforcement agency apprehends the suspect(s) of a Clery Act crime and the serious or on-going threat to students and employees of the UCI and/or UCI Health Medical Center campuses has been mitigated and/or removed by the apprehension or arrest of such suspect(s), or if it is otherwise determined by a member of the UCI Police Department (who holds Crime Alert Decision Making Authority) that a serious or on-going threat does not exist after the report of a Clery Act crime is made to the UCI Police Department, a Crime Alert may not be issued. Second, if a crime report was not filed with the UCI Police Department or if the UCI Police Department was not notified of a Clery Act crime report in a manner that would allow the UCI Police Department to issue a timely warning to the UCI and/or



UCI Health Medical Center campuses, a Crime Alert may not be issued. The determination as to “timeliness” will be made on a case-by-case basis for each reported Clery Act crime. The UCI Police Department will follow the departmental policy regarding Crime Alerts in making these determinations.

The UCI Police Department may elect to delay issuing a Crime Alert if it is determined that such issuance may jeopardize a criminal investigation.

The UCI Police Department will consider notifying crime victims before Crime Alerts are issued.

### **8.6 Procedure for Drafting and Composing Crime Alerts**

During normal business hours (generally Monday through Friday, 8:00 a.m. to 5:00 p.m.), any member of the UCI Police Department who learns of a reported Clery Act crime will bring such crime to the attention to the Clery Act Compliance Program Manager

so that a Crime Alert issuance determination may be made by a UCI Police Department designated individual who has Crime Alert decision-making authority as listed in [section 8.5](#) above. If the Clery Act Compliance Program Manager is unavailable at the time of such a report, a member of the UCI Police Department management team must be notified so that a Crime Alert determination may be made.

Once a determination is made to issue a Crime Alert, the Clery Act Compliance Program Manager will draft a Crime Alert based on all of the available information at that time. If unavailable, another member of the UCI Police Department management team will draft the Crime Alert.

The following items of information will typically be included in the draft of the Crime Alert, if available, unless issuing any of this information would risk compromising law enforcement efforts: (1) description of the incident (i.e., type of crime, date occurred, time

occurred, and general location (unless providing a location would otherwise identify a victim)), (2) physical description of the suspect, if relevant and deemed necessary (no crime victim name or personally identifying information for or about the crime victim is allowed per federal law) (3) possible connections to previous reported incidents, (4) information limited to whether the victim is affiliated / not affiliated with UCI or the UCI Health Medical Center, and whether injuries/no injuries were sustained, to the extent this information is relevant, (5) information and tips that will promote safety and potentially aid in the prevention of similar crimes (i.e., crime prevention and safety tips), (6) date and time the Crime Alert was issued, (7) UCI Police Department contact information, and (8) any other information as deemed appropriate by those vested with Crime Alert decision making authority.

Once the Crime Alert draft has been prepared, it will be reviewed for approval by members of the UCI Police Department management team as well as the office of the Vice Chancellor, Finance and Administration (if time and circumstances permit).

After normal business hours (generally Monday through Friday, 8:00 a.m. to 5:00 p.m.), on weekends and during holidays, if a Clery Act crime is reported to the UCI Police Department, the Watch Commander on-duty will notify and make contact with the Patrol Division Lieutenant to provide notification of the reported Clery Act crime, immediately or as soon as practicably possible. A Crime Alert determination will be made as soon as possible by the Patrol Division Lieutenant and, if warranted, a Crime Alert will be issued to the UCI and/or the UCI Health Medical Center community before normal business hours resume. If the Patrol Division Lieutenant is unavailable or cannot be reached after normal business hours, the Watch Commander on-duty will contact the following individuals, in order, so that a Crime Alert determination may be made after normal business hours: (1) Clery Act Compliance Program Manager, (2) Services Division Lieutenant, (3) UCI Health Public Safety Lieutenant, (4) Assistant Chief, and (5) Chief of Police.

Once the Crime Alert draft has been reviewed, revised as necessary and approved, a UCI community-wide email containing the Crime Alert will be sent by email to the entire UCI and/or UCI Health Medical Center campuses via the UCI Zot Mail (community-wide email). Specific individuals who have authority and access to login and

send Zot Mail emails for approved Crime Alerts include: (1) Clery Act Compliance Program Manager, (2) Senior Analyst(s) and (3) Office of the Vice Chancellor, Finance and Administration.



## 8.7 Crime Alert Distribution Methods

Each Crime Alert will be sent community-wide at the UCI and/or UCI Health Medical Center campuses (depending on which campus the crime occurred) via the Zot Mail email system.

The Crime Alert distribution process may also include physical postings of Crime Alert bulletins in impacted areas by local personnel (i.e., in residential areas by residential life / student housing staff) and/or electronic postings on the UCI Police Department website at <https://www.police.uci.edu/clery/clery-crime-alerts.php>. It is the general policy of the UCI Police Department to post Crime Alerts on its webpage under the calendar year in which they were reported, unless determined otherwise by UCI Police Department management. Crime Alerts may also be posted on social media pages, which include but are not limited to Facebook, Twitter, and Instagram accounts.

In certain circumstances, Crime Alerts may also be posted in UCI and/or UCI Health Medical Center campus buildings, when deemed necessary by the UCI Police Department. When a Crime Alert is posted in campus buildings, it may be posted in general/common areas clearly visible to students/staff and in staff break rooms, etc., unless determined otherwise by the UCI Police Department based on the facts and circumstances of a particular case. Crime Alerts will also be made available to any students, staff and faculty that may not frequent the general/common areas in which Crime Alerts may be posted.

## 8.8 Confidentiality of Victim Identifying Information

All Crime Alerts will withhold as confidential the names and other identifying information of victims, as defined in section 4002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C.12291(a)(20)).

## 8.9 Exemption for Pastoral and Professional Counselor Reporting

Under the Clery Act, the issuance of a Crime Alert is not required with respect to crimes reported to a pastoral counselor or professional counselor who is practicing within the scope of his / her license, or such person who is otherwise determined to be exempt or otherwise not required to report crimes under the Clery Act.

Definitions of a “pastoral counselor” and “professional counselor” may be found in the [Other Defined Terms, section 18.4](#) below.

## 8.10 Community Advisories

Depending upon the circumstances of a particular case, incident or crime report, notification of particular crimes that are not Clery Act crimes, crimes that occur outside of UCI’s Clery Act geography, or incidents that do not rise to the level of where a Crime Alert may be required may be made by the UCI Police Department to specific segments of the UCI and/or UCI Health Medical Center campuses as determined by the UCI Police Department. A community advisory may be issued for a specific campus population and/or segment of the community and may be sent out to key UCI and/or UC Irvine Health Medical Center department contact personnel for notification to their respective populations, as deemed necessary by the UCI Police Department. Community Advisories will be issued by UCI Police Department personnel as deemed necessary on a case-by-case basis.





## 9.0 Sexual Violence and Sexual Harassment Interim Policy Statement – Prevention and Response

UC Irvine is committed to maintaining a community dedicated to the advancement, application, and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in university programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. UC Irvine prohibits acts of sexual assault, relationship violence, and stalking that violate law and/or University policy. In this Annual Security Report, the term “Sexual Violence” includes incidents of sexual assault, domestic violence, dating violence, and stalking of a sexual nature. The term “Prohibited Conduct” includes sexual harassment, sexual violence, and other conduct prohibited by the UC Sexual Violence and Sexual Harassment Policy (SVSH Policy). Any person can report conduct that may be Prohibited Conduct. The University will respond promptly and effectively to such reports. This includes appropriate action to stop, prevent, and remedy the Prohibited Conduct and, when necessary, to discipline the Respondent.

On an annual basis, UC Irvine distributes written notification to students and employees that reaffirms the University’s commitment to the UC SVSH Policy. In this written notice, the Chancellor (or their designee) provides a link to the UC Irvine’s Office of Equal Opportunity and Diversity web page ([oeod.uci.edu](https://oeod.uci.edu)), which includes a list of contact information for campus and community support resources. Information about campus and community resources is also included in documentation distributed to all impacted individuals, and to attendees of training sessions provided by OEOD.

The SVSH Policy is available online; [here](#). Additionally, information for all impacted parties regarding resources, reporting options, and education/training programs can be found at: <https://oeod.uci.edu/sho/resources-sexual-violence.php>

Note that on August 14, 2020, the U.S. Department of Education (DOE) issued new regulations that require the University to follow a specific grievance process (DOE Grievance Process) in response to conduct covered by the regulations. The UC SVSH Policy is more expansive than the DOE regulations, so the University will only apply the DOE Grievance Process when required, in response to DOE-Covered Conduct. See Appendix IV of the UC SVSH Policy for information about what is considered DOE-Covered Conduct and when the University will implement a DOE Grievance Process.

UC Irvine’s Title IX Officer, Tierney Anderson, is responsible for the University’s compliance with Title IX and University investigations of Sexual Violence.

Contact information for the Office of Equal Opportunity and Diversity: 949-824-5594 or <https://oeod.uci.edu/>

## 9.1 Definitions of Other Prohibited Conduct and VAWA Crimes

The following are Violence Against Women Act (VAWA) crime definitions per the Clery Act and UC SVSH Policy. As well as additional definitions of Prohibited Conduct per the UC SVSH Policy.

Note 1: Definitions in the clinical setting in the context of patient care can be found [here](#) in the SVSH Policy, p. 40.

### I. Definitions per the UC SVSH Policy

#### **A. Consent**

Consent is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires each person an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence, do not alone constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the Complainant and Respondent will never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The Respondent's belief that the Complainant consented will not provide a valid defense where:

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

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

#### **B. Prohibited Conduct**

1. Sexual Violence
  - a. Sexual Assault- Penetration: Without the consent of the Complainant, penetration, no matter how slight of:
    - Complainant's mouth by penis or other genitalia; or
    - The complainant's vagina or anus by any body part or object.
  - b. Sexual Assault-Contact: Without the consent of the Complainant, intentionally:
    - Touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks);
    - Making the Complainant touch another or themselves on any intimate body part; or
    - Touching the Complainant with one's intimate body part, whether the intimate body part is clothed or unclothed.

**Note 1:** This definition encompasses a broad spectrum of conduct, not all of which is sexual violence. So, the Title IX Officer must sometimes determine whether an allegation should be charged as sexual violence or sexual harassment.

Conduct that meets the definition of both sexual assault-contact and sexual assault- penetration will be charged as sexual assault- penetration.

**Note 2:** Sexual Assault - Penetration and Sexual Assault - Contact are aggravated when they include any of the following:

Overcoming the will of Complainant by:

- force (the use of physical force or inducing reasonable fear of immediate or future bodily injury);
- violence (the use of physical force to cause harm or injury);
- menace (a threat, statement, or act showing intent to injure);
- duress (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to



cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship (including power imbalance), to do or submit to something or submit to something that they would not otherwise do; or deliberately causing the Complainant to be incapacitated (for example, through drugs or alcohol);

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

### **C. Relationship Violence**

Physical violence towards the Complainant or a person who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child, or relative), or;

1. Intentional or reckless physical or non- physical conduct toward the Complainant or someone who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative) that would make a reasonable person in the Complainant's position fear physical violence towards themselves or toward the person with whom they have the close relationship that is by a person who is or has been a spouse, or intimate relationship with the Complainant, or who shares a child with the Complainant, and that is part of a pattern of abusive behavior by the person toward the complainant.
2. Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.
3. Patterns of abusive behavior may consist of or include non-physical tactics (such as threats, isolation, and property destruction, abuse of pets,

economic control, displaying weapons, degradation, or exploitation of power imbalance).

4. The nature of the relationship between the Complainant and Respondent is determined by the length of type of relationship, and the frequency of interaction between them. Relationship violence includes both "dating violence" and "domestic violence".
5. Conduct by a party in defense of self or another in is not Relationship Violence under this Policy. If either party asserts that they acted in defense of self or another, the Title IX Officer will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

### **D. Stalking**

1. Stalking is repeated conduct directed at a Complainant (for example, following, monitoring, observing, surveilling, threatening, communication or interfering with property), of a sexual, romantic or other sex-based nature of motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking that is not sex-based is addressed by other University policies including but not limited [Policies Applying to Campus Activities, Organizations, and Students section 102.10](#).

### **E. Sexual Exploitation**

1. Sexual Exploitation is taking sexual advantage of another, where the conduct is not otherwise addressed in this Policy, in the following circumstances:
  - a. The trafficking or prostituting of another without their consent: Inducing the Complainant to perform a commercial sex act through force, fraud, or coercion, or where the Complainant is under the age of 18;
  - b. Knowingly making a materially false representation about sexually transmitted infection, birth control, or prophylactic status with the specific intent and effect of inducing

- the Complainant to participate in a specific sexual act or encounter;
  - c. Providing alcohol or drugs to the Complainant with the specific intent and effect of facilitating Prohibited Conduct; or
  - d. Actively facilitating or assisting another person in committing Prohibited Conduct.
2. As used in the above definition of Sexual Exploitation:
- a. Coercion is overcoming the will of Complainant through:
    - credible threats of serious physical or non-physical harm to the Complainant or another person;
    - a plan intended to make the Complainant believe that failure to perform an act would result in serious physical or non-physical harm to the Complainant or another person; or
    - the abuse or credible threat of abuse of a legal or University policy process.
  - b. A commercial sex act is any sex act for which anything of value is given to or received by any person.
  - c. Force is physical conduct that would reasonably overcome the will of another.
  - d. Fraud is intentional deception that would reasonably overcome the will of another.

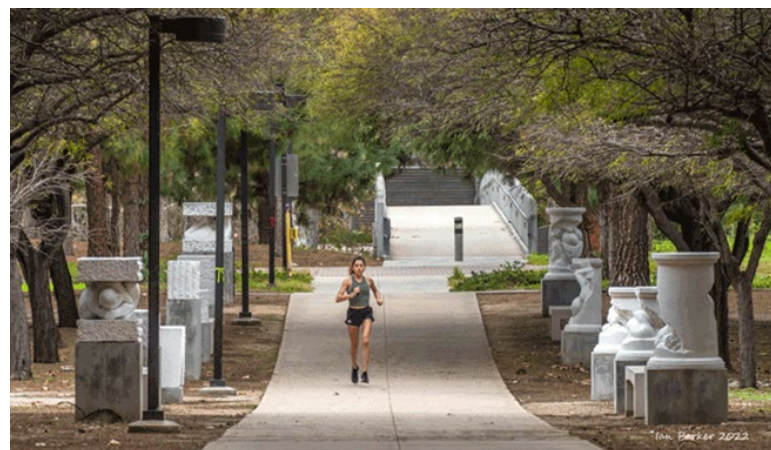
## II. Definitions per the Clery Act

**A. Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Attempted sexual assaults of the following types are counted as statistics of crime. This definition includes male and female victims.

1. Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition of Rape now includes "Sodomy" and "Sexual Assault with an Object" crime definitions. One offense per victim is counted.
2. Fondling: The touching of the private body parts of another person for the purpose of sexual

gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. One offense per victim is counted.

3. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One offense per victim is counted.
4. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. One offense per victim is counted.
5. Domestic Violence: The term "domestic violence" is defined as a felony or misdemeanor crime of violence committed;
  - a. by a current or former spouse or intimate partner of the victim,
  - b. by a person with whom the victim shares a child in common,
  - c. by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
  - d. by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
  - e. or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.



6. Dating Violence: The term “dating violence” is defined as violence committed by a person:
- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration for:
    - The length of the relationship.
    - The type of relationship.
    - The frequency of interaction between the persons involved in the relationship.

For the purpose of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat or the threat of such abuse
- Dating Violence does not include acts covered under the definition of domestic violence.

7. Stalking: The term “stalking” means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person:
- To fear for the person’s safety or the safety of others;
  - Or suffer substantial emotional distress.

**Note 1:** 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.

**Note 2:** Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

**Note 3:** Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## 9.2 Other Prohibited Behavior

### A. Invasions of Sexual Privacy

- Without a person’s consent, watching or enabling others to watch that person’s nudity or sexual

acts in a place where that person has a reasonable expectation of privacy;

- Without a person’s consent, making or attempting to make photographs (including videos) or audio recordings, or postings, transmitting or distributing such recorded material, depicting that person’s nudity or sexual acts in a place where that person has a reasonable expectation;
- Using depictions of nudity or sexual activity to extort something of value from a person; or
- Threatening to post or share depictions of nudity or sexual activity unless a person takes a particular action.

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

C. Exposing one’s genitals in a public space for the purpose of sexual gratification.

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

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

In addition to UCI’s prohibition against retaliation, the Clery Act also prohibits retaliation. An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

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

**Note 1:** To determine whether conduct is DOE-Covered Conduct the Title IX Officer will do the assessment and apply the definitions in Appendix IV. The definitions here

are broader than and encompass all conduct included in the Appendix IV definitions.

**Note 2:** When Prohibited Conduct allegedly occurs in the context of patient care, the Title IX Officer will refer to Appendix V and, when indicated, apply the definitions in that Appendix.

### 9.3 Other Definitions

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

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

1. Licensed counselors in student counseling centers and in employee assistance programs,
2. Any persons with a professional license requiring confidentiality (including health center employees but excluding campus legal counsel), or someone who is supervised by such a person and
3. Pastoral counselors (persons associated with a religious order or denomination, who are recognized by that religious order or denomination as someone who provides confidential counseling).

Designation as a “Confidential Resource” under Policy only exempts a person from reporting to the Title IX Office. It does not affect other mandatory reporting obligation under UC CANRA (Child Abuse and Neglect Reporting Act) Policy, the Clery Act as a Campus Security Authority (CSA) and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

**C. Location:** “Location” is any University campus, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.

**D. Preponderance of Evidence:** A standard of proof that requires that a fact be found with its occurrence, based on evidence, is more likely than not.

**E. Respondent:** A person alleged, in a report to the Title IX Officer, to have engaged in Prohibited Conduct.

**F. Responsible Employee:** Any University employee who is not a Confidential Resource. If a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct or that Prohibited Conduct may have occurred in the context of patient care, they must promptly notify the Title IX Officer or designee. This includes resident assistants, graduate teaching assistants, and all other student employees, when disclosures are made to them in their capacities as employees.

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

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

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

### 9.4 Educational Programs and Campaigns to Promote the Awareness of Sexual Violence.

#### A. Prevention/Education

UCI is committed to the prevention of Sexual Violence through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention education as part of their orientation, and returning students and current employees receive ongoing training and related programs. UCI’s education and prevention programs reflect comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end Sexual Violence. These programs are

also designed to consider environmental risk and protective factors as they affect individuals, relationships, institutions, communities and society.

Prevention education focuses on the elimination of Sexual Violence on the campus, emphasizing the role of respect and communication in relationships and the absence of violence, abuse and manipulation. Prevention education is consistent with the CDC- endorsed social-ecological model, addressing factors at individual, relationship, community and societal levels. Additionally, prevention programs span the range of primary, secondary and tertiary levels throughout the year. The model is based upon lessons learned from effective prevention strategies, and an understanding of complex sociocultural dynamics and lessons learned from the fields of marketing and advertising, stressing repeated messaging.

All UCI students and employees are provided with programming, initiatives, strategies, and campaigns intended to prevent and end sexual assault, domestic violence, dating violence and stalking and to train individuals on how to best respond to disclosures.

These programs are tailored to UCI's community and the needs of students and employees. Additionally, these programs are culturally relevant, inclusive and responsive to the entire community and are informed by research. UCI makes a good faith effort to reach all incoming students and new employees and provide active notification about these programs. Online and in person training opportunities are provided utilizing a multi-pronged approach, including interactive workshops, theater performances, presentations, online interactive modules, and more.

Additionally, prevention efforts consist of online safety modules and in-person orientations for first-year students, response protocol trainings for student staff and professional staff, sexual assault, dating and domestic violence, and stalking prevention workshops, bystander trainings, educational workshops, guest lectures, resources fairs, passive displays, speaker's bureau events, and large campus wide events.

The UC system-wide curriculum, tailored to each audience, educates our community about Sexual Violence, how to prevent it, the role of intervention and available local resources. While ongoing trainings review and expand on initial programming content, programs

for new students and employees include the following information:

1. A clear statement that UCI identifies sexual assault, relationship violence and stalking as prohibited conduct as those terms are defined by the Clery Act.
2. Definitions of sexual assault, dating violence, domestic violence and stalking as defined in the local jurisdiction and in the Guidelines as well as examples of behaviors that constitute such offenses.
3. Definition of consent, in reference to sexual activity, as that term is defined in UCI's jurisdiction and in the Guidelines.
4. Social norms, including the attitudes and beliefs that normalize violence.
5. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is risk of sexual assault, dating violence, domestic violence or stalking against a person other than the bystander. See below for more information about Bystander Intervention.
6. Information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks. See below for more information about Risk Reduction.
7. How to respond to Sexual Violence using methods that acknowledge the impact of violence and trauma on survivors' lives.
8. Information about the procedure utilized when a crime is reported and the subsequent investigatory and disciplinary proceedings involved.
9. Local resources, including confidential support for survivors of Sexual Violence and appropriate services for those accused of Sexual Violence.
10. Rights and options about reporting Sexual Violence.

## Bystander Intervention

Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Sexual Violence. It includes recognizing situations of potential harm, overcoming barriers to intervening, identifying safe and effective intervention options and taking action to intervene.

UCI bystander intervention programs include UCI Green Dot and Step-UP UCI. Green Dot is a bystander intervention program that is informed by concepts and lessons learned from bodies of research and theory across disciplines including: violence against women, diffusion of innovation, public health, social networking, psychology, communications, bystander dynamics, perpetration, and marketing/advertising. Components of UCI's Green Dot Bystander Intervention Program include day-long student bystander trainings, bystander intervention overview workshops, promotional campaigns, and educational programs. The Green Dot curriculum focuses on providing students with tools to intervene and supporting a culture that communicates that violence will not be tolerated and that everyone has a role in preventing violence.

## Risk Reduction

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment in an effort to promote safety and to help individuals and communities address conditions that facilitate violence. Some risk-reduction strategies include the following:

1. Trust your intuition;
2. Let a friend or roommate know where you will be;
3. Utilize services, such as the Safety Escort Program through the UCI Police Department (949)824-5223;
4. Participate in Green Dot (949) 824-2220);
5. Attend Step Up UCI (949) 824-8355);
6. If you feel threatened on campus or in nearby areas, look for a blue light emergency phone or call 9-11;
7. Your voice and your body are your best weapons. Learn effective ways to use them by taking a self-defense class (949) 824-7273, and bring a friend with you;
8. Look out for one another.



## **B. Training**

The UCI Title IX/Office of Equal Opportunity and Diversity (OEOD) will provide comprehensive, regular training with a trauma-informed perspective for people responsible for responding to reports of Prohibited Conduct, including Advocacy and Respondent services, Alternative Resolution and Formal Investigation processes, and the hearing, remedy, discipline and appeal processes. UCI's Title IX/OEOD Office ensures the following, as described on page 21, Section E of the SVSH Policy: that University employees and contractors responsible for reporting or responding to reports of Prohibited Conduct, including those with responsibility in the investigation, adjudication and appeal processes, have proper training. OEOD at UCI provides and tracks training for employees who are investigators, other key members of the Title IX Officer's staff, and hearing officers and coordinators per guidelines issued by the Systemwide Title IX Office.

The OEOD Office ensures University training materials promote impartial investigations and adjudications and makes training materials publicly available on the campus website.

Specifically, at UCI, all UCI staff who investigate and adjudicate cases of sexual harassment and sexual violence are provided training by the UC Office of the President Systemwide Title IX Office. Training topics are: Initial Assessment and Investigation, The Pre-Hearing and Hearing Process, Rules of Conduct, Appeals and Sanctions, Impartiality and Avoiding Conflicts of Interest and Bias, Supportive Measures and Review of the UC Sexual Violence and Sexual Harassment Policy. OEOD investigative staff are compliant with UCOP requirements from the California State Auditor on required annual training and training for new staff including the following topics: UC policies and procedures including SVSH policy and adjudication frameworks; guidelines and templates issued by the Systemwide Title IX Office, and the clinical guidance; case resolution skills, techniques, and best practices including interviewing and evidence gathering, scoping, application of preponderance of the evidence, report writing, alternative resolution approaches, record keeping and documentation; legal requirements of Title IX and implementing documents, VAWA, the Clery Act, privacy related laws including FERPA and HIPPA, CANRA, and key court cases; complexities and considerations related to sexual violence in higher education; relevance

of trauma in sexual violence and cultural competency; university and community based referral resources for parties. Content for training on sexual violence policy, FERPA, HIPPA, CANRA and others can be found through the University of California Learning Center online courses.

Additionally, OEOD investigators receive key internal training from UCI campus partners, such as: ADA compliance; Clery Act compliance; trauma informed practices and neurobiology of trauma; public records requests; bystander intervention; managing distressed and disruptive students; suicide prevention; disAbility ally training; veteran ally training; SafeZone LGBTQ training; AB 540 and UndocuAlly training. Adjudicators of sexual violence and sexual harassment cases (both SVSH and DOE Grievance Process cases) receive annual systemwide training and campus training on the sexual violence and sexual harassment policies and frameworks and trauma informed practices, including in student cases, the Office of Academic Integrity and Student Conduct, Hearing Officers, Hearing Coordinators, and Appeal Officers (Vice Chancellor of Student Affairs), the Chancellor's Designee for faculty cases, the Vice Provost of Academic Personnel and the faculty members of the Peer Review Committee, and the Chancellor's Designee for staff cases, the Associate Chancellor of Human Resources.

## 9.5 Immediate Assistance and Procedures to Follow for Victims of Sexual Violence

### I. Victims of Sexual Violence are encouraged to take the following steps

#### **A. Safety**

Victims of Sexual Violence are strongly encouraged to immediately contact the UCI Police Department (UCIPD). UCIPD is located at 410 E. Peltason Drive, Irvine, CA and available 24 hours a day, 7 days a week. Call 9-1-1 or (949) 824-5223.

#### **B. Confidential Support Services**

The CARE (Campus Assault Resources and Education) Office offers a confidential Advocate during regular business hours. Waymakers offers a confidential 24-hour hotline to assist Victims in crisis and to assist Victims with obtaining Sexual Assault Forensic Exams and/or reporting to the police. For a complete list of on and off campus resources, please see the on and off campus [Resources](#) section below. CARE (Campus Assault Resources and Education) (949) 824-7273. Waymakers: (949) 250-0488.

#### **C. Preserve Evidence**

Even if a Victim is not sure about pursuing an investigation or sanctions against the alleged perpetrator, they are encouraged to preserve evidence. It is important to preserve physical evidence because it can assist in criminal prosecution in proving that the criminal offense occurred or obtaining a protection order. For example, Victims of sexual assault should make every effort to save anything that might contain the Suspect's DNA. Therefore, the Victim should try not to bathe or shower, use the restroom or douche, change clothes, comb hair, clean up the crime scene or move anything the offender might have touched. Evidence of sexual assault is most effectively collected via a Sexual Assault Forensic Exam ("Exam") within approximately 96 hours after an assault. To obtain the Exam, a Victim can call the police by dialing 9-1-1 or Waymakers: (949) 250-0488. The Exam is conducted at the Anaheim Regional Medical Center. A police report is not required to obtain an Exam. To obtain an Exam without a police report, survivors must call Waymakers at 949-250-0488 to be connected to the Forensic Nurse Specialist Team. The

Exam will help preserve evidence in case the Victim decides at a later date to file a police report.

Victims can also preserve evidence by saving text messages, instant messages, social networking pages, photographs, and other documents that could be useful to the police or UCI's investigators.

#### **D. Medical Attention**

Health providers can examine and treat physical injuries and provide pregnancy tests and testing for sexually transmitted diseases. The [UCI Student Health Center](#) provides medical care for all registered students. Employees may obtain medical attention through their medical provider.

It is important to note that any health center or physician treating the Victim of a violent crime is obligated by law to report the crime to the police. Student Health Center and UCI Health Medical Center do not conduct Exams. UCI will protect the privacy of individuals involved in a report to the extent possible under law and UCI policy.

## 9.6 Reporting Options Overview

Below is a description of reporting options for Victims of Sexual Violence.

#### **A. Reporting to the UCI Police Department**

UCIPD is located at 410 E. Peltason Drive, Irvine, CA and available 24 hours a day, 7 days a week. Call 9-1-1 or (949) 824-5223.

UCIPD provides a timely response for staff, students, faculty, and members of the community who have experienced Sexual Violence. In addition to emergency response, UCIPD conducts trauma informed investigations of Sexual Violence. For Sexual Violence that occurs off campus, local police should be contacted. The preservation of evidence is essential to the successful investigation and prosecution of Sexual Violence.





UCIPD personnel have been specially trained in the proper handling, identification, collection and preservation of such evidence. UCIPD can assist Victims by arranging an exam in order to provide admissible evidence when the person reporting the act of Sexual Violence desires prosecution through the criminal justice system.

Although it is never too late to file a police report, it is highly recommended to report Sexual Violence as soon as possible in order to allow for the collection of evidence. When a report is made to the UCIPD, an investigating officer trained in Sexual Violence cases will be dispatched to the scene and will explain the police procedures. If it is determined that an Exam is advisable, UCIPD will assist with transportation and contacting the Sexual Assault Nurse Examiner, who will conduct the Exam. The officer will inform the Victim that they have the right to have a support person present during the investigative interview.

Detectives will assist with the investigation and proper evidence collection. Victim Advocates are available to accompany Victims to Exams and any meetings with UCIPD.

At the conclusion of the police investigation, the case may be forwarded to the Orange County District Attorney's (OCDA's) office for review. The OCDA's office makes the final decision whether to criminally prosecute the suspect. If the OCDA's office does not move forward with a criminal prosecution, the Victim may request that a victim advocate accompany them to the OCDA's office for a meeting to discuss the decision.

A Victim may make a police report or participate as a witness in the court proceedings at his or her own discretion.

If a Victim chooses to file a police report, the Victim/Witness Assistance Program which is funded by the State of California, is available free of charge. Its services include counseling, court escort, advocacy and financial assistance.

If the Sexual Violence occurred off-campus, the Victim may file a report with the appropriate law enforcement agency with jurisdiction in the area where the crime occurred.

UCIPD encourages the UCI community, including students, to immediately contact them by dialing 9-1-1 or (949) 824-5223 to report Sexual Violence. The UCI Police Department is available 24 hours a day, 7 days a week. Address: 410 E. Peltason Dr. Irvine, CA 92697 Phone: (949) 824-5223 or 9-1-1.

To encourage reporting by Victims, UCIPD is committed to the following investigation procedures:

1. UCIPD will meet with Victims privately at a location where they are comfortable when feasible.
2. UCIPD will only notify Victim's parents\*, spouse, or significant other if the Victim consents.
3. UCIPD will treat Victims and their concerns with courtesy, sensitivity, dignity, understanding, and professionalism.
4. UCIPD will openly listen with no prejudgment and Victims will not be blamed for what occurred.
5. UCIPD will absolutely consider cases regardless of the Victim's gender or Suspects gender, gender identity, gender expression, sexual orientation.
6. UCIPD will assist Victims in arranging for any necessary hospital treatment or other medical needs. If needed, UCIPD also will assist Victims with the resources to obtain emergency housing.
7. UCIPD will assist Victims in coordinating advocacy support, privately contacting confidential counseling, and/or other available resources.
8. UCIPD will investigate cases, while keeping Victims regularly updated.
9. UCIPD will discuss and explain the criminal justice court process, as well as provide a video explaining all aspects of the investigation. Ultimately, it is the Victim's choice to participate in criminal prosecution.
10. UCIPD will continue to be available to answer Victims' questions, to explain options, and to explain rights.

\*If Victims are a minor aged 17 or younger, their parent(s) may be notified.

Victim advocates from UCI's Campus Assault Resources and Education (CARE) (949-824-7273) are available to assist Victims in notifying law enforcement authorities and accompanying victims to meetings with police if the Victim so chooses. UCI will comply with any Victim's request for assistance in notifying campus officials, UCIPD, local police or other local authorities.

Victims may also report any of these incidents to the local municipal police departments. Victims on the UCI campus may contact the Irvine Police Department, 1 Civic Center Plaza, Irvine, CA 92606 at (949) 724-7000. Victims at the UC Irvine Health Medical Center may contact the Orange Police Department, 1107 N. Batavia St., Orange, CA 92867 at (714) 744-7444.

**B. Reporting to the Title IX Officer at the Office of Equal Opportunity and Diversity (OEOD)** OEOD, 103 Multipurpose Science & Technology Building, Irvine, CA. (949) 824-5594—available Monday through Friday, 8:00 a.m. to 5:00 p.m. or report online through OEOD's [website](#).

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

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

Any Complainant, who reports Sexual Violence regardless of whether the offense occurred on or off campus, will be provided with a written explanation of their rights, options and resources. Any Respondent alleged of Sexual Violence, will be provided with a written explanation of their rights, options, and resources. This information is continuously accessible at <https://care.uci.edu/> and OEOD's [website](#).

The Title IX Officer, in coordination with the Case Management Team will make an immediate assessment concerning the health and safety of the Complainant, other affected parties, and the campus community, implement interim measures or protective measures deemed to be immediately necessary.

In addition to OEOD, many campus offices can assist Complainants with obtaining interim supportive and protective measures, such as UCIPD, UCI Student Housing, Counseling Center, CARE, Office of Academic Integrity & Student Conduct, Disability Services Center, Human Resources, etc. Interim and protective measures can include, but not limited to, No Contact/Stay Away Orders, safety escorts, financial aid assistance, visa and immigration assistance, counseling and advocacy resources, referrals to legal services, physical and mental health services, academic accommodations, UCI employment accommodation, leave, as well as changes to academic, living, transportation and/or UCI working situations.

Complainants with questions, concerns, or complaints about their ability to obtain requested interim measures or protective measures should contact the Title IX Office/OEOD. The Title IX Office/OEOD will grant a Complainant's reasonable request for interim measures or protective measures if the Complainant requests them and if they are reasonably available, regardless of whether the Complainant chooses to report the crime to

UCIPD or local law enforcement. Factors that might be considered during this process include, but are not limited to:

1. The specific need expressed by the Complainant;
2. The age of the students involved;
3. The severity or pervasiveness of the allegations;
4. Any continuing effects on the Complainant;
5. Whether the Complainant and alleged Respondent share the same residence hall, dining hall, class, transportation or job location; and
6. Whether other judicial measures have been taken to protect the Complainant (i.e., civil protection orders).

To file a disciplinary complaint with the Office of Academic Integrity & Student Conduct:

1. Go to <https://aisc.uci.edu/>
2. Go to the upper right-hand corner of the page and click on the blue icon that states "Report an Incident"
3. Or call directly at 949-824-1479 to make a report.

**C. Option to decline all reporting** Although UCI encourages the timely reporting of all crimes; Complainants of Sexual Violence are not required to report to police, OEOD, or any other campus office or individual.

**D. Resources** Regardless whether a Complainant chooses to report Sexual Violence to UCIPD or OEOD, on and off-campus support resources are available to help. Complainants have the right to supportive measures regardless of whether they file a formal complaint. OEOD and CARE can assist with individualized academic, housing, or workplace supportive measures for Complainants. Below are charts of on- and off- campus resources for students and employees. These resources are also provided in writing to the Complainant and Respondent by OEOD and UCIPD via the departments [Resource Guide](#).

## Students: University Confidential Resources (On Campus)

Resource	Description	Contact Information	Types of Resources
<b>CARE (Campus Assault Resources and Education)</b>	The CARE office supports members of the UCI community who have been directly or indirectly impacted by sexual assault, relationship abuse, stalking, child abuse and/or family violence. CARE offers advocacy, holistic healing programs, counseling, and prevention education.	G320 Student Center, Monday through Friday, 8:00 a.m. to 5:00 p.m.  <a href="http://www.care.uci.edu">www.care.uci.edu</a>  949-824-7273	Counseling Resources; Victim Advocacy Resources
<b>UCI Counseling Center</b>	The Counseling Center provides students with a broad range of mental health services, including individual, couples, family, and group counseling, as well as urgent care, crisis response, consultation, and outreach programs.	203 Student Services 1, Monday through Friday, 8:00 a.m. to 5:00 p.m.  <a href="http://www.counseling.uci.edu">www.counseling.uci.edu</a>  949-824-6457	Counseling Resources; Mental Health Resources
<b>Office of the Ombudsman</b>	The Office of the Ombudsman provides a safe environment to discuss complaints, concerns or problems confidentially. When appropriate, the office will initiate an informal intervention with the goal of facilitating a resolution that is acceptable to all parties involved. The Office of the Ombudsman serves all students, faculty, staff and administrators of the UCI community.	205 Multipurpose Science & Technology Building, Monday through Friday, 8:00 a.m. to 5:00 p.m.,  <a href="http://www.ombuds.uci.edu">www.ombuds.uci.edu</a>  949-824-7256	Advocacy Resources
<b>*Respondent Services</b> <b>*RSC is not legally required to maintain confidentiality. As a general practice, the RSC will not affirmatively share information without a signed consent from the respondent. If a court were to compel the office to share, we would.</b>	If you have been accused of sexual violence, sexual assault, sexual harassment, dating/domestic violence or stalking, the Respondent Services Coordinator (RSC) can assist with understanding your rights and the investigation and adjudication process.	949-824-5208 By appointment only  <a href="http://www.chs.uci.edu/respondentservices/">http://www.chs.uci.edu/respondentservices/</a>	Campus & Irvine Community Resources
<b>*Student Health Center</b> <b>* Certain professionals that work in the Student Health Center have Clery reporting responsibilities and are Mandated Reporters under California law. Mental health professionals and clinicians that work in the Student Health Center are confidential resources.</b>	The Student Health Center is a comprehensive outpatient clinic staffed with licensed primary care physicians, dentists, a physician assistant, registered nurse practitioners, and registered nurses. Medical specialists from various disciplines provide on-site consultation on a regular basis.	501 Student Health, Irvine, CA 92697  (949) 824-5301  Hours: Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed weekends and holidays.  <a href="http://www.shs.uci.edu">http://www.shs.uci.edu</a>	Health Resources
<b>Campus Social Workers</b>	Social workers offer private support for individual students, staff, or faculty during a medical, physical, familial and/or emotional crisis. They may also mobilize necessary campus and community resources to maximize the person's physical, social and/or emotional well-being.	Campus Social Worker (by referral): 641 Aldrich Hall, Irvine, CA 92697-2215  <a href="mailto:campussocialworker@uci.edu">campussocialworker@uci.edu</a>  (949) 824-0101  Social workers are also available through the UCI Counseling Center or UCI Student Health Center.	Advocacy Resources; Immigration Assistance Resources

## Students: Community Confidential Resources (Off Campus)

Resource	Description	Contact Information	Type of Resource
<b>Waymakers</b>	Certified Sexual Assault Counselors respond 24 hours a day, seven days a week via a rape crisis hotline, to police departments and hospitals, and through two rape crisis centers. Comprehensive and confidential services are provided to victims of rape and other sexual assaults, sexually abused children, and their family members.	949-250-0488  <a href="https://www.waymakersoc.org">https://www.waymakersoc.org</a>	Counseling Resources
<b>Human Options</b>	Human Options provides assistance, such as emergency shelter, counseling, and legal advocacy, to victims of domestic and dating violence.	24-hour hotline: 877-854-3594  <a href="http://www.humanoptions.org">www.humanoptions.org</a>	Counseling Resources; Victim Advocacy Resources; Legal Assistance Resources

## Staff: University Confidential Resources (On Campus)

Resource	Description	Contact Information	Type of Resource
<b>CARE (Campus Assault Resources and Education)</b>	The CARE office supports members of the UCI community who have been directly or indirectly impacted by sexual assault, relationship abuse, stalking, child abuse and/or family violence. CARE offers advocacy, holistic healing programs, counseling, and prevention education.	G320 Student Center, Monday through Friday, 8:00 a.m. to 5:00 p.m.  <a href="http://www.care.uci.edu">www.care.uci.edu</a>  949-824-7273	Counseling Resources; Victim Advocacy Resources
<b>Employee Assistance Program ("EAP")</b>	EAP is a free, confidential counseling program for UCI employees.	Company ID: UCIEAP3 1-844-UCI-EAP3 824-3273 TDD: 1-800-697-0353  <a href="http://www.guidanceresources.com">http://www.guidanceresources.com</a>	Counseling Resources
<b>Faculty/Staff Support Services</b>	Provides consultative services for a wide range of issues including: work-related stress, grief and loss, relationship/couples' issues, alcohol, drug and other addictions and depression, anxiety, and other emotional concerns.	949-824-5208 Appointments only  <a href="http://www.chs.uci.edu/facultystaffmh/">http://www.chs.uci.edu/facultystaffmh/</a>	Counseling Resources
<b>Office of the Ombudsman</b>	The Ombudsman provides students, faculty, and staff a safe place to confidentially discuss concerns, explore options, and make informed decisions.	205 Multipurpose Science & Technology Building, Monday through Friday, 8:00 a.m. to 5:00 p.m.,  <a href="http://www.ombuds.uci.edu">www.ombuds.uci.edu</a> 949-824-7256	Advocacy Resources

## Staff: Community Confidential Resources (Off Campus)

Resource	Description	Contact Information	Type of Resource
<b>Waymakers</b>	Certified Sexual Assault Counselors respond 24 hours a day, seven days a week via a rape crisis hotline, to police departments and hospitals, and through two rape crisis centers. Comprehensive and confidential services are provided to victims of rape and other sexual assaults, sexually abused children, and their family members.	949-250-0488 <a href="https://waymakersoc.org/">https://waymakersoc.org/</a>	Counseling Resources; Legal Assistance Resources
<b>Human Options</b>	Human Options provides assistance, such as emergency shelter, counseling, and legal advocacy, to victims of domestic and dating violence.	24-hour hotline: 877-854-3594 <a href="http://www.humanoptions.org">www.humanoptions.org</a>	Counseling Resources; Victim Advocacy & Legal Resources
<b>Laura's House</b>	Laura's House provides comprehensive domestic violence programs and services.	<a href="https://www.laurashouse.org/">https://www.laurashouse.org/</a> 24-Hour Toll-Free Hotline (866) 498-1511.	Counseling Resource, Legal Services, Emergency Shelter, and Transition Housing



## National Confidential Resources

Resource	Description	Contact Information	Type of Resource
RAINN Rape, Abuse & Incest National Network (RAINN)	RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline in partnership with more than 1,000 local sexual assault service providers across the country and operates the DoD Safe Helpline for the Department of Defense. RAINN also carries out programs to prevent sexual violence, help victims, and ensure that perpetrators are brought to justice.	(800) 656-HOPE (4673), confidential, 24/7  <a href="http://www.rainn.org">www.rainn.org</a>	Counseling Resources; Victim Advocacy Resources
National Center for Victims of Crime (NCVC)	Nonprofit organization that advocates for victims' rights, trains professionals who work with victims, and serves as a trusted source of information on victims' issues.	855-4-VICTIM (855-484-2846)  Online and service referrals: <a href="http://www.victimconnect.org/">http://www.victimconnect.org/</a>	Counseling Resources; Victim Advocacy Resources
National Coalition Against Domestic Violence (NCADV)	NCADV is the voice of victims and survivors. We are the catalyst for changing society to have zero tolerance for domestic violence. We do this by affecting public policy, increasing understanding of the impact of domestic violence, and providing programs and education that drives that change.	800-799-7233 (SAFE) or 1-800-787-3224 (TTY), anonymous, confidential, 24/7.  <a href="http://www.ncadv.org/">http://www.ncadv.org/</a>	Victim Advocacy Resources

## Legal Resources

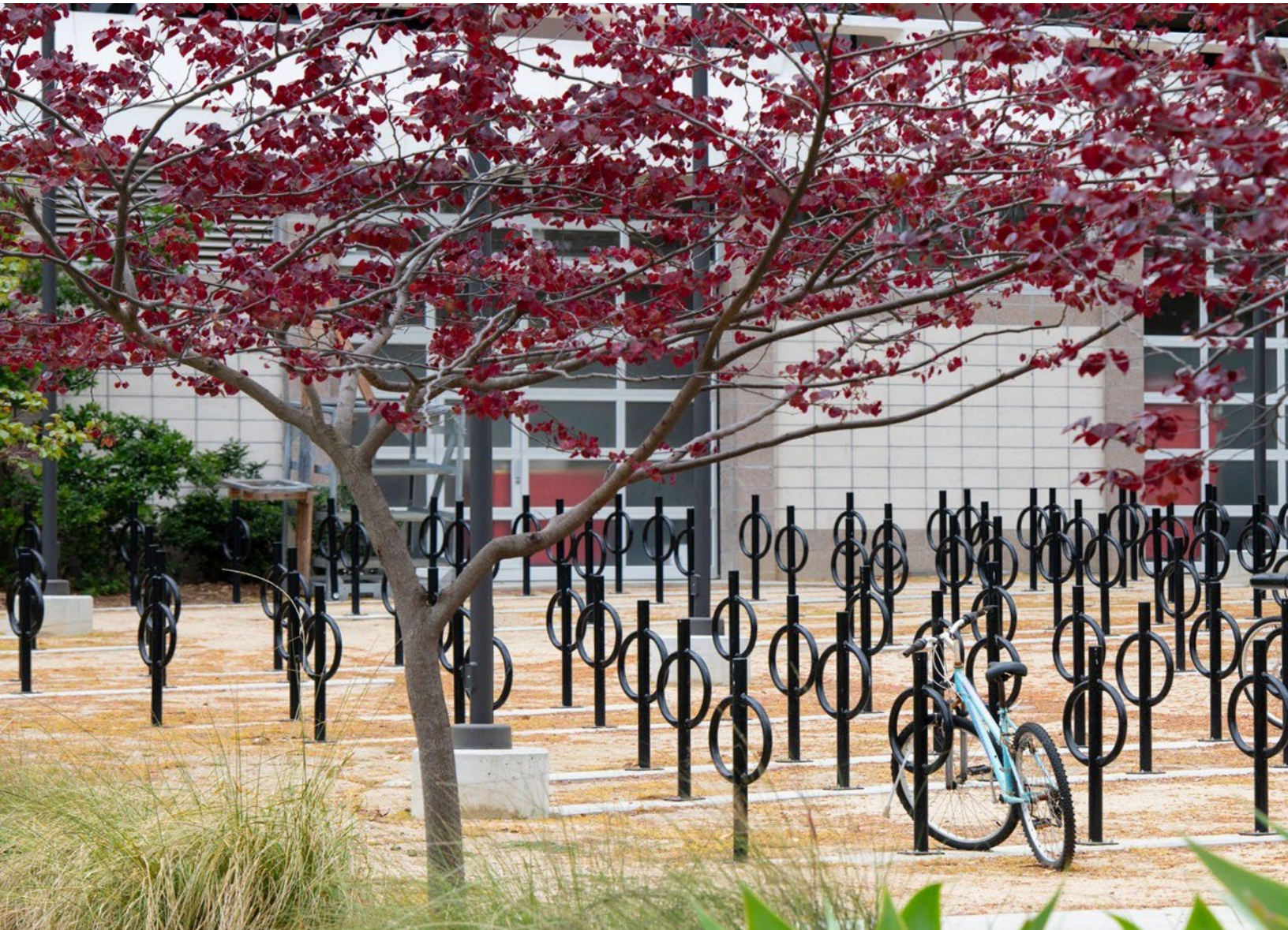
Resource	Description	Contact Information	Type of Resource
Legal Aid Society of Orange County & Community Legal Services of Southeast Los Angeles County	Provides free and low-cost civil legal services to low-income families, individuals and senior citizens in Orange and Southeast Los Angeles Counties. Operates under a three-tier service delivery model.	1-800-834-5001; 714-571-5200  <a href="http://www.legal-aid.com/">http://www.legal-aid.com/</a>	Legal Assistance Resources
ARAG Legal Insurance Plan (Staff)	Much like consumers use health insurance to pay for the cost of visiting a doctor, legal insurance covers the cost of working with an attorney.	800-828-1395  <a href="https://www.araglegalcenter.com/">https://www.araglegalcenter.com/</a>	Legal Assistance Resources
Public Law Center	The Public Law Center's 35 staff members work with over 1,500 Orange County lawyers, paralegals, law students and other volunteers annually to provide free civil legal services, including: counseling, individual representation, community education, and strategic litigation and advocacy to challenge societal injustices	(714) 541-1010  <a href="http://www.publiclawcenter.org">http://www.publiclawcenter.org</a>	Legal Assistance Resources
Orange County Bar Association ("OCBA")	The mission of OCBA is to enhance the system of justice, to support the lawyers who serve it, and to assist the community served by it.	(949) 440-6700  <a href="http://www.ocbar.org/">http://www.ocbar.org/</a>	Legal Assistance Resources
Waymakers	Certified Sexual Assault Counselors respond 24 hours a day, seven days a week via a rape crisis hotline, to police departments and hospitals, and through two rape crisis centers. Comprehensive and confidential services are provided to victims of rape and other sexual assaults, sexually abused children, and their family members.	949-250-0488  <a href="https://www.waymakersoc.org">https://www.waymakersoc.org</a>	Legal Assistance Resources
Human Options	Human Options provides assistance, such as emergency shelter, counseling, and legal advocacy, to victims of domestic and dating violence.	24-hour hotline: 877-854-3594  <a href="http://www.humanoptions.org">www.humanoptions.org</a>	

## Visa and Immigration Assistance

Resource	Description	Contact Information	Type of Resource
UCI International Center	The International Center advances and facilitates international engagement at UCI to enhance the academic and personal experience of the international community. The International Center staff is committed to serving campus constituents through advising, immigration services, programming, advocacy, and outreach.	G302 UCI Student Center   Irvine, CA 92697-5255 <a href="mailto:internationalcenter@uci.edu">internationalcenter@uci.edu</a>  (949) 824-7249  Hours: 8am to 5pm, Monday to Friday	Visa and Immigration Assistance Resources

## Student Financial Aid

Resource	Description	Contact Information	Type of Resource
UCI Student Financial Aid Office	Provides information and assistance with the various options for student financial aid.	(949) 824-8262  <a href="mailto:finaid@uci.edu">finaid@uci.edu</a>	Financial Aid Resource





## 9.7 Supportive Measures and Remedies

Regardless of whether a Victim / Complainant of Sexual Violence pursues an investigation or files a complaint with police or OEOD, upon request, UCIPD, OEOD, and/or CARE personnel will help Victims/Complainants obtain supportive measures and remedies. Victims with questions, concerns, or complaints about their ability to obtain requested supportive measures or remedies should contact the Title IX Office (OEOD) at (949) 824-5594 or email [oeod@uci.edu](mailto:oeod@uci.edu).

The Title IX Office (OEOD) will grant, facilitate, and ensure the enforcement of reasonable supportive measures or remedies if the Complainant requests them and if they are reasonably available, regardless of whether the Complainant chooses to report the crime to UCIPD or local law enforcement. Supportive Measures include both interim Measures and Mitigating Measures. The University provides Supportive Measures as appropriate and reasonably available, without fee or charge.

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

1. remain in place until the final outcome of a Resolution Process or a subsequent disciplinary or appeal process,
2. change or terminate depending on the parties' evolving needs, as assessed by the Title IX Officer; or
3. become permanent as part of the resolution of a report.

B. Mitigating Measures are services, accommodations or other measures for a Complainant who is not in a Resolution process, including a Complainant who was previously in a Resolution Process that did not result in a finding of a policy violation.

Mitigating measures may be implemented to provide support, restore or preserve access to a university program or activity, or deter Prohibited Conduct. Remedial Measures are services, accommodations, or

other measures put in place as a result of a completed Resolution Process.

C. Examples of services, accommodations, and other measures are in Appendix III. The Title IX Officer will consult with the Complainant and, when appropriate, the Respondent, to identify suitable services, accommodations and other measures. The Title IX Officer will consult with the Complainant and, when appropriate, the Respondent, to identify suitable services, accommodations and other measures. It matters involving DOE –Covered Conduct, the Title IX Officer will ensure Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

A range of supportive measures for incidents involving dating violence, domestic violence, sexual assault and stalking are below:

Supportive measures or remedies can include the following:

1. Supportive Measures/ Accommodations for students:
  - a. Complainants may contact OEOD (949) 824-5594 and/or CARE (949) 824-7273 for assistance in obtaining Academic support including tutoring, extra time, extension, and withdrawals, and class or schedule changes. Physical and mental health services, counseling, family planning services, disability accommodation services, victim advocacy. Campus accommodations such as, housing relocation and assistance, safety escorts, Visa assistance, transportation, parking and financial aid assistance. If a campus service is not generally available or a fee is imposed, access may be arranged or fees waived when appropriate.
2. Supportive Measures / Accommodations for Employees, Including Student Employees:
  - a. Complainants may contact OEOD (949) 824-5594 and/or CARE (949) 824-7273 for assistance in obtaining changes to schedule, work location, housing, parking, department, or position as well as physical and mental health services, disability accommodation services, victim advocacy, and leave time.

### 3. Supportive Measures / Protective Measures:

- a. In formal investigations administrative stay-away order may be implemented as an interim measure during an investigation. Complainants may contact OEOD and CARE (in person, by phone, or in writing) for assistance in obtaining a non-criminal, administrative UCI no contact and stay away order. These orders are enforced by the Office of Academic Integrity & Student Conduct for students and by the applicable management, Academic Personnel for faculty and Human Resources for staff. For concerns about an order, Complainants may contact OEOD (949) 824-5594. Failure to abide by an order put in place by OEOD during an investigation can result in investigation and disciplinary action.
- b. Criminal order. If a Complainant/Victim reports to law enforcement, UCIPD (949) 824-5223 may assist in obtaining a no- contact/stay-away order from a criminal court. Complainants/Victims may also receive assistance obtaining criminal orders from Victim Advocate at CARE (949) 824-7273 or Waymakers (949) 250-0488.



c. Civil order. Victims may contact a court directly to obtain a civil protective order. For complete information about civil protective orders and court locations and hours, visit the Orange County Superior Court's website at: <http://www.occourts.org/self-help/restraining-orders>

Complainants/Victims may also receive assistance obtaining criminal orders from Victim Advocates at CARE (949) 824-7273 or Waymakers (949) 250-0488.

d. Orders of Protection

- [Emergency Protective Order](#): Protects Victims of abuse, serious harassment, or stalking. UCIPD is available to assist a Victim in obtaining an emergency protective order is available 24 hours a day (949) 824-5223.
- [Domestic Violence Restraining Order](#): Protects individuals from family members, spouse or former spouse, parties that have a child together, or parties that have a current or past dating relationship. Domestic Violence Assistance Program Office. (714) 935-7956.
- [Civil Harassment Restraining Order](#): Protects individuals from others than those listed in a Domestic Violence Protective Order. Varies by Court Location.
- [Elder and Dependent Adult Abuse Restraining Order](#): Protects elders and dependent adults from physical and financial abuse, neglect, isolation, abduction, harm, or deprivation by a caregiver. Domestic Violence Assistance Program Office. (714) 935-7956.
- [Workplace Violence Prevention Restraining Order](#): Protects employees from workplace violence. See <https://www.occourts.org/self-help/self-help-services/self-help-centers>

- [Criminal Restraining Order](#): Protects Victims and witnesses from the defendant in a criminal case. Community Services Programs, Inc. ("CSP") (949) 831-9110 or (714) 957-2737.

See also <https://www.occourts.org/self-help/self-help-services/self-help-centers>.

- [Juvenile Restraining Order](#): A Juvenile Restraining Order is a court order to protect a person suffering unlawful violence or credible threats of violence from a juvenile. Orange County District Attorney's Office at Lamoreaux Justice Center. (714) 935-7624. See also <https://www.occourts.org/self-help/self-help-services/self-help-centers>.

Note: Supportive measures and accommodations are provided in writing to Complainants and Respondents (students and employees).

For more information regarding obtaining and enforcing Orders of Protection visit:

<https://www.occourts.org/self-help/restraining-orders>

Additionally, see information below under the Section [Court Locations, Hours, and Locations](#) to Request Restraining Orders.

D. Other restrictions, which may be recommended by Title IX Officer or decided by the Office of Academic Integrity & Student Conduct or Human Resources or Academic Personnel, or by agreed to by the parties:

1. Allow the Complainant to take the regular sections of courses while arranging for the Respondent to take the same courses online or through independent study;
2. Moving the Respondent to a different residence hall;
3. Forbidding the Respondent to participate in specific athletic or extracurricular events or social clubs (including fraternities or sororities);
4. Requiring that the Respondent observe no contact orders from the Complainant for a period of time;

5. Prohibiting the Respondent from attending classes for a period of time, or transferring the Respondent to another campus; and
6. If a Respondent presents an ongoing safety risk, excluding the Respondent from campus.

For more information about obtaining and enforcing interim and protective measures, contact UCIPD at 9-1-1 or (949) 824-5223, OEOD at (949) 824-5594, or CARE at (949) 824-7273.

UCI will honor all requests for information on rights, options, and resources. UCI will comply with any Orders of protection that are obtained.



## 9.8 Protecting Victim Confidentiality

UCI recognizes the sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. UCI is committed to protecting the privacy of any individual who makes a report. Different officials and personnel are able to offer varying levels of privacy protection to Complainants. Complainants may request that directory information on file with UCI be withheld by request. This request may be made by contacting the Office of Information Technology at, (949) 824-2222, [oit@uci.edu](mailto:oit@uci.edu) or working with UCIPD, OEOD, or the CARE Office. Regardless of whether a Complainant has opted-out of allowing UCI to share directory information, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know (i.e., those who are investigating / adjudicating the report or those involved in providing support services to the Complainant, including accommodations and protective measures) (See section below on “Supportive and Protective Measures”).

A. Support can be sought from confidential on campus resources: Professionals at CARE, the Counseling Center, the Office of the Ombudsman, and the Employee Assistance Program may talk to Complainants without revealing any identifying information about them to anyone else at the University, including; the Title IX Officer or the UCI Police Department, without the Complainant’s consent. Except under certain limited circumstances (such as risk of imminent harm to the Complainant or others), Complainants can seek assistance and support from these counselors and advocates without triggering an administrative or police investigation.

B. Reports made to a Responsible Employee: A responsible employee is any University employee who is not a Confidential Resource. If a Responsible Employee learns, in the course of employment, that a student (undergraduate, graduate, or professional) may have experienced Prohibitive Conduct (sexual harassment, sexual violence) must promptly notify the Title IX Office/OEOD. This includes Resident Assistants, Graduate Teaching Assistants, and all other student employees, when disclosures are made to any of them in their capacities as employees.

In addition, if any of the following learn, in the course of employment, that any person affiliated with the University may have experienced Prohibitive Conduct (sexual harassment, sexual violence) must notify the Title IX Office / OEOD:

1. UCI Police
2. Human Resource Administrators, Academic Personnel, and Title IX Professionals
3. Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units (ORU)
4. Faculty Members

The University must balance the privacy interests of people involved in a report of Prohibited Conduct against the need to gather information, ensure a fair process, and stop, prevent and remedy Prohibited Conduct. In this context, the University tries to protect people’s privacy to the extent permitted by law and University policies. The University otherwise keeps confidential the identities of parties, witnesses and those who report Prohibited Conduct, except as required by law or permitted by FERPA, and protects the privacy of personally identifiable information per all applicable state and federal privacy laws, and University policies.

C. Reports made to OEOD: OEOD makes every reasonable effort to protect the privacy of all individuals throughout all phases of the complaint resolution process. While OEOD cannot guarantee absolute confidentiality, disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation or to deliver resources or support services to the parties. Also, any OEOD Investigation Report is redacted to protect the confidential information.

D. Reports made to law enforcement: A Victim who reports to UCIPD may request to be treated as a “Confidential Victim”, which means the Victim’s name and other identifying information will not appear in its public records. If a Victim consents, UCIPD will share the Victim’s information with the CARE Advocate and the Title IX Office / OEOD so that Victims can be provided with written information regarding their rights, options, and available resources.

E. Case Management Team (CMT): UCI’s CMT is comprised of the Title IX Officer, UCIPD, Office of Academic Integrity & Student Conduct (OAISC), legal counsel, respondent services, CARE, and faculty and staff support services. This team maintains consistent and confidential coordination of all reported Sexual Violence cases, ensures all cases are addressed promptly and equitably, and ensures the campus’s response is trauma-informed. Incident Response Team (IRT): UCI’s IRT at UCI Irvine Health is comprised of the Title IX Officer, Chief Medical Officer, Chief Nursing Officer, in addition to legal counsel, Risk Management, CARE, Respondent Services, UCIPD, Human Resources, and Academic Personnel (AP) as ad hoc members. This team ensures that all UCI Health patient complaints of sexual harassment and sexual violence against UCI staff or faculty are addressed promptly and equitably, in compliance with [UC Guidance on Investigating Prohibited Conduct in the Context of Patient Care](#).

F. Supportive and Protective Measures: UCI will maintain as confidential any interim or protective measures provided to parties, to the extent such confidentiality

does not impair UCI’s ability to provide the interim or protective measures. In some cases, UCI may need to disclose some information about a party to a third party to provide necessary accommodations or protective measures. OEOD is responsible for determining what information about a party should be disclosed and will make this decision based on the need to properly provide the impacted party with interim or protective measures.

G. Adjudication: The Office of Academic Integrity & Student Conduct, Academic Personnel, and Human Resources disclosures are limited to what is reasonably necessary to conduct the fair and compliant adjudication of cases or to deliver resources or support services to the parties. Any disclosures will be made consistent with university policy, state, and federal law.

H. Timely Warnings (Crime Alerts): If a Timely Warning is issued on the basis of a report of sexual violence, the name of the Complainant/Victim and other personally identifiable information about the Complainant/Victim will be withheld. Limited information about the complainant/victim, such as affiliation with campus, injuries sustained, and /or gender, may be revealed if relevant to preventing similar crimes.

I. Clery Act and Other Public Records: Publicly available record-keeping for purposes of the Clery Act reporting and disclosures will be made without including personally identifying information about the Complainant/Victim. Also, UCI does not publish the name of crime victims as part of its Clery Act-mandated reporting (including disclosures or annual crime statistics), nor does it house identifiable information regarding victims in the UCIPD’s Daily Crime & Fire Logs or online. In addition, UCI policy regarding access to public records may require disclosure of certain information concerning the report of sexual violence. In such cases, every effort is made to redact or limit the record as appropriate to protect the privacy of all parties and witnesses. UCIPD has various policies and procedures with respect to record keeping and reporting to ensure that personally identifying information about a victim is not included in publicly available recordkeeping.

## 9.9 Procedures for Reporting and Responding to Reports of Prohibited Conduct

This section provides an overview of the procedures UCI uses to respond to reports of Prohibited Conduct. While the Title IX Officer has responsibility for oversight of the reporting and response processes, other offices will be involved and consulted as necessary. The specific procedures for investigating and resolving complaints of Prohibited Conduct depend on the Respondent's identity and relationship to the University.

A. Where the Respondent is a student, the procedures are in *Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE- Covered Conduct of the Policies Applying to Campus Activities, Organizations, and Students*, and local implementing procedures, except when the conduct is DOE-Covered Conduct in which the University applies *Interim Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct*, consistent with the requirements set forth by the Department of Education.

B. Where the Respondent is a faculty member, the procedures are in the *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty*, and local implementing procedures.

C. Where the Respondent is a staff member or non-faculty academic employee, including a post-MD resident, the procedures are in the *Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel*, and local implementing procedures.

D. Where the Respondent is a physician or other health care provider credentialed and privileged by hospital medical staff, or a health professional training program student, resident or fellow, then in addition to the above frameworks they may be subject to investigation and adjudication of professional misconduct under other rules and policies (for example, medical staff bylaws and school-based policies), potentially resulting in corrective action or termination.

E. Where the Respondent is a Regent, the procedures are in Regents Policy 1112: Policy on Review of Allegations of Board Member Misconduct.

F. If there is a question about the predominant role of the Respondent, the Title IX Officer will determine which procedure applies based on the circumstances (such as which role predominates in the context of the Prohibited Conduct). Where a Respondent is both a student and an employee, the University will apply only one procedure to determine responsibility, but the Respondent may be subject to discipline applicable to both students and employees.

G. Where the Respondent is a third party, the Title IX Officer will determine the appropriate manner of resolution consistent with the University's commitment to a prompt and equitable process and applicable law, federal guidance, and this Policy, which may be an Other Inquiry per Section V.A.5.d. The University's ability to take appropriate responsive action depends on its relationship and level of control over the third party, if any.

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

### I. Reporting Process

Any person may make a report, including anonymously. They can report to the Title IX Officer / OEOD, or to any Responsible Employee, or to another appropriate office such as the Academic Personnel Office, Student Affairs, Office of the Provost, or to the Human Resources Office. The report shall be sent to OEOD/Title IX Officer. If the person to whom a report normally would be made is the Respondent, reports may be made to another Responsible Employee or office. Reports made to the Title IX Officer / OEOD can be made online <https://oeod.uci.edu> click on the yellow icon "report an incident", in writing or over the phone (949-824-5594) and should contain all pertinent information known to the reporter, including names, date, location, and allegations.

Upon receipt of a report of Prohibited Conduct from a Responsible Employee, the Title IX Officer/OEOD will attempt to contact the Complainant, if known, to inform them of their rights, options, and resources.

### **A. Jurisdiction**

The UC SVSH Policy covers Prohibited Conduct committed by University students, employees, and third parties (such as Regents, contractors, vendors, visitors, guests, patients, and volunteers), and acts of Prohibited Conduct committed against student, employees, and third parties, when the conduct occurs: 1. On University property; 2. In connection with University employment or in the context of a University program or activity; or 3. Off University property and outside the context of a University program or activity, but has continuing adverse effects on (or creates a hostile environment for students, employees, or third parties while on) University property or in any University program or activity. Any person who experiences Sexual Violence within the jurisdiction stated above may file a complaint with OEOD for review if they would like the incident to be investigated by the University. Every case is considered individually and a determination of whether it is appropriate to pursue a Title IX response process is made on a case-by-case basis.

In determining whether to exercise jurisdiction for conduct that occurs off campus or outside the context of the University, Title IX Officer may consider the seriousness of the alleged misconduct; the risk of future harm involved; whether a crime has been reported to the criminal authorities; the ability of the University to gather information, including the statements of witnesses; and/or whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

If the respondent is both a student and an employee, Title IX Officer will determine which process to use, depending on the specific facts reported, including the respondent's role/status during the alleged conduct, seriousness of the volatile conduct alleged, and the desired options for remedies, if warranted. If the respondent is not a UC Irvine student, but is a University of California student at a different campus, the Title IX Officer will forward the report to the Title IX Officer at the respondent's home campus. If the respondent is a UC Irvine employee and not a UC Irvine student, Title IX

Officer will follow the appropriate Response Procedures that correspond to the respondent's employment status.

When a non-student, non-affiliate assaults or stalks a student on or off campus, the University's role may be limited to a Police response and providing counseling and support services to the victim. CARE advocates may provide confidential support to and assist victims with filing a restraining order and all other avenues available through the criminal or civil justice system. Reports may still be made to Title IX for review and possible investigation or recommended remedies. On occasion, Title IX may initiate an investigation to support further safety remedies.

### II. Response Process

UC Irvine procedures provide that all dating violence, domestic violence, sexual assault, and stalking proceedings will include a prompt, fair, thorough and impartial process from the initial investigation to the final result. All disciplinary proceedings will be completed within reasonably prompt timeframes, as designated by university policy and guidelines, and allow for good cause extension of timeframes with written notice to both the complainant and respondent of the delay and the reason for it.

All proceedings are conducted by officials who receive annual training on issues related to Sexual Violence and how to conduct investigations and hearing processes that protect the safety of complainants, promote accountability, and promote impartial investigations and adjudications. Title IX investigators are additionally trained in the application of investigative best practices, and legal and procedural updates. Hearing officials are additionally trained on the fundamentals of due process in administrative hearings. Proceedings are conducted by officials who have no conflicts of interest or biases for or against a complainant or respondent.

Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceedings do not include communications and meetings between officials and parties concerning supportive, remedial, or other protective measures provided to a party.

At all stages of a response process, the complainant and respondent have the right to an advisor and/or a support



person of their choosing. The advisor and/or the support person may be any person (including an advocate, attorney, friend, or parent) who is not otherwise a party or a witness. The advisor's primary role is to provide guidance through the process. The support person's primary role is to provide emotional support. The advisor and/or the support person may not speak on behalf of a party or otherwise disrupt any meetings or proceedings in any manner. (The only exception is when a party's advisor is reading the party's questions in a DOE Grievance Process hearing.) The University reserves the right to exclude an advisor and/or support person who does not abide by applicable rules of conduct.

The standard of proof for fact-finding and determining whether a policy violation occurred is a preponderance of the evidence, as defined by the UC SVSH Policy. A respondent will not be found responsible for a violation of the UC SVSH Policy unless the evidence establishes that it is more likely than not that they violated the UC SVSH Policy.

The University will simultaneously notify both parties, in writing, of the result of the disciplinary proceedings, the procedures for the parties to appeal the result, any changes to the result, and when such result becomes final. Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution, including any sanctions imposed by the institution. The notification includes the rationale for the result and the sanctions.

#### **A. Responding to Reports of Sexual Violence – Student Respondents**

This section summarizes information in the UC SVSH Policy, PACAOS-Appendix-E: SVSH Student Adjudication Framework for non-DOE-Covered Conduct (Appendix E), and PACAOS-Appendix F: SVSH Student Adjudication Framework for DOE- Covered Conduct (Appendix F). The UC SVSH Policy describes the initial assessment of reports and other information about response processes not covered in Appendix E and Appendix F. Appendix E describes the University's procedures for resolving non-DOE-Covered Conduct. Appendix F describes the University's procedures for resolving Formal Complaints of DOE-Covered Conduct. Appendix IV of this document has the links to view the unabridged policy and procedures or you may visit the OEOD [website](#).

#### **B. Initial Assessment of a Report and Immediate Health and Safety**

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

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

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

1. whether the report on its face alleges an act of Prohibited Conduct; and
2. if so, whether the Prohibited Conduct is covered by the SVSH Policy.

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

The Title IX Officer, in coordination with the Case Management Team and in consultation with the Complainant, when possible, will:

1. Make an immediate assessment of the health and safety of the Complainant and the campus community.
2. Determine and oversee Supportive Measures that are immediately necessary (including no contact orders, with parameters described in Appendix III), and
3. Outreach to the Complainant per a template issued by the Systemwide Title IX Office that includes, for example an explanation of rights and reporting options (including the right to report to the police), and available campus and community resources.

The Title IX officer will also inform the Complainant of the range of possible outcomes of the report, including Supportive and Remedial Measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

### III. Closure After Initial Assessment

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

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

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

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

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

1. where and in what context the Prohibited Conduct allegedly occurred (meaning whether there is a connection between the conduct and

University property or a university program or activity);

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

### IV. Overview of Resolution Process

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

#### **A. Alternative Resolution (AR)**

Alternative Resolution is not available when the Complainant is a student and the Respondent is an employee. In other cases, after an initial assessment of the alleged facts, the Title IX Officer may (if the Complainant and Respondent agree in writing) begin an Alternative Resolution process. The Title IX Officer will, if appropriate, begin the process in consultation with other offices depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, student employees, or students. Alternative Resolution may include, among other responses:

1. Separating the parties;
2. Providing for safety;
3. Mediation (except in cases of sexual violence)
4. Referring the parties to resources;
5. Referral for disciplinary action;
6. Conducting targeted preventive educational and training programs; and
7. Conducting a follow-up review to ensure that the resolution has been implemented effectively.

Alternative Resolution may be especially useful when:

1. an investigation is not likely to lead to a resolution;
2. both parties prefer an informal process; or

3. a case involves less serious allegations.

The Title IX Officer has discretion to determine whether the complaint is appropriate for Alternative Resolution, to determine the type of resolution to pursue, and to stop the process at any time before its conclusion and move to a Formal Investigation or (if it applies) DOE Grievance Process.

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

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

The Title IX Officer will oversee the Alternate Resolution process and, if other campus officials are involved in the process, maintain an appropriate level of involvement.

The Title IX Officer will complete the Alternative Resolution process promptly, typically within 30-60 business days of notifying the parties in writing of starting the process. However, the Title IX Officer may extend past 60 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline.

The actual time required will depend on the specific circumstances, including the complexity of the allegations and the nature of the alleged conduct. The Title IX Officer will consider, approve, and communicate extensions per written guidelines from the Systemwide Title IX Office.

Once parties have agreed to the terms of an Alternative Resolution, the University will not conduct a Formal Investigation or (if it applies) DOE Grievance Process unless the Title IX Officer determined that the Respondent failed to satisfy the terms of the Alternative Resolution, or that the

Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence.

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

#### V. Formal Investigation or DOE Grievance Process

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

The Title IX Officer will begin the Formal Investigation when they decide not to close a report after their initial assessment, the alleged conduct is not DOE-Covered Conduct, and either

1. Alternative Resolution and Other Inquiry are not appropriate,
2. or the parties do not agree to participate in Alternative Resolution
3. or it ends before they agree on terms.

In both Formal Investigations and DOE Grievance Process investigations:

1. The Title IX Officer may coordinate the investigation with other offices, depending on the identities of the Complainant and Respondent (that is faculty, other academic appointees, staff or students).
2. If the Complainant does not want an investigation, the Title IX Officer will seriously consider this preference. However, the Title IX Officer may determine an investigation is necessary to mitigate a risk to the campus community. If the Title IX Officer decides to open an investigation despite the Complainants' request, the Title IX Officer will tell the Complainant of the decision before beginning the investigation or otherwise notifying the Respondent of the Complainant's identity; tell the Respondent that the

Complainant did not request an investigation but the Title IX Officer determined one was necessary; and provide the Complainant with all the information required by this Policy unless the Complainant states in writing that they do not want it.

3. If the Title IX Officer does not begin an investigation, they will inform the Complainant that this limits possible remedies. The Title IX officer will nonetheless provide mitigating measures as appropriate and consistent with Complainant's privacy and the absence of an investigation.
4. When the Title IX Officer begins an investigation, they will give the parties a written summary of the allegations, an explanation of their rights, the procedures that will be followed, available resources, and the SVSH Policy. While parties have the right to identify evidence and witnesses, the University bears the burden of proof and gathering evidence sufficient to reach a determination regarding responsibility.

#### **A. Timeframe**

The Title IX Officer will complete the investigation promptly, typically within 60 to 90 days of notifying the parties in writing of the charges. However, the Title IX Officer may extend the timeframe past 90 days for good cause. The Title IX officer will periodically update parties on the status of the investigation and notify them in writing of the reason for any extension and the projected new timeline.

The actual time required depends on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct. The Title IX Officer will consider, approve, and communicate extensions per written guidelines from the Systemwide Title IX Office.

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

Disclosure of Information: The investigation generally includes interviews with the parties and any witnesses, and a review of evidence. The Title IX Officer will share information with witnesses only as reasonably necessary

to conduct a prompt, fair, thorough and impartial process from the initial investigation to the final result. They will also counsel witnesses about keeping information learned through the investigation private to protect both the people involved and the integrity of the investigation. They will inform witnesses that directly related information they provide and their identities will likely be disclosed to the Complainant and Respondent.

Right to an Advisor: The Complainant and Respondent may have an advisor present when they are interviewed and at meetings. They may have other support persons present under other policies. Other witnesses may have an advisor present at the discretion of the Title IX Officer or as required by the University policy or a collective bargaining agreement.

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

#### **B. Initiation of Investigation by the University**

The Title IX Officer may choose to begin and conduct an investigation without a Complainant when there is, for example:

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

#### **C. Administrative Closure**

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

#### **D. Grievance/Complaint Procedures for Employees**

Instead of, or in addition to, reporting to the Title IX Officer or other Responsible Employee, a university employee may file a grievance or complaint. That grievance or complaint must meet all of the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure listed in Appendix I: University Complaint Resolution and Grievance Procedures. Any such grievance or complaint will be forwarded to the Title IX Officer for processing under this Policy, and the grievance or complaint procedure will be held in abeyance pending resolution under this Policy, unless the applicable collective bargaining agreement provides otherwise. After completion of the process under this Policy, the grievance or complaint may be reactivated under the applicable grievance or complaint procedure.

#### **E. Other Inquiry**

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

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

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

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

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

The Title IX Officer will complete the inquiry promptly (typically within 60 days, unless extended for good cause), and notify the Complainant of the outcome.

#### **F. Notifications and Documentation**

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

1. information provided to the parties about their rights and options;
2. notices provided to the parties at the beginning and end of a process;
3. documentation of the parties' agreement to engage in Alternative Resolution;
4. documentation of resolutions reached through Alternative Resolution, including documentation to be obtained from any other campus officials involved in the resolution; and
5. the types of documentation to be kept at the end of a process.

#### **G. The Investigator Report and Outcome**

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

1. The factual allegations and alleged policy violations;
2. Statement of the parties;
3. A summary of the evidence;
4. An explanation of why any proffered evidence was not relied upon;
5. Credibility determinations when appropriate;
6. Findings of fact; and
7. An analysis of whether the Policy was violated.

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

At the end of the investigation, the Title IX Officer will simultaneously provide the parties the Investigation Report. The report may be redacted to protect privacy.

The Title IX Officer will also inform the parties in writing of the outcome of the investigation and its rationale, and of any available appeal rights.

In a DOE Grievance Process, and any time the Respondent is a student, the Title IX Officer will inform the parties of their right to contest or not accept the investigator's preliminary determination and have a hearing to determine whether the Policy was violated. If they do, the next state of the DOE Grievance Process or Formal Investigating is a hearing.

#### **H. Remedy**

If the University finds Prohibited Conduct, the University will take prompt and effective steps reasonably calculated to stop the violation, prevent its recurrence, and, as appropriate, remedy its effects.

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

#### **I. Discipline**

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

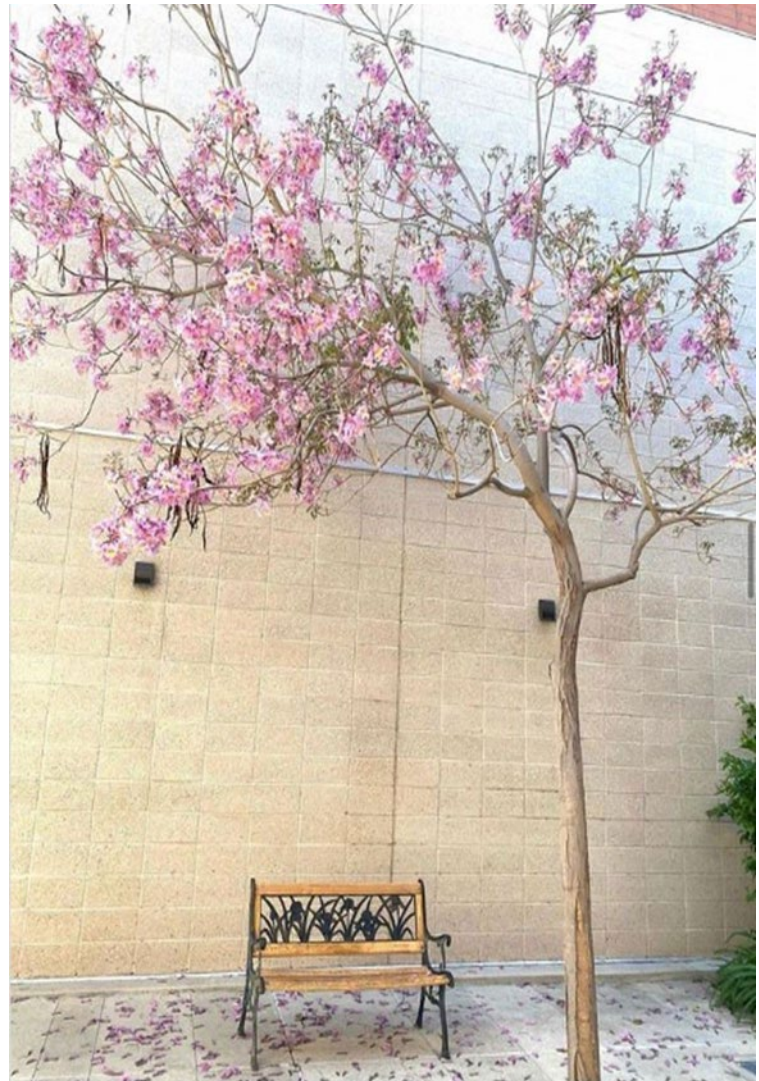
Any member of the University community who is found to have engaged in Prohibited Conduct may be subject to disciplinary action, up to and including dismissal per applicable or other policy.

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

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

The University tries to finalize and notify parties of disciplinary decisions reasonably promptly per applicable procedures, depending on the severity and extent of the Prohibited Conduct and the complexity of the matter.

Victims will be provided in writing an explanation of rights and available options as outlined in the SVSH Policy including:



1. How and to whom to report alleged violations.
2. Options for notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement, if the Complainant so chooses; and the right to decline to notify such authorities is provided in writing to victims.
3. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar orders issued by criminal or civil courts, as well as the University's responsibilities to comply with such orders. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
4. Counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, and other services available within both the University and the community.
5. Options for, and available assistance to change academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report alleged conduct to law enforcement.
6. Applicable procedures for institutional disciplinary action.
7. Distribute and post this Policy. Each location is required to distribute this Policy to students, faculty, other academic appointees, staff, volunteers who regularly interact with students, and contractors who provide services involving regular interaction with students, by such means as websites, student information boards, student handbook, faculty handbook and staff websites and information boards and during training and student orientation.

## 9.10 Sexual Violence Sexual Harassment Student Investigation and Adjudication Framework for DOE- Covered Conduct (Appendix F)

### I. Resources relating to Sexual Violence and Sexual Harassment (Stage One)

The University has a Title IX office at each campus that is responsible for receiving and responding to reports of Prohibited Conduct under the SVSH Policy. Confidential Resources, as defined by the SVSH Policy, also are available at each campus both before and after a person communicates with the Title IX office about potential violations of the SVSH Policy. Confidential Resources are also available to a person who chooses not to communicate with the Title IX office. These Confidential Resources are not required to report Prohibited Conduct to the Title IX office.

### Report of and response to Prohibited Conduct (Stage One)

A. Consistent with the Policy, the University may consider any person who reportedly experienced Prohibited Conduct a "Complainant," whether or not they make a report or participate in the resolution process.

B. The University will strive to honor the stated wishes of the Complainant concerning whether to move forward with an investigation. In accordance with the SVSH Policy, if the Complainant requests that no investigation occur, the Title IX Officer will determine whether the allegations, nonetheless, require an investigation to mitigate a potential risk to the campus community. If the Title IX Office begins a Formal investigation despite the Complainant's request, it will provide Complainant with all information required by the Policy unless Complainant states in writing that they do not want it.

C. University Provided Support Services. Throughout this resolution process, the University will offer support services for Complainants (through the CARE Advocate) and Respondents (through the Respondent Services Coordinator).

D. Supportive Measures: The University will consider and implement Supportive Measures including interim measures throughout the process as appropriate to protect the safety of the Complainant, the Respondent, or the University community; to restore or preserve a party's access to a university program or activity; or to deter Prohibited Conduct. The Title IX Officer will ensure that supportive measures are non-disciplinary and non-punitive, and that they do not unreasonable burden a party.

E. Interim Suspension. The University may place the Respondent on an Interim Suspension consistent with the Policy, except which it describes the standards for determining whether an interim suspension is appropriate. For cases involving DOE Covered Conduct, this standard shall apply instead. A student shall be restricted only to the minimum extent necessary when, based on an individualized safety and risk analysis, there is reasonable cause to believe that the Respondent's participation in university activities or presence at specified areas of campus will lead to physical abuse, threats of violence, or conduct that threatens the physical health or safety of any person on university property or at official University functions.

F. Advisors and Support Persons. At all stages of this process, the Complainant and Respondent have the right to an advisor of their choosing, as well as the right to a support person of their choosing. The advisor and/or support person may be any person (including an advocate, attorney, friend, or parent) who is not otherwise a party or a witness.

1. The advisor's primary role is to provide guidance through the process and during the hearing. An advisor is required to ask a party questions of the other party and witnesses. The only instance in which an advisor may speak on behalf of a party is to ask the party's questions of the other party or witnesses during the hearing.
2. If a party does not have an advisor available at any point during the hearing, the University will assign a person, without cost to the party, to fulfill the role of asking the party's questions for them.
3. The support person's primary role is to provide emotional support. Generally, the support person may not speak on behalf of a party.
4. Advisors and support persons may not disrupt any meetings or proceedings in any manner. At all stages of the process, advisors and support persons must comply with the University's roles of conduct for participants in this process. The University reserves the right to exclude an advisor and/or support person who does not abide by all these procedures.

G. Party Participation. Neither the Complainant nor the Respondent is required to participate in the resolution

process outlined in these procedures. The University will not draw any adverse inferences from a Complainant or Respondent's decision not to participate or to remain silent during the process. An investigator or hearing officer, in the investigation or the hearing respectively, will reach findings and conclusions based on the information available.

H. Selective Participation. When a party selectively participates in the process – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – an investigator or hearing officer may consider the selective participation in evaluating the party's credibility. In doing so, they should try to discern reasonable non- adverse explanations for the selective participation, including from the parties' own explanations, and determine whether the information available supports those explanations.

I. University's Neutral Role. In all cases, including where the Complainant chooses not to participate or where there is no Complainant as provided the University's role is neutral, and it will conduct any fact finding and sanctioning without taking the position of either party.

J. Case Management Team. The campus Case Management Team (CMT) will track all stages of the resolution process under these procedures.

K. Training. All University officials involved in this resolution process will be trained to carry out their roles in an impartial manner in keeping with trauma- informed practices.

L. Standard of Proof. The standard of proof for fact finding and determining whether a policy violation(s) occurred is Preponderance of Evidence. A Respondent will not be found responsible for a violation of the Policy and/or other student conduct policies unless the evidence establishes it is more likely than not that they violated the Policy and/or other student conduct policies.

M. Extension of Deadlines. The Title IX Officer may extend any deadlines contained herein consistent with the SVSH Policy as applicable, and for good cause shown and documented. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.



N. Disability-Related Accommodations. The Title IX Office will consider requests from parties and witnesses for disability-related accommodations.

O. Requests for Language Interpretation. The Title IX Office will consider requests from parties and witnesses for language interpretation.

P. Dismissal of DOE-Covered Conduct Charges. If at any time during the investigation the Title IX Officer determines that the alleged conduct did not occur in the University's program or activity or that the Complainant was not in the United States at the time of the alleged conduct, the Title IX Officer must dismiss the DOE-Covered Conduct charges regarding that conduct from the DOE Grievance Process and proceed as set forth in the Policy Appendix

## II. Investigation of Formal Complaint of DOE-Covered Conduct (Stage Two)

A. Commencing a Formal Investigation DOE Grievance Process. Upon receipt of information about alleged Prohibited Conduct, the Title IX Officer will determine, consistent with the Policy, whether to initiate a DOE Grievance Process Formal Investigation. When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.



B. Notice of Charges. If a DOE Grievance Process Formal Investigation will be conducted, the Title IX Officer, after consulting with Student Conduct, will send written notice of the charges to the Complainant and Respondent. The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview.

The notice will include:

1. A summary of the reported conduct that potentially violated the SVSH Policy and, where applicable, other student conduct policy;
2. the identities of the parties involved;
3. the date, time, and location of the reported incident(s) (to the extent known);
4. the specific provisions of the SVSH Policy, including the DOE Covered Conduct and any other Prohibited Conduct, and/or any other student conduct policy potentially violated;
5. a statement that each party may have an advisor and a support person of their choice throughout the process, as described in Section III.F above.
6. a statement that the investigative report, when issued, will make factual findings and a preliminary determination regarding whether there has been a violation of the SVSH Policy and/or other student conduct policy;
7. a statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;
8. a statement that it is a violation of university policy to furnish false information to the University, but that an investigative preliminary determination or a hearing officer's determination regarding responsibility that is inconsistent with the information that a party furnished does not, in and of itself, indicate that that information was false;
9. a statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related to whether a policy violation occurred;

10. a statement that the factual findings and preliminary determination will be based on a Preponderance of Evidence standard;
11. a statement that a determination of whether a policy violation has occurred will be made only after the process is complete and therefore there is, at the outset, no presumption that the Respondent is responsible for a policy violation;
12. when applicable, a statement that if it is preliminarily determined that a DOE-Covered Conduct violation did not occur, the investigator will still make a preliminary determination in the investigative report of whether other violations of the Policy occurred;
13. a summary of the resolution process, including the possible hearing, and the expected timeline;
14. an admonition against Retaliation; and
15. a summary of rights and resources available to the Complainant and Respondent.

At any point during the investigation, the Title IX Officer may amend the notice to add additional charges identified during the investigation. Any amended notice should include all the information described above.

### C. Investigation Process

The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. The burden of gathering evidence sufficient to reach a preliminary determination regarding whether violation(s) of the Policy occurred rests with the investigator. Absent an extension for good cause, the Title IX Office will typically complete its investigation within 60 to 90 business days from the date of the notice of charges.

1. During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit evidence, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing. The investigator has discretion to determine

which witnesses to interview based on the relevance of the evidence they allegedly would offer, and to determine what questions to ask, and will decline to ask questions that are not relevant or unduly repetitive, or that would violate the SVSH rules of conduct.

2. The investigator will meet separately with the Complainant, Respondent, and witnesses, and will gather other available and relevant evidence. The investigator may follow up with the Complainant, the Respondent, and witnesses as needed to clarify any inconsistencies or evidence gathered during the course of the investigation.
3. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.
  - a. The investigator will generally consider direct observations and reasonable inferences from the facts.
  - b. The investigator will generally not consider statements of personal opinion as to anyone's general reputation or any character trait.
  - c. The investigator may consider prior or subsequent conduct of the Respondent in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct or other conduct prohibited by student conduct policies by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of an SVSH Policy or other policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct or related student conduct policy violation under investigation.
  - d. Sexual history. The investigator will not, as a general rule, consider the sexual history of a Complainant or Respondent. However, in

limited circumstances, sexual history may be directly relevant to the investigation.

As to Complainants: While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the Respondent reasonably believed consent was given during the encounter under investigation.

Further, evidence of specific past sexual encounters may be relevant to whether someone other than the Respondent was the source of relevant physical evidence.

As to Respondents: Sexual history of a Respondent might also be relevant to explain an injury, show a pattern of behavior by Respondent or resolve another issue of importance in the investigation.

Sexual history evidence that is offered to show a party's reputation or character will never be considered relevant on its own.

The investigator will consider proffered evidence of sexual history, and provide it to the parties for review only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

D. Clinical records. During the investigation, the investigator will not access, review, consider, disclose, or otherwise use a complainant's or respondent's medical or behavioral health records that are made in connection with treatment without the party's voluntary written consent.

E. Privileged records. During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege without the party's voluntary written consent.

## F. Expert Evidence

The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred.

1. If a party wishes for such evidence to be considered, they will make a written request to the Title IX officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the person(s).
2. The Title IX officer will grant the request for the proposed expert to provide evidence if the proposed evidence is relevant, and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.
3. If the Title IX officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX office may also retain its own expert on any issue on which one or both parties will be presenting expert evidence; the Title IX office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.
4. As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for

their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence.

5. In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

## G. Coordination of Law Enforcement

When a law enforcement agency is conducting its own investigation, the investigator should coordinate their fact-finding efforts with the law enforcement investigation in accordance with the SVSH Policy (See SVSH Policy Section V.A.5.b.i and SVSH Policy FAQs 7 and 8). A reasonable delay resulting from such coordination may be good cause for extending the timelines to complete the investigation. If so, the delay will be communicated and documented in accordance with the SVSH Policy.

## H. Opportunity to Review and Respond

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related – a standard broader than relevance – relevant, including relevant evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, will not exceed 5 of at least 10 business days.

## I. Investigation Report

The investigator will prepare a written report that includes the factual allegations and alleged policy violations, statements of the parties and witnesses, a summary of the evidence the investigator considered, findings of fact, credibility determinations when

appropriate, an analysis of whether a policy violation has occurred, and a preliminary determination regarding whether there are any policy violations. The investigator may consult with Student Conduct on the preliminary determinations regarding violations of student conduct policies other than the SVSH Policy. If credibility determinations were not necessary to reach the findings and preliminary policy determinations, the report will note and explain why. If the Complainant or Respondent offered witnesses or other evidence that was not considered by the investigator, the investigation report will include an explanation of why it was not considered. The investigation report should also indicate when and how the parties were given an opportunity to review the evidence. The investigation report will include an analysis and preliminary determination of each charge included in the notice of charges.

#### J. Issuance of Notice and Report

1. Upon completion of the Title IX Investigation, the Title IX Officer will provide to the Complainant and the Respondent (a) written notice of the factual findings and preliminary determinations, and (b) the investigation report. The investigation report may be redacted to protect privacy.

The Title IX Officer will provide Student Conduct with the written notice and an unredacted copy of the investigation report.

2. The notice of the factual findings and preliminary determinations will include the following:
  - a. A summary statement of the factual findings and preliminary determinations regarding whether the Policy or other student conduct policies have been violated;
  - b. In cases where the investigator preliminarily determines a policy violation(s) occurred, an explanation of how the proposed sanction will be determined, including that each party will have an
  - c. opportunity to provide input on sanctions through a meeting with Student Conduct and/or written statement.
  - d. A statement that each party may provide a written response to the investigation report indicating whether they accept or do not accept the preliminary determination;

- e. A statement that, unless both parties accept the preliminary determination as to policy violation(s), there will be a factfinding hearing to determine whether the SVSH Policy or other student conduct policies have been violated, after which Student Conduct will determine any sanctions;
- f. An explanation of the procedures and timeline for contesting the preliminary determination;
- g. A statement that if both parties accept the preliminary determination, they still will have the right to appeal the sanction, if any;
- h. An admonition against Retaliation; and
- i. An explanation of any supportive measures that will remain in place.

#### K. Access to Certain Investigation Records

After issuance of the investigator's written report, the investigation file, consisting of the investigation report and any evidence deemed relevant by the investigator (as documented in the investigation report), must be retained by the Title IX Officer and made available to the parties for inspection upon request. It may be redacted to protect privacy.

#### III. Proposed Sanction (Stage Two)

In cases where the investigator preliminarily determines a policy violation occurred:

A. Party Input. Either party may schedule a meeting with or submit a written statement to Student Conduct to provide input on sanctions. A party intending to do so will, within three days of receiving the notice of preliminary determination, either contact Student Conduct to schedule the meeting or submit the written statement to that office.

B. Student Conduct Proposal. Student Conduct will review the report, the evidence deemed relevant by the investigator as documented in the report, the preliminary determinations, respondent's prior conduct record, any comment on sanctions from the parties (received either in person or in writing), and any other information relevant to the factors described in Section IX, and will determine a proposed sanction. Student Conduct will propose a sanction in all cases where there is a preliminary determination that the policy was

violated, regardless of whether the preliminary determination is contested.

#### C. Notification

Student Conduct will notify the parties of the proposed sanction and supporting rationale within 15 business days of the notice of investigative findings and preliminary determination.

#### D. Student Conduct Meeting

When possible, a party's meeting with Student Conduct to provide input on sanctions will be combined with the meeting.

### IV. Opportunity to contest the preliminary determination (Stage Three)

Unless both parties accept the investigator's preliminary determinations as to whether or not the policy was violated, there will be a factfinding hearing to determine whether the SVSH Policy or other student conduct policies have been violated, after which Student Conduct will determine any sanctions.

#### A. Opportunity to discuss options:

If either party wishes to discuss the possibility of contesting and the implications of contesting or not contesting the preliminary determination, including the hearing that will result if either party contests, they may discuss their options with Student Conduct (even if the investigator's preliminary determination was that no policy violation occurred). If either party wishes to meet with Student Conduct, they will contact Student Conduct within 3 business days of receiving the notice of preliminary determination to schedule the meeting.

#### B. Accepting the Preliminary Determination

1. Either party may accept the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.
2. A party may accept the preliminary determination by providing Student Conduct with a written response stating that the party accepts the preliminary determination, and wishes not to

proceed with a hearing. A party may also provide Student Conduct with a written response stating that the party does not accept the preliminary determination.

3. If both parties provide a written response that they do not wish to proceed with a hearing during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and Student Conduct will impose the proposed sanction, and the parties will have the right to appeal the sanction.

#### C. Consideration of consolidation of related cases

Where a case arises out of substantially the same set of factual allegations as another case in the student resolution process (for example, where multiple Complainants or Respondents are involved in the same incident), or where it involves the same Complainant and Respondent, the Title IX officer has discretion to coordinate or combine the investigation and/or adjudication of those cases.

#### D. Notice of hearing or no hearing

1. Unless both parties accept the preliminary determination by the end of the 20 business days, Student Conduct will notify the parties that there will be a hearing.



2. Alternatively, if both parties accept the preliminary determination, Student Conduct will notify the parties that there will be no hearing. This notice will indicate that the preliminary determination as to policy violation(s) that the parties choose to accept is final, and that Student Conduct is imposing the proposed sanction (if any); and that the parties have the right to appeal the sanction

#### V. Hearing to determine policy violations (Stage Four)

A. Fact finding hearing. Unless both parties accept the investigator's preliminary determinations, there will be a factfinding hearing before a single hearing officer. The hearing is to determine whether a violation of the SVSH Policy (and any non-SVSH Policy violations charged in conjunction with them) occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

#### B. Hearing Officer

1. The hearing officer may be a university employee or outside contractor, and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.
2. The hearing coordinator will inform the parties of the hearing officer's identity. Within 5 business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.
  - a. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.
  - b. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.

- c. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

3. Student Conduct will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

#### D. Pre-Hearing Procedures

1. When a hearing is required under these procedures, the hearing officer and hearing coordinator will hold a separate meeting with each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.
  - a. No later than 5 business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence.
  - b. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.
  - c. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.
  - d. The hearing officer and/or coordinator will explain what to expect at the hearing.
  - e. The hearing officer and/or coordinator will also discuss measures available to protect the

well-being of parties and witnesses at the hearing, as appropriate.

- f. Any party contesting (or presumed to contest) the investigator's preliminary determination regarding policy violation(s) is required to participate in the pre-hearing meeting.
  - g. If a contesting (or presumed to be contesting) party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have 2 business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the 2 business days, they will be presumed to no longer contest the investigator's preliminary determination. If the other party has not contested, there will be no hearing, and Student Conduct will notify the parties that the investigator's preliminary determination is final, and impose the proposed sanction. If the other party has contested, the hearing will proceed but the non-appearing party will be presumed to agree with the definition of the scope of the hearing.
  - h. The party who is not contesting is encouraged, but not required, to participate in the pre-hearing meeting.
2. Within 5 business days after concluding meetings with both parties (or determining that a non-contesting party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided. Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

- a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive;
  - b. Decide any procedural issues for the hearing; and/or
  - c. Make any other determinations necessary to promote an orderly, productive, and fair hearing.
3. Within 5 business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony that they would like to present.
  4. Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.
  5. The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Based on the hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing. The University cannot compel parties or witnesses to testify in the hearing and their decision not to testify will not be a reason to cancel or postpone a hearing.





6. At least 2 business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.
7. The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator before the hearing, but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.
- c. Make any other determinations necessary to promote an orderly, productive, and fair hearing.
3. All witnesses other than the parties will attend the hearing only for their own testimony.
4. The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.
5. In cases where the credibility of a witness is not central to the determination of a particular disputed issue and the witness does not appear at what weight to give to their statements from the investigation report.
6. The Hearing Officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation -- such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation -- when assessing credibility.

#### E. Hearing Procedures

1. The hearing will be conducted in a respectful manner that promotes fairness and accurate factfinding. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer may question witnesses and parties.
2. Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider all evidence they determine to be relevant and reliable. The hearing officer may determine and weigh the relevance of any witness testimony or other evidence to the findings. The hearing officer will also follow the evidentiary principles in Section IV.C.3.
7. The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the participation of support persons in accordance with these procedures.
8. The hearing officer will allow the parties and/or witnesses to be visually or physically separated during the hearing. This may include, but is not limited to, the use of a physical partition, a separate physical location, videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

Throughout the hearing, the hearing officer will:

- a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements
  - b. Decide any procedural issues for the hearing, and/or;
  9. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce
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evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing.

10. The parties have the right to hear (or, if deaf or hard of hearing, to access through auxiliary aids for services) testimony of all individuals who testify at the hearing and to propose questions to be asked of all individuals who testify at the hearing. The parties may propose questions at the hearing by submitting them to the hearing officer.

11. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

12. The hearing officer will determine the order of questioning. Unless they determine re-phrasing is necessary, the hearing officer will ask the questions as they are submitted by the parties and will not change them. The hearing officer may find it necessary to rephrase questions to, for example, prevent them from being harassing or for clarity. The hearing officer must exclude questions that are repetitive, irrelevant, or harassing. They may also exclude questions that are unduly time consuming. Whenever practical, the hearing officer will briefly state their reasons for excluding or rephrasing questions submitted by the parties.

13. Parties are allowed to note in writing only, objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing, will parties provide the record of their objections, if any, to the hearing officer for inclusion in the record.

14. The University will audio record the hearing.

15. The parties may have their advisors and support persons present throughout the hearing.

#### F. Determination of Policy Violation

1. Standards for Deliberation. The hearing officer will decide whether a violation of the SVSH Policy

(or related non-SVSH Policy violation) occurred based on a Preponderance of Evidence standard.

#### 2. Information Considered

The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

#### G. Sanction

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

#### H. Notice of Determination of Sanction

Within 15 business days of the hearing, the hearing coordinator will send written notice to the Complainant and Respondent (with a copy to the Title IX Officer and Student Conduct) setting forth the hearing officer's determination on whether the SVSH Policy and/or other student conduct policies have been violated, and, if so, Student Conduct's determination of any sanctions to be imposed. The written notice will include the following:

1. The determinations of whether the SVSH Policy and/or other student conduct policies have been violated;
2. If so, a description of the sanctions;



3. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
4. A summary of the facts found by the investigator that the parties did not dispute.
5. The rationale for the determination of each charge;
6. The rationale for any sanctions;
7. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal; and
8. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures.
9. Documentation of Hearing

Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination and any sanction has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

## VI. Appeal Process (Stage Five)

A. Equal Opportunity to Appeal. The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process, but is not a party and does not advocate for or against any appeal.

B. Grounds for Appeal. A party may appeal only on the grounds described in this section. The appeal should identify the reason(s) why the party is challenging the outcome under one or more of the available grounds.

1. In cases where there was a hearing, the following grounds for appeal apply:
  - a. There was procedural error in the hearing process that materially affected the outcome;

- b. The determination regarding policy violation was unreasonable based on the evidence before the hearing officer; this ground is available only to a party who participated in the hearing; and
- c. The sanctions were disproportionate to the hearing officer's findings.

2. In cases where there was no hearing, the parties may appeal on only one ground: that the sanctions were disproportionate to the investigator's preliminary determination regarding policy violations.

## C. Commencing an Appeal

1. In cases where there was a hearing, an appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination and, if imposed, the disciplinary sanctions. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. Student Conduct will notify the other party of the appeal and, if the appeal includes the ground that the sanction is disproportionate, that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.
2. In cases where there was no hearing, an appeal must be submitted in writing to Student Conduct within 10 business days following Student Conduct's notice to the parties that the preliminary determination was final and that Student Conduct would impose the proposed sanction. Student Conduct will notify the other party of the appeal and, if the appeal is on the ground that the sanction is disproportionate, that they have an opportunity to meet with the appeal officer to discuss the proportionality of the sanction.

## D. Appeal Decision

1. Standards for Deliberation. The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. In disproportionate sanction

appeals, they may also consider any input parties provide in a meeting. They will not make their own factual findings, nor any witness credibility determinations.

2. Disproportionate Sanction Appeals – Opportunity for Meeting. In cases where a ground of appeal is disproportionate sanction, the parties may meet separately with the appeal officer for the limited purpose of providing input on their desired outcomes as to sanctions only.

3. Decision by Appeal Officer. The appeal officer may:

- a. Uphold the findings and sanctions;
- b. Overturn the findings or sanctions;
- c. Modify the findings or sanctions; or
- d. In appeals alleging material procedural error (ground (a) above), send the case back to the hearing officer for further factfinding if needed.

4. Written Report

The appeal officer will summarize their decision in a written report that includes the following:

- a. A statement of the grounds identified on appeal;
- b. A summary of the information considered by the appeal officer; and
- c. The decision of the appeal officer and the rationale for the decision including, where the findings or sanctions are overturned or modified, an explanation of why the findings were not reasonable or the sanctions were disproportionate, or how the procedural error materially affected the outcome.

5. Distribution of Written Decision

Within 10 business days of receiving the appeal, the appeal officer will send their written decision to Complainant and Respondent (with copies sent to the Title IX Officer and Student Conduct).

- a. Unless the appeal officer remands the matter, they will inform the Respondent and the Complainant that the matter is closed with no further right to appeal.

- b. If the appeal officer remands the matter, they will specify what further factfinding should occur or what additional information should be considered and request that the hearing officer report back to the appeal officer on their additional factfinding. After receiving the hearing officer's additional factual findings, the appeal officer will issue their decision within 10 business days. This decision will be final.



## 10.0 Principles, Options, and Factors in Student Sanctions:

### A. Introduction

These standards are intended to ensure the consistent and proportionate application of disciplinary sanctions by the University in responding to conduct that violates the University's Policy on Sexual Violence and Sexual Harassment and the applicable portion of the University's Policies Applying to Campus Activities, Organizations, and Students (PACAOS) - Section 100.00 (Policy on Student Conduct and Discipline). The following describes the University's principles, options, and factors to consider in assigning sanctions when the Respondent is a student.

### B. Principles

1. The administration of student discipline will be consistent with the Policy on Student Conduct and Discipline.
2. When a student is found responsible for violating the University's SVSH Policy or other student conduct policies, the University will assign sanctions that are proportionate and appropriate to the violation, taking into consideration the context and seriousness of the violation. The University is also committed to providing appropriate remedial measures to Complainant, as described in the SVSH Policy.
3. When a student is found not responsible for violating the University's SVSH Policy and other student conduct policies, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.



4. Sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Sanctions also serve the purpose of stopping Prohibited Conduct under the SVSH Policy, and preventing its recurrence.
5. The University recognizes that acts of Sexual Violence, Sexual Harassment and other forms of Prohibited Conduct are contrary to its goals of providing an educational environment that is safe and equal for all students.
6. University of California campuses are encouraged to inform other UC campuses of a student's disciplinary record for violating the University's SVSH Policy and other student conduct policies

### **C. Sanctioning Options**

1. University sanctions include, but are not limited to:
  - a. Dismissal from the University of California;
  - b. Suspension from the University of California;
  - c. Exclusion from areas of the campus and/or from official University functions;
  - d. Loss of privileges and/or exclusion from activities;
  - e. Restitution;
  - f. Probation;
  - g. Censure/Warning; and/or
  - h. Other actions as set forth in university policy and campus regulations.
2. The definitions of sanction are found in PACAOS Section 105.00 of the Policy on Student Conduct and Discipline and local campus regulations.
3. The posting of sanctions on academic transcripts will follow University policy as defined in PACAOS, Section 106.00 of Policy on Student Conduct and Discipline

### **D. Factors Considered in Determining Sanctions**

1. In all cases, when determining the appropriate and proportionate sanction, the following factors will be taken into account when applicable:
  - a. Seriousness of violation: location and extent of touching; duration of conduct; single or

repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; presence of weapons, use of force or violence, physical injury; menace; duress; deliberately causing or taking advantage of a person's incapacitation; and recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.

- b. Intent or motivation behind violation: no intent to cause harm; passive role in violation; pressured or induced by others to participate in the violation; planned or predatory conduct; hate or bias based on the Complainant's membership or perceived membership in a protected group as defined in PACAOS Section 104.9 of the Policy of Student Conduct and Discipline.
- c. Whether the conduct is aggravated, as defined in the SVSH Policy.
- d. Response following violation: voluntarily acknowledge wrongdoing at early stage of the process; failure to follow no contact order; attempt to influence witnesses; obstructed or disrupted the process.
- e. Disciplinary history: unrelated prior violations; related prior violations.
- f. Impact on others: input from the Complainant; protection or safety of the Complainant or the community.

## E. Sanctions for Certain Conduct

### 1. Sanctions will be assigned as follows:

- a. Sexual Assault – Penetration or Sexual Assault – Contact that is aggravated as defined in the SVSH Policy will result in a minimum sanction of suspension for two calendar years.
- b. Sexual Assault – Penetration, Domestic or Dating Violence, or Stalking will result in a minimum sanction of suspension for two calendar years unless there are exceptional circumstances.

c. Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year, unless there are exceptional circumstances.

d. Sexual Harassment and Other Prohibited Behavior, as defined by the SVSH Policy, will not result in any minimum sanction but will be sanctioned in accordance with the factors identified in Section D above.

2. Assigned sanctions for each case will be documented and reported to the System wide Title IX Director on a regular basis. The report is to ensure a reasonable level of consistency from campus to campus



## 11.0 Prohibited Conduct for Staff and Non-Faculty-Investigation & Adjudication

Consistent with the UC Policy on Sexual Violence and Sexual Harassment (“SVSH Policy”), the following describes the University’s process for investigating and adjudicating alleged violations of the SVSH Policy in instances where the respondent is either a University employee whose conduct is governed by Personnel Policies for Staff Members (“PPSMs”), and who is subject to disciplinary and termination procedures set forth in PPSM 62 (Corrective Action – Professional and Support Staff) and PPSM 64 (Termination and Job Abandonment) or a non- faculty academic appointee who is subject to disciplinary procedures under the Academic Personnel Manual (“APM”), APM-150 (Non- Senate Academic Appointees/Corrective Action and Dismissal).

### Reporting Options and Resources (Stage 0)

#### Reporting Options:

Any person may make a report, including anonymously, of conduct prohibited under the SVSH Policy (“Prohibited Conduct”) to the Title IX Office. The Title IX Office is responsible for receiving and responding to reports of Prohibited Conduct.

A person may also make a report to a Responsible Employee as defined by the SVSH Policy. The SVSH Policy requires a Responsible Employee who becomes aware of an incident of Prohibited Conduct to report it to the University by contacting their location’s Title IX Officer or designee.

While there is no time limit for reporting, reports of Prohibited Conduct should be brought forward as soon as possible.

A complainant may choose to make a report to the University and may also choose to make a report to law enforcement. A complainant may pursue either or both of these options at the same time. Anyone who wishes to report to law enforcement can contact the UC Police Department at their location.

#### Confidential Resources:

The University offers access to confidential resources for individuals who have experienced Prohibited Conduct and are seeking counseling, emotional support, or confidential information about how to make a report to the University. University Confidential Resources are defined pursuant to the SVSH Policy and include individuals who receive reports in their confidential capacity such as licensed counselors (e.g., Employee Assistance Program (EAP) and Counseling and Psychological Services (CAPS)).

These individuals can provide confidential advice and counseling without that information being disclosed to the Title IX Office or law enforcement, unless there is a threat of serious harm to the individual or others or a legal obligation that requires disclosures (such as suspected abuse of a minor).

#### **Initial Assessment (Stage 1)**

Upon receipt of a report of or information about alleged Prohibited Conduct, the Title IX Officer will make an initial assessment in accordance with the SVSH Policy, which will include making an immediate assessment concerning the health and safety of the complainant and the campus community, and a determination of whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination.

The initial assessment process described below is for all reports of Prohibited Conduct, including DOE-Covered Conduct. A special dismissal provision that applies specifically to complaints of DOE-Covered Conduct is in the DOE Addendum.

#### Supportive Measures:

The University will also consider and implement Supportive Measures, including Interim Measures, as appropriate to protect the safety of the parties or the University community; to restore or preserve a party’s access to a university program or activity; or to deter Prohibited Conduct per the SVSH Policy.



### Written Rights & Options:

The Title IX Officer will ensure that the complainant, if their identity is known, is provided a written explanation of rights and available options as outlined in the SVSH Policy, including:

1. How and to whom to report alleged violations;
2. Options for reporting to and/or notifying law enforcement and campus authorities;
3. Information regarding confidential resources;
4. The rights of complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts;
5. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
6. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community;
7. Options for a change to academic, living, transportation, and working situations if the complainant requests and if such options are reasonably available— regardless of whether the complainant chooses to report the crime to law enforcement;
8. The range of possible outcomes for the report, including supportive and remedial measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

### **Investigating and resolving reports of prohibited conduct (Stage 1)**

The below provisions for investigation and resolution of reports cover investigations of DOE-Covered Conduct and other Prohibited Conduct. Provided the University has sufficient information to respond, and in accordance

with the SVSH Policy, the University may resolve reports of alleged Prohibited Conduct by respondents covered by this Framework through Alternative Resolution or, Formal Investigation, or a DOE Grievance Process. Throughout the resolution process, the complainant and the respondent may be accompanied by an advisor. In addition, the University will offer to provide support services for complainants and for respondents. The Title IX Office will consider requests from parties and witnesses for language interpretation and, in consultation with the campus disability management office when appropriate, for disability-related accommodations.

*Alternative Resolution.* After a preliminary inquiry into the facts, if the complainant and respondent agree in writing, the Title IX Officer may initiate an Alternative Resolution in accordance with the SVSH Policy.

Alternative Resolution is not available when the complainant is a student and the respondent is an employee.

*Investigation.* In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may conduct an investigation per the Formal Investigation or DOE Grievance Process provisions. When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

1. Notification: The Title IX Officer will notify the Chancellor's designee and the respondent's supervisor or other appropriate administrative appointee when a Formal Investigation or DOE Grievance Process is commenced against a respondent. The Title IX Officer will be sensitive in their communication to protect the neutrality of the Chancellor's designee and the neutrality of the supervisor or other appropriate administrative appointee, as well as the privacy of the complainant and respondent.

Thereafter, the Title IX Officer will ensure that the Chancellor's designee and/or supervisor or other appropriate administrative appointee are regularly updated regarding the status of the Formal Investigation or DOE Grievance Process.

2. Notice of Investigation. When a Formal Investigation or DOE Grievance Process will be conducted, the Title IX Office will send written notice of the charges to the complainant and the respondent.

The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview. The written notice will include:

- a. A summary of the allegations and potential violations of the SVSH Policy;
- b. The identities of the parties involved;
- c. The date, time, and location of the reported incident(s) (to the extent known);
- d. The specific provisions of the SVSH Policy potentially violated;
- e. A statement that the investigative report, when issued, will make factual findings and a determination (in a Formal Investigation) or preliminary determination (in a DOE Grievance Process) whether there has been a violation of the SVSH Policy;
- f. A statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;
- g. A statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related – a standard broader than relevant - to whether a policy violation occurred;
- h. A statement that the findings under the SVSH Policy will be based on the preponderance of the evidence standard;

- i. A statement that a determination of whether a policy violation has occurred will only be made after an investigation or hearing (if required) and therefore there is, at the outset, no presumption that the respondent is responsible for a policy violation;
- j. Where applicable, a statement that if it is preliminarily determined that a DOE-Covered Conduct violation did not occur, the investigator will in the investigative report make a preliminary determination of whether other violations of the SVSH Policy occurred;
- k. A summary of the investigation and discipline processes, including the expected timeline;
- l. A summary of the rights of the complainant and respondent, including the right to an advisor of their choosing, who may be any person, including an attorney, who is not otherwise a party or a witness;
- m. A description of the resources available to complainant and respondent; and
- n. An admonition against intimidation or retaliation.

### 3. Investigative Process

The Title IX Officer will designate an investigator to conduct a fair, thorough, and impartial investigation.

- a. Overview: During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing.

The investigator will meet separately with the complainant, the respondent, and the third-party witnesses who may have relevant information, and will gather other available and relevant information. The investigator may follow up with the complainant or the respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial.

Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be counseled about keeping information private to protect the integrity of the investigation.

The complainant or the respondent may have an advisor present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by university policy or collective bargaining agreement.

b. Coordination with Law Enforcement

When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be a criminal investigation.



c. Specific Types of Evidence:

*Sexual History of complainant.*

The investigator will not, as a general rule, consider the complainant's sexual history. However, in limited circumstances, the complainant's sexual history may be directly relevant to the investigation. While the investigator will never assume that a past sexual relationship between the parties means the complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the respondent reasonably believed consent was given during the encounter under investigation.

Further, evidence of specific past sexual encounters may be relevant to whether someone other than respondent was the source of relevant physical evidence. Sexual history evidence that shows a party's reputation or character will never be considered relevant on its delayed temporarily to meet specific needs own. The investigator

will consider proffered evidence of sexual history, and provide it to the parties for review under Section 4.d. below, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

*Expert Witnesses.* The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred. If a party wishes for such evidence to be considered, they will make a written request to the Title IX officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the persons.



The Title IX Officer will grant the request for the proposed expert to provide evidence if the alleged evidence is relevant, and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.

If the Title IX officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX office may also retain its own expert on any issue on which one or both parties will be presenting expert evidence; the Title IX office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.

As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence.

In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

*Clinical records.* The investigator will not during the investigation access, review, consider, disclose, or otherwise use a complainant's or respondent's medical or

other behavioral health records that are made in connection with treatment without the party's voluntary written consent.

*Privileged Records.* During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege without the party's voluntary written consent.



d. Evidence Review.

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, of at least 10 business days.

In investigations of No-Title IX Hearing DOE-Covered Conduct, because there will not be a Title IX hearing, the investigator will more specifically: provide parties the opportunity to submit written questions they propose the investigator ask the other party and witnesses, share the responses to their submitted questions, and allow them to propose limited follow-up questions. The investigator will have discretion to decline to ask questions that are not relevant or unduly repetitive, and will rephrase any questions that violate the rules of conduct. If the investigator declines to ask a question, they will explain their reasoning.

4. Investigation Report and Determination or Preliminary Determination.

Following the conclusion of the investigation, the Title IX investigator will prepare a written report. The written investigation report will include a statement of the allegations and issues, statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigation report will include findings of fact and a preliminary determination

(in a DOE Grievance Process) and a determination (in a Formal Investigation) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that respondent violated the SVSH Policy.

If the complainant or respondent offered witnesses or other evidence that was not relied upon by the investigator, the investigation report will explain why it was not relied upon. The investigation report will also indicate when and how the parties were given an opportunity to review the evidence.

If the findings of fact indicate that DOE-Covered Conduct occurred, but was not charged as such in the notice of investigation, then the investigator will reach preliminary determinations regarding whether a policy violation occurred and the Title IX Officer will notify the parties that the case will now proceed per the DOE Grievance Process.



If instead, the investigator preliminarily determines that conduct charged as DOE-Covered Conduct does not meet that definition, the report will include (if indicated in the Notice of Investigation) analysis and a preliminary determination both of whether respondent engaged in DOE-Covered Conduct and the other Prohibited Conduct.

#### 5. Notice of Investigation Outcome.

Upon completion of the investigation report, the Title IX Officer or designee will send to the complainant and the respondent a written notice of investigation outcome regarding the investigator's preliminary determination or determination (whichever applies) of whether there was a violation of the SVSH Policy. The notice of investigation outcome will generally be accompanied by a copy of the investigation report, which may be redacted as necessary to protect privacy rights.

The Title IX Officer or designee will also send the notice of investigation outcome and accompanying investigation report to the Chancellor's designee and the supervisor or other appropriate administrative authority.

In all cases, the notice of investigation outcome will include:

- a. A summary statement of the factual findings and determinations (in a Formal Investigation) or preliminary determinations (in a DOE Grievance Process) regarding whether a preponderance of the evidence demonstrated that respondent violated the SVSH Policy;
- b. An admonition against intimidation or retaliation;
- c. An explanation of any Supportive Measures that will remain in place;
- d. A statement that the complainant and respondent have an opportunity to respond in writing and/or in person to the Chancellor's designee and supervisor or other appropriate administrative authority; and
- e. A statement indicating whether it appears that further investigation by another appropriate body may be necessary to determine whether

violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

If in a Formal Investigation process the investigator determined that Respondent violated the Policy, the notice of investigation outcome will also include:

- a. For matters involving PPSM-covered respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the supervisor will propose a resolution, which may include corrective action as defined by PPSM-62 or termination in accordance with PPSM-64, and that the proposal will be subject to review and approval by the Chancellor's designee;
- b. For matters involving non-faculty academic respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the supervisor or other appropriate administrative authority will propose a resolution, which may include corrective action or dismissal as described in APM-150, and that the proposal will be subject to review and approval by the Chancellor's designee;
- c. A statement that the complainant and the respondent will be informed of the final resolution of the matter, including any discipline imposed, and a statement of the anticipated timeline.

In a DOE Grievance Process, the notice of investigation outcome will also include:

- a. If the investigator preliminarily determined that the respondent violated the SVSH Policy, a statement that the supervisor or other appropriate administrative authority will provide the parties an opportunity to respond to the findings, and will propose a resolution to be reviewed and approved by the Chancellor's designee.
- b. A statement that, unless both parties accept the preliminary determination and any proposed resolution, there will be a fact

finding hearing to determine whether the SVSH Policy has been violated, after which the supervisor or other appropriate administrative authority will propose a resolution and submit to the Chancellor's designee for review and approval; and

c. An explanation of the procedures and timeline for accepting the preliminary determination.

6. Timeframe for completion of investigation; extension for good cause.

The notice of investigation outcome and accompanying investigation report will be issued promptly, typically within sixty (60) to ninety (90) business days of initiation of the Formal Investigation or DOE Grievance Process, unless extended by the Title IX Officer for good cause, with written notice to the complainant and the respondent of the reason for the extension and the projected new timeline.

The Title IX Officer or designee will keep the complainant and respondent regularly informed concerning the status of the investigation.

**Assessment and Consultation (Stage 2)**

The steps outlined below for assessment and consultation apply to investigations of DOE- Covered Conduct and other Prohibited Conduct. After this assessment and consultation, matters investigated through Formal Investigation will go through Stage 3 (Decision on Sanctions) below. Matters investigated under the DOE Grievance Process will go to Stage 2.A (Opportunity to Accept the Preliminary Determination) in the DOE Addendum.

At the conclusion of a Formal Investigation, the respondent's supervisor or other appropriate administrative authority has the responsibility to propose and implement action in response to the findings of the investigation report. The proposed decision by the supervisor or other appropriate administrative authority will be reviewed and approved by the Chancellor's designee. The supervisor or other appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reinvestigate allegations of Prohibited Conduct investigated by the Title IX Office.

At the conclusion of a DOE Grievance Process investigation, the parties have the opportunity to accept or not accept the preliminary determination. When the preliminary determination is that the respondent engaged in DOE-Covered Conduct, or both DOE-Covered Conduct and other Prohibited Conduct, the supervisor or other appropriate administrative authority will propose a resolution that will be reviewed and approved by the Chancellor's designee, and the parties will have the opportunity to review the proposed resolution before deciding whether to accept the preliminary determination and proposed resolution.

The Chancellor's designee, as well as the supervisor or other appropriate administrative authority, may consult with the Title IX Office, Staff Human Resources, or the Academic Personnel Office, or any other appropriate entities at any time during the decision-making process.

Opportunity to respond. The complainant and the respondent will have an opportunity to respond to the notice of investigation outcome and accompanying investigation report through a written statement and/or in-person meeting that will be submitted to the respondent's supervisor or other appropriate administrative authority and the Chancellor's designee. The parties will have five business days after the Title IX Officer sends the investigation report to respond.

The purpose of this response is not to challenge the factual findings in the Title IX investigation report or present new evidence, but to provide the complainant and the respondent with an opportunity to express their perspectives and address what outcome they wish to see.

Decision proposal and submission approval.

In the event that the investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a Respondent is responsible for violating the SVSH Policy, the respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval.

In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority



for reconsideration and submission of a revised proposed decision.

In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement (in a Formal Investigation), or inform the Title IX Office and either Staff Human Resources or the Academic Personnel Office of (in a DOE Grievance Process), the approved decision.

This proposal and approval process will occur in all cases where the Title IX investigation has determined or preliminarily determined the respondent violated the SVSH Policy pursuant to these procedures. Staff Human Resources or the Academic Personnel Office will be consulted throughout the process. Additionally, the Chancellor's designee will consult with the campus Title IX Officer on the appropriateness of the proposed decision before approving or disapproving it.

### **Corrective or other Action (Stage 3)**

The below provisions apply when a respondent is found in violation of the SVSH Policy following a Formal Investigation, or following a hearing and any appeal in a DOE Grievance Process.

#### PPSM Covered Staff: Decision Approval and Implementation

Following approval by the Chancellor's designee, the respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, including PPSM-62 and PPSM-64.

#### *No Further Action*

The supervisor may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval. In the event it is approved, this decision and its rationale will be promptly communicated to both the complainant and the respondent.

#### *Action Not Requiring Notice of Intent*

The supervisor may propose corrective or remedial actions that do not amount to corrective action as defined by PPSM 62 or termination under PPSM 64. The

proposed actions will be reviewed by the Chancellor's designee for approval.

In the event it is approved, the decision will be implemented by the supervisor and the decision and its terms and rationale will be promptly communicated to both the complainant and the respondent.

#### *Notice of Intent*

The supervisor may propose to issue a notice of intent to institute corrective action in accordance with PPSM-62 or notice of intent to terminate in accordance with PPSM-64. The proposed terms of the notice of intent will be reviewed by the Chancellor's designee for approval. In the event it is approved, the decision will be implemented by the supervisor and the notice of intent will be issued.

Following the provision of a notice of intent, corrective action will be taken in accordance with PPSM-62 and/or actions to terminate will be taken in accordance with PPSM-64. The terms of the implemented action and its rationale will be promptly communicated to both the complainant and the respondent.

#### Non-Faculty Academic Personnel: Decision Approval and Implementation.

Following approval by the Chancellor's designee, the respondent's supervisor or other appropriate administrative authority will implement the approved action in accordance with APM-150.

#### *No Further Action*

The supervisor or appropriate administrative authority may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval. In the event it is approved, this decision and its rationale will be promptly communicated to both the complainant and the respondent.

#### *Informal Resolution*

The supervisor or appropriate administrative authority may propose an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. The proposed informal resolution and its terms will be reviewed by the Chancellor's designee for approval. Informal resolution

can be achieved at any time prior to the final imposition of dismissal or corrective action.

In the event the informal resolution is approved and agreed to by the respondent, the complainant will be promptly informed of its terms and the rationale.

#### *Notice of Intent*

The supervisor or other appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150. The proposed terms of the notice of intent shall be reviewed by the Chancellor's designee for approval.

Following the provision of a notice of intent, corrective action or termination will be implemented in accordance with APM-150. The terms of the implemented action and its rationale will be promptly communicated to both the complainant and the respondent.

#### Timeframe for Implementation of Decision; Extension for Good Cause

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

Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the complainant and the respondent stating the reason for the extension and the projected new timeline.

#### Process Following Action Taken

The below provisions apply when a respondent is found in violation of the SVSH Policy following a Formal Investigation, or following a hearing and any appeal in a DOE Grievance Process.

In the event that a PPSM-covered respondent submits a complaint under PPSM-70, or a non- faculty academic appointee respondent submits a grievance under APM-140, the Chancellor's designee will ensure that both the complainant and the respondent receive regular updates regarding the status of the complaint or grievance. The complainant may follow processes appropriate to their own personnel or student policies.

Subsequent to any final decision, the Chancellor's designee will promptly inform the complainant and the respondent of the decision, including any final decision on discipline, and its rationale.

### **11.1 DOE Addendum to Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel**

#### **Reporting and Resources (Stage 0)**

Reporting options and resources are as described in the corresponding numbered section in the Framework.

#### **Initial Assessment (Stage 1)**

The initial assessment, including Supportive Measures and written rights and options are as described in the corresponding numbered section of the Framework. The additional provision below on Dismissal of Formal Complaints is specific to DOE-Covered Conduct.

#### *Supportive Measures*

Supportive measures are as described in the corresponding numbered section of the Framework.

#### *Written Rights and Options*

Written rights and options are as described in the corresponding numbered section of the Framework.

#### *Required Dismissal*

The Title IX Officer must "dismiss" allegations in a DOE Formal Complaint if they determine during the Initial Assessment that the alleged conduct, even if true, is not DOE-Covered Conduct, as defined in the SVSH Policy, or they determine during the investigation that the alleged conduct, even if true, did not occur in a university program or activity or that the Complainant was not in the United States at the time.

The Title IX Officer will then proceed as described in the SVSH Policy Appendix IV; Section C. Dismissal means the Title IX Officer will no longer consider the allegations DOE-Covered Conduct; it does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations.

## **Investigating and Resolving Reports of Prohibited Conduct (Stage 1)**

The investigation and resolution of reports, including Alternative Resolution and Investigation, are described in the Framework.

### **Assessment and Consultation (Stage 2)**

The assessment and consultation is as described in the corresponding numbered section of the Framework.

### **Opportunity to Accept the Preliminary Determination (Stage 2.A)**

After the assessment and consultation described in Stage 2 of the Framework, the Chancellor or Chancellor's designee will inform Staff Human Resources or the Academic Personnel Office, and Title IX Officer, of the proposed decision and its rationale, and the Staff Human Resources or Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties. The parties will receive this notice within 15 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated.

### **Accepting the Preliminary Determination**

#### *Timeline*

Either party may accept the preliminary determination and proposed resolution within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and proposed resolution within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

#### *Written Acceptance*

A party may accept the preliminary determination by providing Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus designates) with a written acknowledgment stating that the party accepts the preliminary determination and any proposed resolution, and wishes not to proceed with a hearing.

#### *Final Decision Following Acceptance*

If both parties provide the written acknowledgement during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and the respondent's supervisor or appropriate administrative authority will impose the proposed resolution, including any discipline or corrective measures. The parties do not have the opportunity to appeal the final decision following their acceptance of the preliminary determination, nor complain under PPSM-70 (for a PPSM-covered respondent), submit a grievance under APM-140 (for a non-faculty academic appointee respondent), or submit a grievance under a collective bargaining agreement (for represented employee respondents).

### **Notice of Hearing or No Hearing**

#### *Notice of Hearing*

Unless both parties accept the preliminary determination by the end of the 20 business days, Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus selects), will notify the parties that there will be a hearing. The notice of hearing will include a summary of the hearing procedures.

#### *Notice of No Hearing*

If both parties accept the preliminary determination, Staff Human Resources or the Academic Personnel Office, or the Title IX Officer (whichever the campus selects), will notify the parties that there will be no hearing. This notice will indicate that the Title IX investigator's preliminary determination as to policy violation(s) is final, and that the respondent's supervisor or other appropriate administrator is imposing the proposed resolution (if any).

### **Prehearing AND Hearing (Stage 2.B)**

#### *Fact-finding Hearing*

Unless both parties accept the investigator's preliminary determinations, there will be a fact-finding hearing before a single hearing officer. The hearing is to determine whether a violation of the SVSH Policy occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

## *Hearing Officer*

### Overview

The hearing officer may be a university employee or outside contractor, and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

### Bias and Conflict of Interest

The hearing coordinator will inform the parties of the hearing officer's identity. Within 5 business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

1. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.
2. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.
3. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

### Disqualification Decision

Staff Human Resources or the Academic Personnel Office will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

## *Hearing Coordinator*

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

## *Pre-Hearing Procedures*

### Meeting with Parties

The hearing officer and hearing coordinator will hold a separate meeting (in person or remotely) with each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

1. The hearing coordinator will provide written notice to each party of their prehearing meeting, including time, location (or if remote, call instructions), and purpose of the meeting, at least 10 business days before the pre-hearing meeting.
2. No later than 5 business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses' expected testimony. The parties will later have an additional opportunity to submit proposed evidence.
3. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.
4. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.
5. The hearing officer and/or coordinator will explain what to expect at the hearing, see Section E below.
6. The hearing officer and/or coordinator will discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate. These may include, for example, use of lived names and pronouns during the hearing, including in screen names; a party's right to have their support person available to them use at all times during the hearing; a hearing participant's ability to request a break during the hearing, except when a question is pending.

7. The hearing officer and/or coordinator will inform the parties that the hearing will be conducted remotely. If a party believes that they need a university-provided physical space or technological equipment or assistance to participate remotely – for example, because of safety or privacy concerns, or a disability - they may request such resources from the hearing coordinator during the pre-hearing meeting. The hearing coordinator will respond to any such request in writing within five business days of the hearing meeting.
8. The parties and their advisors, if they have one, are required to participate in the pre-hearing meeting.
9. If a party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have 2 business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the 2 business days, the hearing will proceed but the non-participating party will be presumed to agree with the hearing officer's definition of the scope of the hearing.

#### Scope of Hearing

Within 5 business days after concluding meetings with both parties (or determining that a party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses on the basis of relevance. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

1. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not

in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements;

2. Decide any procedural issues for the hearing; and/or
3. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.

#### Submission of Additional Information

Within 5 business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony that they would like to present.

#### Notice of Hearing

Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

#### Witness Participation

The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Testimony by the Title IX investigator may be appropriate to help resolve disputes about the authenticity of evidence summarized in the investigation report and at issue at the hearing, or whether the investigator accurately memorialized a party's or witness's statement in the investigation. The Title IX investigator should not be questioned about their assessment of party or witness credibility, nor the investigative process generally, nor their preliminary determination of whether policy violations occurred, because the hearing officer will make their own credibility determinations and determination of policy violation(s) so this information would not be relevant. Based on the hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing.

#### Confirmation of Scope, Evidence, and Witnesses

At least 2 business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has

received, including the investigation file (consisting of the investigation report and any evidence deemed directly related by the investigator, as documented in the investigation report) and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why that evidence was not relevant. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.

### Submission of Questions

The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator before the hearing, but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.

### Advisor Participation and Provision by University

At any point before the hearing, if a party anticipates that they will not have an advisor available at the hearing to ask their questions for them, they should let the hearing coordinator know, to allow the University to plan for assigning the party a person ask the party's questions at the hearing ("Reader"). Even without notice or during a hearing in progress, however, the University will provide such a resource if a party does not have one. If any party does not have an advisor available at the hearing for the purpose of asking their questions for them, the hearing coordinator will assign a person to fulfill the sole and specific function of asking the party's questions (and not of serving as their advisor more generally), without cost to the party.

### **Hearing Procedures**

#### Advisors and Support Persons

The parties may have their advisors present throughout the hearing. They may also have a support person present throughout the hearing.

#### Rules of Conduct

The hearing will be conducted in a respectful manner that promotes fairness and accurate fact- finding and

that complies with the rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer and the parties' advisors may question witnesses and parties.

### Virtual Hearing

The hearing will be conducted remotely with any modification the hearing coordinator has made in response to a party's request for assistance.

### Hearing Evidence and Procedures

Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider, that is rely on, all evidence they determine to be relevant and reliable. The hearing officer may determine and weigh the relevance and weigh the value of any witness testimony or other evidence to the findings. The hearing officer will also follow the evidentiary principles and procedural requirements in Section III.B.3 of the Framework. Throughout the hearing, the hearing officer will:

1. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and require rephrasing of questions that violate the rules of conduct,
2. Decide any procedural issues for the hearing, and/or
3. Make any other determinations necessary to promote an orderly, productive, and fair hearing.

### Access to Witnesses

Parties will be able to see and hear (or, if deaf or hard of hearing, to access through auxiliary aids and services) all questioning and testimony at the hearing, if they choose to. Witnesses (other than the parties) will attend the hearing only for their own testimony.

### Questioning at the Hearing

The hearing officer may ask questions of all parties and witnesses that are relevant, including those that are relevant to assessing credibility.

Each party's advisor may ask questions of the other party and witnesses that are relevant, including those that are relevant to assessing credibility. As noted in Section D.8 above, the University will assign a person for the purpose

of asking a party's questions whenever a party does not have an advisor at the hearing.

The hearing officer will determine the order of questioning of the parties and witnesses. For each party or witness, the hearing officer will ask their own questions first.

Each party will prepare their questions, including any follow up questions, for the other party and witnesses, and will provide them to their advisor. The advisor will ask the questions as the party has provided them, and may not ask questions that the advisor themselves have developed without their party.

If a party does not attend the hearing, the hearing will still proceed, and they may still have their advisor - or if they do not have one, a university-assigned Reader – ask the questions that they have prepared.

When a party's advisor is asking questions of the other party or a witness, the hearing officer will determine whether each question is relevant before the party or witness answers it and will exclude any that are not relevant or unduly repetitive, and will require rephrasing of any questions that violate the rules of conduct. If the hearing officer determines that a question should be excluded as not relevant, they will explain their reasoning.

At any time, the hearing officer may ask follow-up questions of the parties. Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record. Any expert witnesses identified during the investigation.



### Investigation File

The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not disputed.

### Impact of Selective and Non-Participation

The Hearing Officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation - such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – when assessing credibility.

### Well-Being Measures

The hearing officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the attendance of support persons in accordance with these procedures.

### Visual Separation

The hearing officer will allow the parties and/or witnesses to be visually separated during the hearing. This may include, but is not limited to, videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.

### Presentation of Evidence

The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

### Recording

The University will audio record the hearing and make the recording available for the parties' review at their request.

### **Determination of Policy Violation**

#### Standards for Deliberation

The hearing officer will decide whether a violation of the SVSH Policy occurred based on a Preponderance of Evidence standard.

#### Information Considered

The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. The evidentiary principles in Section III.B.C also apply. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

### **Notice of Determination**

Within 15 business days of the hearing, the hearing coordinator will send written notice to the complainant and respondent (with a copy to the Title IX Officer) setting forth the hearing officer's determination on whether the SVSH Policy has been violated. The written notice will include the following:

1. A summary of the allegations that would constitute a violation of the SVSH Policy;
2. The determinations of whether the SVSH Policy has been violated;
3. A statement that the Title IX Officer will determine whether complainant will be provided additional remedies, and will inform the complainant of that determination;
4. A description of the procedural history of the complaint;
5. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
6. A summary of the facts found by the investigator that the parties did not dispute;
7. The rationale for the determination of each charge;
8. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of



whether other charged conduct, including other SVSH Policy violations, occurred;

9. An admonition against retaliation;
10. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal;
11. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures;
12. A description of the process for deciding whether and what discipline to impose if the final determination (following any appeal) is that the respondent violated the SVSH Policy, and a statement that both parties will be informed of the final resolution of the matter; and
13. A statement indicating the supervisor or other appropriate administrative authority will determine whether further investigation by another body is necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy

#### Documentation of Hearing

Throughout the pre-hearing and hearing process, the hearing coordinator will document the process compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination has been finalized, the hearing coordinator will provide this documentation, along with all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

#### **Appeal of Determination (Stage 2.C)**

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process, but is not a party and does not advocate for or against any appeal.

#### Grounds for Appeal

A party may only appeal on the grounds described in this section.

1. There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from university policy, and not challenges to policies or procedures themselves;
2. There is new evidence that was not reasonably available at the time of the hearing that could affect the outcome; and
3. The hearing officer had a conflict of interest or bias that affected the outcome.

#### Commencing an Appeal

An appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. The Title IX Officer will notify the other party of the basis for the appeal and that the other party can submit a written statement in response to the appeal within 3 business days, and supporting documentation from the other party as appropriate.

#### Standards for Deliberation

The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. They will not make their own factual findings, nor any witness credibility determinations.

#### Decision by Appeal Officer

The appeal officer, who will be an unbiased person without prior involvement in the case or personal relationship with the parties, may:

1. Uphold the findings;
2. Overturn the findings;
3. Modify the findings; or
4. In appeals alleging material procedural error or new evidence, send the case back to the hearing officer for further fact-finding if needed, for example on the issue of whether the alleged error, new evidence, would have materially affected the outcome.

#### Written Report

The appeal officer will summarize their decision in a written report that includes the following:

1. A statement of the grounds identified on appeal;
2. A summary of the information considered by the appeal officer; and
3. The decision of the appeal officer and the rationale for the decision including, where the findings are overturned or modified, an explanation of how the procedural error materially affected the outcome.

#### Distribution of Written Decision

Within 10 business days of receiving the appeal, the appeal officer will send their written decision to the complainant and the respondent, with a copy to the Title IX Officer.

1. Unless the appeal officer remands the matter, they will inform the respondent and the complainant that the matter is closed with no further right to appeal.
2. If the appeal officer remands the matter, they will specify what further fact-finding should occur or what additional information should be considered and request that the hearing officer report back to the appeal officer on their additional fact-finding. After receiving the hearing officer's additional factual findings, the appeal officer will issue their decision within 10 business days. This decision will be final.

#### **Additional Assessment and Consultation (Stage 2.D)**

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final finding and determination to the respondent's supervisor or appropriate administrative authority, with a summary explanation of any difference between the investigator's preliminary determination and the final determination and findings.

The Respondent's supervisor or appropriate administrative authority has the authority and responsibility to propose and implement any responsive action. The supervisor or other appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reconsider the findings and determinations regarding SVSH Policy

violations made through the hearings and any appeal. If the hearing results in a finding that a Respondent is responsible for violating the SVSH Policy, then the respondent's supervisor or other appropriate administrative authority will, if they did not already do so, consult with the Title IX Officer as described in Assessment and Consultation (Stage 2) of the Framework. If the Respondent's supervisor or appropriate administrative authority already took these steps (because the investigator preliminarily determined the Respondent violated the SVSH Policy), then they may but are not required to repeat them before proposing a resolution (for example, when the finding from the hearing is different from the investigator's preliminary determination). The Respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval.

In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision.

In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement the approved decision.

This proposal and approval process will occur in all cases where the final outcome of a hearing is a finding that the Respondent violated the SVSH Policy. Staff Human Resources or the Academic Personnel Office will be consulted throughout the process. Additionally, the Chancellor's designee will consult with the campus Title IX Officer on the appropriateness of the proposed decision before approving or disapproving it.

#### **Corrective Action (Stage 3)**

##### PPSM Covered Staff

Following final adjudication in the hearing and appeal processes described above, the Respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, including PPSM-62 and PPSM-64. The options for resolving the matter and implementation processes are described in Section VI.A ("PPSM-Covered

Staff: Decision Approval and Implementation”) of the Framework.

#### Non-Faculty Academic Personnel: Decision Approval and Implementation

Following final adjudication in the hearing and appeal processes described above, the Respondent’s supervisor or other appropriate administrative authority will implement the approved decision in accordance with APM-150. The options for resolving the matter and implementation processes are described in Section VI.B (“Non-Faculty Academic Personnel: Decision Approval and Implementation”) of the Framework.

#### **Timeframe for Implementation of Decision; Extension for Good Cause**

The Supervisor or other appropriate administrative authority should implement their approved decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within forty (40) business days, a notice of intent will be issued. Extensions to this timeline may be granted by the Chancellor’s designee for good cause with written notice to the complainant and the respondent stating the reason for the extension and the projected new timeline.

#### **Process Following Action Taken**

In the event that a PPSM-covered Respondent submits a complaint under PPSM-70, or a non- faculty academic appointee respondent submits a grievance under APM-140, the Chancellor’s designee will ensure that both the Complainant and the Respondent receive regular updates regarding the status of the complaint or grievance. The Complainant may follow processes appropriate to their own personnel or student policies. Subsequent to any final decision, the Chancellor’s designee will promptly inform the complainant and the respondent of the decision, including any final decision on discipline, and its rationale. Such complaints and grievances are not available in cases in which the parties accept the investigator’s preliminary determination.

### **12.0 Prohibited Conduct for Senate and Non-Senate Faculty- Investigation & Adjudication**

Consistent with the UC Policy on Sexual Violence and Sexual Harassment (“SVSH Policy”), the following

describes the University’s process for investigating and adjudicating alleged violations of the SVSH Policy in instances where the Respondent is a University faculty member whose conduct is governed by Section 015 of the Academic Personnel Manual (APM-015), The Faculty Code of Conduct (“Code of Conduct”).

#### **Reporting options and resources (Stage 0)**

These reporting options and resources are available for any conduct prohibited by the SVSH Policy (“Prohibited Conduct”), including DOE- Covered Conduct.

#### Reporting Options

Any person may make a report, including anonymously, to the Title IX Office. The Title IX Office is responsible for receiving and responding to reports of Prohibited Conduct. A person may also make a report to a Responsible Employee as defined by the SVSH Policy. The SVSH Policy requires a Responsible Employee who becomes aware of an incident of Prohibited Conduct to report it to the University by contacting their location’s Title IX Officer or designee.

While there is no time limit for reporting, reports of Prohibited Conduct should be brought forward as soon as possible.

A complainant may choose to make a report to the University and may also choose to make a report to law enforcement. A complainant may pursue either or both of these options at the same time. Anyone who wishes to report to law enforcement can contact the UC Police Department.

#### Confidential Resources

The University offers access to confidential resources for individuals who have experienced Prohibited Conduct and are seeking counseling, emotional support or confidential information about how to make a report to the University. Confidential Resources are defined pursuant to the SVSH Policy and include individuals who receive reports in their confidential capacity such as advocates in the CARE Office, as well as licensed counselors (e.g., Employee Assistance Program (EAP) and Counseling and Psychological Services (CAPS), and Ombuds.

These employees can provide confidential advice and counseling without that information being disclosed to

the Title IX Office or law enforcement, unless there is a threat of serious harm to the individual or others or a legal obligation that requires disclosure (such as suspected abuse of a minor).

### **Initial Assessment (Stage 1)**

Upon receipt of a report of or information about alleged Prohibited Conduct, the Title IX Officer will make an initial assessment in accordance with the SVSH Policy, which shall include making an immediate assessment concerning the health and safety of the complainant and the campus community, and a determination of whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination.

#### Supporting Measures

The University will also consider and implement Supportive Measures, including Interim Measures, as appropriate to protect the safety of the parties or the University community; to restore or preserve a party's access to a university program or activity; or to deter Prohibited Conduct per the SVSH Policy

#### Written Rights & Options

The Title IX Officer will ensure that the complainant, if his or their identity is known, is provided a written explanation of rights and available options as outlined in the SVSH Policy, including:

1. How and to whom to report alleged violations;
2. Options for reporting to and/or notifying law enforcement and campus authorities;
3. Information regarding confidential resources;
4. The rights of complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts;
5. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
6. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community; and
7. Options for, and available assistance to, a change to academic living, transportation, and working situations, if the Complainant requests and if such

options are reasonably available—regardless of whether the complainant chooses to report alleged conduct to law enforcement.; and

8. The range of possible outcomes of the report, including Supportive and Remedial Measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

### **Investigating and resolving reports of prohibited conduct (Stage 1)**

The below provisions for investigation and resolution of reports cover investigations of DOE- Covered Conduct and other Prohibited Conduct. Provided the University has sufficient information to respond, and in accordance with the SVSH Policy, the University may resolve reports of alleged Prohibited Conduct by respondents covered by this Framework through Alternative Resolution or, Formal Investigation, or a DOE Grievance Process. Throughout the resolution process, the complainant and the respondent may be accompanied by an advisor. In addition, the University will offer to provide support services for the complainants and for the respondents. The Title IX Office will consider requests from parties and witnesses for language interpretation and, in consultation with the campus disability management office when appropriate, for disability-related accommodations.

#### Alternative Resolution

After a preliminary inquiry into the facts, if the complainant and respondent agree in writing, the Title IX Officer may initiate an Alternative Resolution in accordance with the SVSH Policy. Alternative Resolution is not available when the complainant is a student and the respondent is an employee.

#### Investigation

In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may conduct an investigation per the Formal Investigation, as contemplated or DOE Grievance Process provisions in the SVSH Policy.

When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

## 1. Notification to Chancellor

The Title IX Officer will notify the Chancellor and the Chancellor's designee when a Formal Investigation or DOE Grievance Process is commenced against a faculty respondent. The Title IX Officer will be sensitive in their communication to protect the neutrality of the Chancellor and the Chancellor's designee, as well as the privacy of the Complainant and the Respondent.

Thereafter, the Title IX Officer will regularly communicate with the Chancellor and the Chancellor's designee regarding the status of the Formal Investigation or DOE Grievance Process.

## 2. Notice of Investigation

When a Formal Investigation or DOE Grievance Process will be conducted, the Title IX Office will send written notice of the charges to the Complainant and Respondent. The written notice will be sent at least three business days before a party's requested interview date, to allow sufficient time for the party to prepare for the interview. The notice will include:

- a. A summary of the allegations and potential violations of the SVSH Policy;
- b. The identities of the parties involved;
- c. The date, time, and location of the reported incident(s) (to the extent known);
- d. The specific provisions of the SVSH Policy potentially violated;
- e. A statement that the investigative report, when issued, will make factual findings and a determination (in a Formal Investigation) or preliminary determination (in a DOE Grievance Process) whether there has been a violation of the SVSH Policy;
- f. Statement that the parties will each have an opportunity during the investigation to propose questions for the investigator to ask of the other party and witnesses;
- g. A statement that the parties will each have an opportunity, before the completion of the investigation, to review all the evidence submitted that is directly related – a standard

broader than relevance - to whether a policy violation occurred;

- h. A statement that the findings under the SVSH Policy will be based on the preponderance of the evidence standard and that a finding of a violation of the SVSH Policy will establish probable cause under APM-015;
- i. Statement that a determination of whether a policy violation has occurred will only be made after an investigation or hearing (if required) and therefore there is, at the outset, no presumption that the Respondent is responsible for a policy violation;
- j. When applicable, a statement that if it is preliminarily determined that a DOE- Covered Conduct violation did not occur, the investigator will still in the investigative report make a preliminary determination of whether other violations of the SVSH Policy occurred;
- k. A summary of the Title IX and faculty discipline process, including the expected timeline;
- l. A summary of the rights of the Complainant and respondent, including the right to an advisor of their choosing, who may be any person, including an attorney, who is not otherwise a party or a witness;
- m. A description of the resources available to Complainant and Respondent; and
- n. An admonition against intimidation or retaliation.

At any point during the investigation, the Title IX Officer may amend the notice to add additional charges identified during the investigation. Any amended notice should include all the information described above.

## 3. Investigative Process

The Title IX Officer will designate an investigator to conduct a fair, thorough, and impartial investigation.

Overview:

During the investigation, the Complainant and the Respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may

have relevant information, and propose questions for the investigator to ask the other party and witnesses. Any evidence available to but not disclosed by a party during the investigation might not be considered at a subsequent hearing.

The investigator will meet separately with the Complainant, the Respondent, and the third-party witnesses who may have relevant information, and will gather other available and relevant information. The investigator may follow up with the Complainant or the Respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation. The investigator will generally consider, that is rely on, all evidence they determine to be relevant and reliable, including evidence that weighs in favor of and against a determination that a policy violation occurred. The investigator may determine the relevance and weigh the value of any witness or other evidence to the findings and may exclude evidence that is irrelevant or immaterial. Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be counseled about keeping information private to protect the integrity of the investigation. The Complainant or the Respondent may have an advisor present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by university policy or collective bargaining agreement.

#### Coordination with Law Enforcement:

When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed temporarily to meet specific needs of the criminal investigation.

#### Specific Types of Evidence:

*Sexual history of Complainant.* The investigator will not, as a general rule, consider the

Complainant sexual history. However, in limited circumstances, the Complainant's sexual history may be directly relevant to the investigation. While the investigator will never assume that a past sexual relationship between the parties means the Complainant consented to the specific conduct under investigation, evidence of how the parties communicated consent in past consensual encounters may help the investigator understand whether the respondent reasonably believed consent was given during the encounter under investigation. Further, evidence of specific past sexual encounters may be relevant to whether someone other than respondent was the source of relevant physical evidence. Sexual history evidence that shows a party's reputation or character will never be considered relevant on its own. The investigator will consider proffered evidence of sexual history, and provide it to the parties for review, only if the investigator determines it is directly relevant. The investigator will inform the parties of this determination. If the investigator does allow sexual history evidence to be presented, they will provide a written explanation to the parties as to why consideration of the evidence is consistent with the principles in this section.

*Expert Evidence.* The parties may present evidence from expert witnesses if it would be relevant to the determination of whether a policy violation occurred. If a party wishes for such evidence to be considered, they will make a written request to the Title IX officer, indicating the person(s) they wish to present as, and who has agreed to be, their expert witness; the issue(s) on which the person(s) would provide expert evidence; why they believe that the issue(s) require an expert opinion for resolution; and any prior relationship, including personal and business relationships, between the party and the person(s).

The Title IX officer will grant the request for the proposed expert to provide evidence if the alleged evidence is relevant, and will deny the request if the proposed evidence is not relevant. Proposed expert evidence is not relevant if it is not pertinent to proving whether the facts

material to the allegations under investigation are more or less likely to be true. For example, proposed expert evidence is not relevant if it offers opinions about the Title IX regulations or the DOE Grievance Process; if it offers opinions that do not require expertise to form; or if the proposed expert has a bias or conflict of interest so strong that their opinion would not assist the factfinder in determining whether the facts material to the allegations under investigation are more or less likely to be true.

If the Title IX officer grants a request for proposed expert evidence, they will notify both parties. The other party may then request to present a proposed expert on the same issue (as well as to present their own expert evidence on other relevant issues). The Title IX office may also retain its own expert on any issue on which one, or both parties, will be presenting expert evidence; the Title IX office will ensure that any such expert does not have bias or conflict of interest and will notify the parties of any expert it intends to retain.

As part of the evidence they present, any expert witness will provide the investigator information about their qualifications; the factual bases for their assertions; and their principles and methods and the reliability thereof. These factors will contribute to the assessment of the weight and credibility of the expert witness's evidence. In general, parties may not later request proposed expert witnesses to testify at the hearing unless those witnesses have provided evidence during the investigation.

*Clinical records.* The investigator will not during the investigation access, review, consider, disclose, or otherwise use a complainant's or respondent's medical or behavioral health records that are made in connection with treatment without the party's voluntary written consent.

*Privileged Records.* During the investigation, the investigator will not access, review, consider, disclose, or otherwise use evidence that constitutes, or seeks disclosure of, information

protected under a legally recognized privilege without the party's voluntary written consent.

#### Evidence Review:

Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related, including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer will designate a reasonable time for this review and response by the parties of, absent good cause found by the Title IX Officer, at least 10 business days.



In investigations of No-Title IX Hearing DOE-Covered Conduct, because there will not be a Title IX hearing, the investigator will more specifically: provide parties the opportunity to submit written questions they propose the investigator ask the other party and witnesses, share the responses to their submitted questions, and allow them to propose limited follow-up questions. The investigator will discretion to decline to ask questions that are not relevant or unduly repetitive, and will rephrase any questions that violate the rules of conduct. If the investigator declines to ask a question, they will explain their reasoning.

#### 4. Investigation Report and Determination or Preliminary Determination.

Following the conclusion of the investigation, the Title IX investigator will prepare a written report. The written investigation report will include a statement of the allegations and issues, the statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigation report will include findings of fact and a preliminary determination (in a DOE Grievance Process) and a determination (in a Formal Investigation) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that the respondent violated the SVSH Policy.

If the Complainant or the Respondent offered witnesses or other evidence that was not relied upon by the investigator, the investigation report will explain why it was not relied upon. The investigation report will also indicate when and how the parties were given an opportunity to review the evidence.

If the findings of fact indicate that DOE- Covered Conduct occurred, but was not charged as such in the notice of investigation, then the investigator will reach preliminary determinations regarding whether a policy violation occurred and the Title IX Officer will notify the parties that the case will now proceed per the DOE Grievance Process. If, instead, the investigator preliminarily determines that conduct charged as DOE- Covered Conduct

does not meet that definition, the report will include (if indicated in the Notice of Investigation) analyses and preliminary determinations of both whether respondent engaged in DOE-Covered Conduct and other Prohibited Conduct.

A determination in a Formal Investigation that the respondent violated the SVSH Policy will establish probable cause as defined in the Code of Conduct. (APM-015 at III.A.4.)

#### 5. Notice of Investigation Outcome

Upon completion of the investigation report, the Title IX Officer or designee will send to the complainant and the respondent a written notice of investigation outcome regarding the investigator's preliminary determination or determination (whichever applies) of whether there was a violation of the SVSH Policy. The notice of investigation outcome will generally be accompanied by a copy of the investigation report, which may be redacted as necessary to protect privacy rights. The Title IX Officer or designee will also send the notice of investigation outcome and accompanying investigation report to the Chancellor or Chancellor's designee.





In all cases, the notice of investigation outcome will include:

A summary statement of the factual findings and determinations (in a Formal Investigation) or preliminary determinations (in a DOE Grievance Process) regarding whether a preponderance of the evidence demonstrated that respondent violated the SVSH Policy;

- a. An admonition against intimidation or retaliation;
- b. An explanation of any Supportive Measures that will remain in place;

A statement that the complainant and respondent have an opportunity to respond in writing and/or in person to the Chancellor or Chancellor's designee; and

A statement of the anticipated timeline and a statement that both complainant and respondent will be informed of the final resolution of the matter; and

A statement of whether it appears that further investigation by the Chancellor or Chancellor's designee or other appropriate body may be necessary to determine whether other violations of the Code of Conduct occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

If in a Formal Investigation process the investigator determined that the faculty respondent violated the SVSH Policy, the notice of investigation outcome will also include: A statement that the finding that respondent violated the SVSH Policy constitutes a finding of probable cause as defined in APM-015; For matters involving Senate faculty respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor's designee will engage the Peer Review Committee to advise on appropriate resolution, which may include pursuing discipline in accordance with APM-016;

For matters involving non-Senate faculty respondents, a description of the process for

deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor's designee will engage the Peer Review Committee or consult with the Academic Personnel Office to advise on appropriate resolution, which may include corrective action or termination in accordance APM-150; and

A statement of the anticipated timeline and a statement that both complainant and respondent will be informed of the final resolution of the matter.

In a DOE Grievance Process, the notice of investigation outcome will also include:

If the investigator preliminarily determined that the respondent violated the SVSH Policy, a statement that the Chancellor or Chancellor's designee will propose a resolution after engaging the Peer Review Committee or consulting with the Academic Personnel Office (depending on whether the respondent is a senate or non-senate faculty member, and the process the campus has chosen);

A statement that, unless both parties accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy has been violated, after which the Chancellor or Chancellor's designee will determine the resolution; and an explanation of the procedures and timeline for accepting the preliminary determination.

#### 6. Timeframe for Completion of Investigation; Extension for Good Cause

The notice of investigation outcome and accompanying investigation report will be issued promptly, typically within sixty (60) to ninety (90) business days of initiation of the Formal Investigation or DOE Grievance Process, unless extended by the Title IX Officer for good cause, with written notice to the complainant and the respondent of the reason for the extension and the projected new timeline.

The Title IX Officer or designee will keep the complainant and the respondent regularly

informed concerning the status of the investigation.

## **Assessment and Consultation (Stage 2)**

The steps outlined below for assessment and consultation apply to investigations of DOE- Covered Conduct and other Prohibited Conduct.

After this assessment and consultation, matters investigated through Formal Investigation will go to Stage 3 (Decision on Sanctions), below. Matters investigated under the DOE Grievance Process will go to Stage 2.a (Opportunity to Accept the Preliminary Determination) in the DOE Addendum.

At the conclusion of a Formal Investigation, the Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take in response to the findings of the Title IX investigation report. The Chancellor or Chancellor's designee may determine that additional investigation is required to determine whether other Code of Conduct violations occurred, but will not reinvestigate the allegations of Prohibited Conduct investigated by the Title IX Office.

At the conclusion of a DOE Grievance Process investigation, the parties have the opportunity to accept or not accept the preliminary determination. When the preliminary determination is that the respondent engaged in DOE-Covered Conduct, or both DOE-Covered Conduct and other Prohibited Conduct, the Chancellor or Chancellor's designee will propose a resolution after engaging the Peer Review Committee or consulting with the Academic Personnel Office (depending on whether the respondent is a senate or non-senate faculty member, and the process the campus has chosen), as described below, and the parties will decide whether to accept the preliminary determination and the proposed resolution.

The Chancellor or Chancellor's designee may consult with the Title IX Office, the Academic Personnel Office, or other appropriate entities at any time during the decision-making process.

### *Opportunity to Respond.*

The Chancellor or Chancellor's designee will offer the complainant and the respondent an opportunity to respond to the notice of investigation outcome and accompanying investigation report, either through an in-

person meeting with the Chancellor or Chancellor's designee, a written statement to the Chancellor or Chancellor's designee, or both. The parties will have five business days after the Title IX Officer sends the investigation report to respond.

The purpose of this response is not to challenge the factual findings in the Title IX investigation report or present new evidence, but to provide the Complainant and the Respondent with an opportunity to express their perspectives and address what outcome they wish to see.

### *Peer Review Committee for Senate Faculty*

In the event that the Title IX investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a Senate faculty respondent is responsible for violating the SVSH Policy, the Chancellor or Chancellor's designee will engage the campus Peer Review Committee to advise on appropriate resolution.

The Peer Review Committee, composed on each campus at the direction of the President, will advise the Chancellor or Chancellor's designee regarding how to resolve the matter. At the conclusion of a Formal Investigation, this will include advising on whether the Chancellor or Chancellor's designee should pursue a formal charge for violation of the Code of Conduct or pursue an early resolution. In all cases, the Peer Review Committee should provide advice on the appropriate discipline or other corrective or remedial measures.

The Peer Review Committee will be engaged in all cases where the Title IX investigator has determined or preliminarily determined a Senate faculty respondent has violated the SVSH Policy.

### *Peer Review Committee or Consultation with Academic Personnel for Non-Senate Faculty*

In the event that the Title IX investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a non-Senate faculty respondent is responsible for violating the SVSH Policy, the Chancellor or Chancellor's designee will engage the Peer Review Committee or consult with the Academic Personnel Office, depending on what form of consultation the campus decided to employ. Such consultation, as decided by the campus, will occur in all

cases where the Title IX investigation has determined or preliminarily determined the non-Senate faculty respondent has violated the SVSH Policy. The advisory role of the Peer Review Committee is described in Section IV.B above.

#### *Title IX Officer Consultation for Senate and Non- Senate Faculty*

In all cases where the Title IX investigation determines or preliminarily determines a Senate or non-Senate faculty respondent is responsible for violating the SVSH Policy, the Chancellor or Chancellor's designee will consult with the campus Title IX Officer on how to resolve the matter, including the appropriate discipline or other corrective measures.

#### **Decision on sanctions for Senate Faculty (Stage 3)**

Decision by Chancellor or Chancellor's Designee Following consultation with the Peer Review Committee and Title IX Officer, in accordance with APM-016, the Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

As stated in APM-015, "The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation." As further stated in APM-015, "[f]or an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer."

#### *No Formal Discipline*

In the event the Chancellor or Chancellor's designee determines to resolve the matter without taking any formal disciplinary action, the Chancellor or Chancellor's designee will promptly communicate this decision and its rationale to both the Complainant and the Respondent.

#### *Early Resolution*

The Chancellor or Chancellor's designee can enter into an early resolution with the Respondent in accordance with APM 016. An early resolution can be achieved at any time prior to the final imposition of discipline. Subsequent to the Respondent agreeing to the terms of

the early resolution, the Chancellor or Chancellor's designee will promptly inform Complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms.

#### *Charge Filed with Academic Senate Committee on Privilege & Tenure*

The Chancellor or Chancellor's designee can take steps to propose discipline and file a charge with the Academic Senate's Committee on Privilege & Tenure without first pursuing early resolution, or if respondent does not agree to early resolution. The Chancellor or Chancellor's designee will promptly inform Complainant that the charge has been filed.

#### Timeframe for Decision; Extension for Good Cause

The Chancellor or Chancellor's designee should implement his or their decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within forty (40) business days, a charge will be filed with the Academic Senate's Committee on Privilege & Tenure. A charge will not be held in abeyance or suspended while an early resolution is being pursued or finalized.

Extensions to this timeline may be granted by the Chancellor for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

Process Following the Filing of a Senate Charge The procedures following the filing of a charge with the Academic Senate's Committee on Privilege & Tenure are set forth in the APM-015 and APM-016, Senate Bylaw 336 and other applicable Senate bylaws, as well as divisional bylaws on each campus.

The investigation report and hearing officer's notice of determination (if any) will be accepted as evidence in the Privilege & Tenure hearing.

The Chancellor or Chancellor's designee will ensure that the Complainant and Respondent receive regular updates regarding the status of the proceedings.

Within 14 calendar days of receiving the recommendation from the Academic Senate's Committee on Privilege & Tenure, in accordance with APM-016 and other applicable procedures, the

Chancellor will make a final decision regarding discipline, unless the decision involves dismissal for a faculty who has tenure or security of employment. As stated in APM-016, "Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor." (APM-016, Section II.6.) Extensions to this timeline may be granted for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline. The Complainant and the Respondent will be promptly informed of the decision regarding discipline and its rationale.

### **Decisions on sanctions for Non-Senate Faculty (Stage 3)**

The below provisions apply when a non-Senate faculty respondent is found in violation of the SVSH Policy following a Formal Investigation, or following a hearing and any appeal in a DOE Grievance Process.

#### Decision by Chancellor or Chancellor's Designee

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

As stated in APM-015, "The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation." As further stated in APM-015, "[f]or an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer."

#### *No Disciplinary Action*

In the event the Chancellor or Chancellor's designee determines to resolve the matter without taking any disciplinary or corrective action, the Chancellor or Chancellor's designee will promptly communicate this decision and its rationale to both the Complainant and Respondent.

#### *Informal Resolution*

The Chancellor or Chancellor's designee can pursue an informal resolution in accordance with APM-150, which may include discipline and/or other corrective or remedial measures. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action.

Subsequent to the Respondent agreeing to the terms of an informal resolution, the Chancellor or Chancellor's designee will promptly inform the Complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms.

#### *Notice of Intent*

The Chancellor or Chancellor's designee can issue a notice of intent instituting dismissal or other corrective action in accordance with APM-150.

APM-150 includes the following corrective actions; written warning, written censure, suspension without pay, reduction in salary, or demotion for good cause.

#### Timeframe for Decision; Extension for Good Cause

The Chancellor or Chancellor's designee should implement his or their decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying investigation report. If the matter has not been otherwise resolved within forty (40) business days, a notice of intent shall be issued.

Extensions to this timeline may be granted by the Chancellor for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

#### Process Following the Provision of a Written Notice of Intent.

The procedures following the provision of a notice of intent are set forth in APM-150.

Should the Respondent submit a grievance under APM-140 alleging a violation of APM-150 or otherwise challenging an administrative decision described in this process, the Chancellor's designee will ensure that both the Complainant and Respondent receive regular updates regarding the status of the grievance.

As stated in APM-140, "When a non-Senate faculty member receives notice of termination before the

expiration of his or her appointment, he or she may select as a grievance mechanism either APM-140, as described in this policy, or Section 103.9 of the Standing Orders of The Regents (S.O. 103.9), the procedures of which are described in Academic Senate Bylaw 337. In selecting either APM-140 or S.O. 103.9, the non-Senate faculty member waives the right to invoke the other mechanism to review the same grievance.” (APM-140-14e.)

Subsequent to any final decision, the Chancellor or Chancellor’s designee will promptly inform the Complainant and the Respondent of the decision, including any final decision on discipline and its rationale.

### **12.1. DOE Addendum Investigation and Adjudication framework for Senate and NON-Senate Faculty**

In general, the Senate and Non-Senate Faculty Framework (“Framework”) applies to both DOE-Covered Conduct and other Prohibited Conduct. Special provisions that apply specifically to DOE-Covered Conduct are described below.

#### **Reporting Resources (Stage 0)**

Reporting options and resources are as described in section 10.0 of this document.

#### **Initial Assessment (Stage 1)**

The initial assessment, including Supportive Measures and written rights and options are as described in section 10.0 of this document.

The additional provision below on Dismissal of Formal Complaints is specific to DOE-Covered Conduct.

#### **Required Dismissal**

The Title IX Officer must “dismiss” allegations in a DOE Formal Complaint if:

- they determine during the Initial Assessment that the alleged conduct, even if true, is not DOE-Covered Conduct, as defined in the SVSH Policy, or
- they determine during the investigation that the alleged conduct, even if true, did not occur in a university program or activity or that the Complainant was not in the United States at the time.

The Title IX Officer will then proceed as described in the SVSH Policy Appendix IV; Section C. Dismissal means the Title IX Officer will no longer consider the allegations of DOE-Covered Conduct; it does not necessarily mean the Title IX Officer will close the matter. Rather, the Title IX Officer will decide whether and how to continue resolution of the dismissed allegations.

#### **Investigating and Resolving Reports of Prohibited Conduct (Stage 1)**

The investigation and resolution of reports, including Alternative Resolution and Investigation, are as described in section 10.0 of this document.

#### **Assessment and Consultation (Stage 2)**

The assessment and consultation are as described in section 10.0 of this document.

#### **Opportunity to accept the preliminary determination (Stage 2.A)**

After the assessment and consultation described in Stage 2 of the Framework, the Chancellor or Chancellor’s designee will inform the Academic Personnel Office and Title IX Officer of any proposed resolution and its rationale, and the Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties. The parties will receive this notice within 15 business days of the notice of investigative findings and preliminary determination.

Unless both parties accept the preliminary determination and any proposed resolution, there will be a fact-finding hearing to determine whether the SVSH Policy was violated.

#### **Accepting the Preliminary Determination and Proposed Resolution**

##### *Timeline*

Either party may accept the preliminary determination and any proposed resolution within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and any proposed resolution within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred.

##### *Written Acceptance*

A party may accept the preliminary determination and any proposed resolution by providing the Academic Personnel Office or Title IX Officer (whichever the campus designates) with a written acknowledgment stating that the party accepts the preliminary determination and any proposed resolution, and wishes not to proceed with a hearing.

#### *Final Decision Following Acceptance*

If both parties provide the written acceptance during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final and the Chancellor or Chancellor's designee will impose the proposed resolution, including any discipline or other corrective measures.

#### Notice of Hearing or No Hearing

##### *Notice of Hearing*

Unless both parties accept the preliminary determination and any proposed resolution by the end of the 20 business days, the Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties that there will be a hearing. The notice of hearing will include a summary of the hearing procedures.

##### *Notice of No Hearing*

If both parties accept the preliminary determination and any proposed resolution, the Academic Personnel Office or Title IX Officer (whichever the campus designates) will notify the parties that there will be no hearing. This notice will indicate that the investigator's preliminary determination as to policy violation(s) is final, and that the Chancellor or Chancellor's designee is imposing the proposed resolution (if any).

#### **Pre-Hearing and Hearing (Stage 2.B)**

##### *Fact-finding Hearing*

Unless both parties accept the investigator's preliminary determinations, there will be a fact-finding hearing before a single hearing officer. The hearing is to determine whether a violation of the SVSH Policy occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

#### *Hearing Officer*

##### Overview

The hearing officer may be a university employee or outside contractor, and may not be the same person as the Title IX Officer or the investigator. Regardless, they will be appropriately trained, with such training coordinated by the Title IX Officer.

##### *Bias and Conflict of Interest*

The hearing coordinator will inform the parties of the hearing officer's identity. Within 5 business days after the notification, the parties may request the hearing officer's disqualification on the basis of bias or conflict of interest.

- a. For example, involvement in the case or knowledge of the allegations at issue prior to being selected as the hearing officer, or a close personal relationship with a party or expected witness in the proceeding could, depending on the circumstances, warrant disqualification of the hearing officer.
- b. Employment by the University, or prior work for the University as a contractor, on its own, does not warrant disqualification.
- c. The hearing officer's gender, gender identity, race, ethnicity, religion, sexual orientation or similar identifying characteristic, or the fact that they differ from those of any party, do not, on their own, warrant disqualification.

##### *Disqualification Decision*

The Academic Personnel Office will decide any request for disqualification of the hearing officer and inform both parties of their decision and, if they determine to change hearing officers, the name of the new hearing officer.

##### *Hearing Coordinator*

Each hearing will have a hearing coordinator, distinct from the hearing officer, who will manage the administrative and procedural aspects of the hearing.

##### *Pre-Hearing Procedures*

1. Meeting with Parties. The hearing officer and hearing coordinator will hold a separate meeting (in person or remotely) with each party to explain

the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive and fair hearing.

- a. The hearing coordinator will provide written notice to each party of their pre-hearing meeting, including time, location (or if remote, call instructions), and purpose of the meeting, at least 10 business days before the pre-hearing meeting.
- b. No later than five business days before the pre-hearing meeting, each party will submit to the hearing officer a preliminary statement of what issues, if any, each considers to be disputed and relevant to the determination of whether a policy violation occurred, and the evidence they intend to present on each issue, including all documents to be presented, the names of all requested witnesses, and a brief summary of such witnesses expected testimony. The parties will later have an additional opportunity to submit proposed evidence,
- c. At the pre-hearing meeting, the hearing officer and party will discuss the evidence the party has provided, to help identify and refine the issues to be decided at the hearing, which will inform the hearing officer's determination of the scope of the hearing.
- d. Each party should also come to the pre-hearing meeting prepared to schedule dates for the hearing.
- e. The hearing officer and/or coordinator will explain what to expect at the hearing.
- f. The hearing officer and/or coordinator will also discuss measures available to protect the well-being of parties and witnesses at the hearing, as appropriate. These may include, for example, use of lived names and pronouns during the hearing, including in screen names; a party's right to have their support person available to them at all times during the hearing; a hearing participant's ability to request a break during the hearing, except when a question is pending.

g. The hearing officer and/or coordinator will inform the parties that the hearing will be conducted remotely. If a party believes that they need a university- provided physical space or technological equipment or assistance to participate remotely – for example, because of safety or privacy concerns, or a disability - they may request such resources from the hearing coordinator during the pre-hearing meeting. The hearing coordinator will respond to any such request in writing within 5 business days of the pre-hearing meeting.

h. The parties and their advisors, if they have one at this stage of the process, are expected to participate in the pre- hearing meeting.

i. If a party does not participate in the pre-hearing meeting (or does not let the hearing coordinator know they need to reschedule in advance), the hearing coordinator will notify the party that they have 2 business days to contact the hearing coordinator to reschedule. Absent extenuating circumstances, if the party does not contact the hearing coordinator within the 2 business days, the hearing will proceed but the non-participating party will be presumed to agree with the hearing officer's definition of the scope of the hearing.

2. Scope of Hearing. Within 5 business days after concluding meetings with both parties (or determining that a party has decided not to participate in the pre-hearing process), the hearing officer will determine what issues are disputed and relevant to the determination of whether a policy violation(s) occurred, and will notify the parties of the scope of the issues to be addressed at the hearing and the expected witnesses. The hearing officer has discretion to grant or deny, in whole or part, the parties' requests for witnesses on the basis of relevance. The hearing officer's determination of scope may include issues, evidence, and witnesses that the parties themselves have not provided.

Throughout the pre-hearing process, including in the notice of scope of hearing, the hearing officer will:

- a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and implement the evidentiary principles and procedural requirements.
  - b. Decide any procedural issues for the hearing; and/or
  - c. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.
3. Submission of Additional Information. Within 5 business days after receiving the hearing officer's definition of scope, the parties may then submit additional information about the evidence, including witness testimony that they would like to present.
4. Notice of Hearing. Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.
5. Witness Participation. The hearing coordinator will ensure that the Title IX investigator (or if not available, a representative from that office) will be available to testify during the hearing. Testimony by the Title IX investigator may be appropriate to help resolve disputes about the authenticity of evidence summarized in the investigation report and at issue at the hearing, or whether the investigator accurately memorialized a party's or witness's statement in the investigation. The Title IX investigator should not be questioned about their assessment of party or witness credibility, nor the investigative process generally, nor their preliminary determination of whether policy violations occurred, because the hearing officer will make their own credibility determinations and determination of policy violation(s) so this information would not be relevant. Based on the

hearing officer's determination, the hearing coordinator will request the attendance of all witnesses whose testimony is determined to be within the scope of the hearing.

6. Confirmation of Scope, Evidence, and Witnesses. At least 2 business days prior to the hearing, the parties will receive the hearing officer's confirmation of scope and evidence; copies of all the evidence that will be considered at the hearing that the hearing officer has received, including the investigation file (consisting of the investigation report and any evidence deemed directly related by the investigator, as documented in the investigation report) and any other documents that will be considered; the names of expected witnesses and a summary of their expected testimony. If the hearing officer has excluded evidence (including witness testimony) that a party has requested to present, they will explain why that evidence was not relevant. The hearing officer will also notify the parties of any procedural determinations they have made regarding the hearing. This material will also be provided to the Title IX Officer.
7. Submission of Questions. The parties are encouraged to submit any questions for the other party and any expected witnesses to the hearing coordinator and hearing officer before the hearing, but will not be limited to those questions at the hearing. These questions will not be shared with the other party or witnesses.
8. Advisor Participation and Provision by University. At any point before the hearing, if a party anticipates that they will not have an advisor available at the hearing to ask their questions for them, they should let the hearing coordinator know, to allow the University to plan for assigning the party a person to ask the party's questions at the hearing ("Reader"). Even without notice or during a hearing in progress, however, the University will provide such a resource if a party does not have one. If any party does not have an advisor available at the hearing for the purpose of asking their questions for them, the hearing coordinator will assign a person to fulfill the sole and specific function of asking the party's



questions (and not of serving as their advisor more generally), without cost to the party.

### *Hearing Procedures*

1. **Advisors and Support Persons.** The parties may have their advisors present throughout the hearing. They may also have a support person present throughout the hearing.
2. **Rules of Conduct.** The hearing will be conducted in a respectful manner that promotes fairness and accurate fact-finding and also complies with the rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the hearing officer and the parties' advisors (or Readers if they do not have advisors), consistent with paragraph 6 below, may question witnesses and parties.
3. **Virtual Hearing.** The hearing will be conducted remotely, with any modifications the hearing coordinator has made in response to a party's request for assistance.
4. **Hearing Evidence and Procedures.** Courtroom rules of evidence and procedure will not apply. The hearing officer will generally consider, that is rely on, all evidence they determine to be relevant and reliable. The hearing officer may determine the relevance and weigh the value of any witness testimony or other evidence to the findings. The hearing officer will also follow the evidentiary principles and procedural requirements in Section III.B.3 of the Framework. Throughout the hearing, the hearing officer will:
  - a. Exclude evidence including witness testimony that is, for example, irrelevant in light of the policy violation(s) charged, or relevant only to issues not in dispute, or unduly repetitive, and require rephrasing of questions that violate the rules of conduct,
  - b. Decide any procedural issues for the hearing, and/or
  - c. Make any other determinations necessary to promote an orderly, productive, and fair hearing that complies with the rules of conduct.
5. **Access to Witnesses.** Parties will be able to see and hear (or, if deaf or hard of hearing, to access

through auxiliary aids for services) all questioning and testimony at the hearing, if they choose to. Witnesses (other than the parties) will attend the hearing only for their own testimony.

6. **Questioning at the Hearing.** The hearing officer may ask questions of all parties and witnesses that are relevant, including those that are relevant to assessing credibility. Each party's advisor may ask questions of the other party (not their party) and witnesses that are relevant, including those that are relevant to assessing credibility. The University will assign a person to ask a party's questions whenever a party does not have an advisor at the hearing. The hearing officer will determine the order of questioning of the parties and witnesses. For each party or witness, the hearing officer will ask their own questions first.

Each party will prepare their questions, including any follow up questions, for the other party and witnesses, and will provide them to their advisor. The advisor will ask the questions as the party has provided them, and may not ask questions that the advisor themselves have developed without their party.

If a party does not attend the hearing, the hearing will still proceed, and they may still have their advisor - or if they do not have one, a university-assigned Reader – ask the questions that they have prepared.

When a party's advisor is asking questions of the other party or a witness, the hearing officer will determine whether each question is relevant before the party or witness answers it and will exclude any that are not relevant or unduly repetitive, and will require rephrasing of any questions that violate the rules of conduct. If the hearing officer determines that a question should be excluded as not relevant, they will explain their reasoning. At any time, the hearing officer may ask follow up questions of the parties and witnesses.

Parties are allowed to note, in writing only, any objections to questions posed at the hearing: they will do so by keeping a running written record of

any objections during the hearing, and they may not object to questions by speaking. Only at the conclusion of the hearing will parties provide the record of their objections, if any, to the hearing officer, for inclusion in the record.

Any expert witnesses identified during the investigation will be subject to these same questioning procedures.

7. Investigation File. The investigation file will be entered as evidence at the hearing. The hearing officer generally will rely on any finding in the report that is not dispute
8. Impact of Selective and Non-Participation. The Hearing Officer will not draw adverse inferences from a party's decision to not participate in the hearing, or to remain silent during the hearing. However, they may consider a party's selective participation – such as choosing to answer some but not all questions posed, or choosing to provide a statement only after reviewing the other evidence gathered in the investigation – when assessing credibility.
9. Well-Being Measures. The Hearing Officer will implement measures they deem appropriate to protect the well-being of parties and witnesses. For example, the hearing officer will allow separation of the parties, breaks, and the attendance of support persons in accordance with these procedures.
10. Visual Separation. The Hearing Officer will allow the parties and/or witnesses to be visually separated during the hearing except as noted in paragraph 5 above. This may include, but is not limited to videoconference and/or any other appropriate technology. To assess credibility, the hearing officer must have sufficient access to the Complainant, Respondent, and any witnesses presenting information; if the hearing officer is sighted, then the hearing officer must be able to see them.
11. Presentation of Evidence. The parties will have the opportunity to present the evidence they submitted, subject to any exclusions determined by the hearing officer. Generally, the parties may not introduce evidence, including witness

testimony, at the hearing that they did not identify during the pre-hearing process. However, the hearing officer has discretion to accept or exclude additional evidence presented at the hearing. The parties are expected not to spend time on undisputed facts or evidence that would be duplicative.

12. Recording. The University will audio record the hearing and make the recording available for the parties' review at their request.
13. Advisors and Support Persons. The parties may have their advisors and support persons available throughout the hearing.

#### *Determination of Policy Violation*

##### Standards for Deliberation

The Hearing Officer will decide whether a violation of the SVSH Policy occurred based on a Preponderance of Evidence standard.

##### *Information Considered*

The Hearing Officer will take into account the investigative file and the evidence presented and accepted at the hearing. The evidentiary principles in Section III.B.C also apply. On any disputed and material issue, the hearing officer should make their own findings and credibility determinations based on all of the evidence before them.

##### *Notice of Determination*

Within 15 business days of the hearing, the hearing coordinator will send simultaneous written notice to the Complainant and Respondent (with a copy to the Title IX Officer) setting forth the hearing officer's determination on whether the SVSH Policy has been violated. The written notice will include the following:

1. A summary of the allegations that would constitute a violation of the SVSH Policy.
2. The determinations of whether the SVSH Policy has been violated,
3. A statement that the Title IX Officer will determine whether complainant will be provided additional remedies, and will inform the complainant of that determination.
4. A description of the procedural history of the complaint;

5. The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
6. A summary of the facts found by the investigator that the parties did not dispute;
7. The rationale for the determination of each charge;
8. If the hearing officer determines that DOE-Covered Conduct did not occur, an analysis of whether other charged conduct, including other SVSH Policy violations, occurred;
9. An admonition against retaliation
10. A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal;
11. An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures;
12. A description of the process for deciding whether and what discipline to impose if the final determination (following any appeal) is that the respondent violated the SVSH Policy, and a statement that both parties will be informed of the final resolution of the matter; and
13. A statement indicating the Chancellor or Chancellor's designee will determine whether further investigation by another body is necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.
14. A statement that a final determination (including exhaustion of any appeal rights) that the respondent violated the SVSH Policy will establish probable cause as defined in the Code of Conduct.

#### *Documentation of Hearing*

Throughout the pre-hearing and hearing process, the hearing coordinator will document the process's compliance with the procedures (including timeframes) in this section. After the notice of policy violation determination has been finalized, the hearing coordinator will provide this documentation, along with

all documents relating to the hearing, and the recording of the hearing, to the Title IX Officer.

#### **Appeal of Determination (Stage 2.C)**

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process, but is not a party and does not advocate for or against any appeal.

#### *Grounds for Appeal*

A party may appeal only on the grounds described in this section.

1. There was procedural error in the hearing process that materially affected the outcome; procedural error refers to alleged deviations from university policy, and not challenges to policies or procedures themselves;
2. There is new evidence that was not reasonably available at the time of the hearing that could have materially affected the outcome; and
3. The hearing officer had a conflict of interest or bias that affected the outcome.

The appeal should identify the reason(s) why the party is challenging the outcome on one or more of the available grounds.

#### *Commencing an Appeal*

An appeal must be submitted to the hearing coordinator within 10 business days following issuance of the notice of the hearing officer's determination. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. The Title IX Officer will notify the other party of the basis for the appeal and that the other party can submit a written statement in response to the appeal within three business days, and supporting documentation from the other party as appropriate.

#### *Standards for Deliberation*

The appeal officer will decide whether the appealing party has proven the asserted ground(s) for appeal. They will only consider the evidence presented at the hearing, the investigation file, and the appeal statements of the parties. They will not make their own factual findings, nor any witness credibility determinations.

### *Decision by Appeal Officer*

The appeal officer, who will be an unbiased person without prior involvement in the case or personal relationship with the parties may:

1. Uphold the findings;
2. Overturn the findings;
3. Modify the findings; or
4. In appeals alleging material procedural error or new evidence, send the case back to the hearing officer for further fact-finding if needed. For example, on the issue of whether the alleged error, new evidence, would have materially affected the outcome.

### *Written Report*

The appeal officer will summarize their decision in a written report that includes the following:

- a. A statement of the grounds identified on appeal;
- b. A summary of the information considered by the appeal officer;
- c. The decision of the appeal officer and the rationale for the decision including, where the findings are overturned or modified, an explanation of why the ground(s) for appeal were proven; and
- d. If the final decision is that the Respondent violated the SVSH Policy, a statement that the decision constitutes a finding of probable cause as defined in APM-015.

### *Distribution of Written Decision*

Within 10 business days of receiving the appeal, the appeal officer will send their written decision to the Complainant and Respondent, with a copy to the Title IX Officer.

1. Unless the appeal officer remands the matter, they will inform the respondent and the complainant that the matter is closed with no further right to appeal.
2. If the appeal officer remands the matter, they will specify what further fact-finding should occur or what additional information should be considered and request that the hearing officer report back to the appeal officer on their additional fact-finding. After receiving the hearing

officer's additional factual findings, the appeal officer will issue their decision within 10 business days. This decision will be final.

### **Additional Assessment and Consultation (Stage 2.D)**

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final findings and determination to the Chancellor or Chancellor's designee, with a summary explanation of any difference between the investigator's preliminary determination and the final determination and findings.

The Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take in response to the final determination and findings. The Chancellor or Chancellor's designee may determine that additional investigation is required to determine whether other Code of Conduct violations occurred, but will not reconsider the findings and determinations regarding SVSH Policy violations made through the hearing and any appeal.

If the hearing results in a finding that a faculty respondent violated the SVSH Policy, then the Chancellor or Chancellor's designee will, if they did not already do so, consult with the Title IX Officer and either engage the Peer Review Committee or consult with the Academic Personnel Office as described in Assessment and Consultation (Stage 2) of the Framework. If the Chancellor or Chancellor's designee already took these steps (because the investigator preliminarily determined the respondent violated the SVSH Policy), then they may choose to repeat them before proposing a resolution (for example, when the finding from the hearing is different from the investigator's preliminary determination). The Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

For Senate Faculty, matters will then proceed as described in Decision on Sanctions for Senate Faculty (Stage 3) of the Framework.

For Non-Senate Faculty, the matter will then proceed as described in Decision on Sanctions for Non-Senate Faculty (Stage 3) of the Framework.

Disciplinary Procedures for Faculty Policies for Dating Violence, Domestic Violence, Stalking and Stalking can be found in Appendix IV.

## 12.2 Comprehensive List of Resources

UCI is committed to creating a safe and secure campus environment. Below is a comprehensive list of resources on campus and in the greater Orange County community for Complainants/Victims, students, employees, or anyone with questions or concerns.

### University-Affiliated Resources

CARE: Campus Assault Resources and Education	(949) 824-7273
Coordinator of Faculty & Staff Mental Health and Respondent Services	(949) 824-5208
Office of Equal Opportunity and Diversity/Title IX Office (“OEOD”)	(949) 824-5594
UCI Police Department	(949) 824-5223
UCI Health Medical Center Public Safety Division	(714) 456-5493
UCI Counseling Center	(949) 824-6457
UCI Office of the Ombudsman	(949) 824-7256
UCI Student Health Center	(949) 824-5301
UCI Office of Academic Integrity & Student Conduct	(949) 824-1479
UCI Dean of Students	(949) 824-5181
Employee Assistance Program	(949) 824-5011
UCI Human Resources	(949) 824-5011
UCI Health Medical Center Human Resources	(714) 456-7896
UCI Lesbian Gay Bisexual Transgender Resource Center (LGBTRC)	(949) 824-3277
UCI Office of Financial Aid and Scholarships	(949) 824-8262
UCI International Center	(949) 824-7249
UCI Disability Services Center (Students)	(949) 824-7494
UCI Veterans Services	(949) 824-3500
UCI Center for Student Wellness and Health Promotion	(949) 824-9355

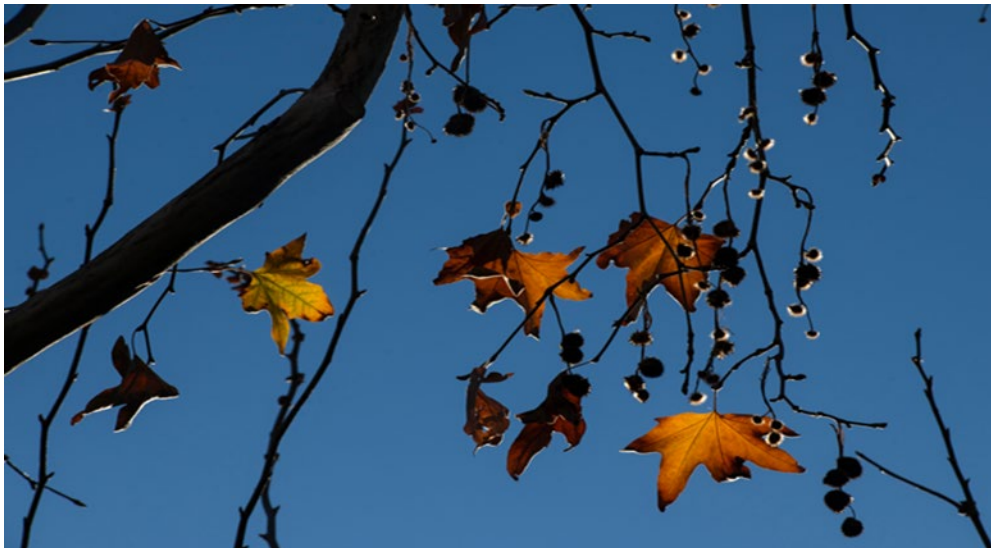


## Greater Orange County Resources

Waymakers	(949) 250-0488
Human Options	(877) 854-3594
Domestic Violence Assistance Program	(714) 935-7956
Elder Abuse Hotline	(800) 451-5155
Orange County Child Abuse Registry Hotline	(800) 207-4464
UCI Health Medical Center	(714) 456-7890
Anaheim Memorial Medical Center	(714) 774-1450
City of Irvine	(949) 724-6650
Victim Assistance Center	(949) 476-4855
Laura's House	(866) 498-1511

## Other Resources

Rape, Abuse and Incest National Network ("RAINN")	(800) 656-HOPE (4673)
National Sexual Violence Resource Center	(877) 739-3895
National Domestic Violence Hotline	(800) 799-SAFE (7233)
California Attorney General's Victim Services Unit	(877) 433-9069
California Department of Corrections and Rehabilitation Office of Victim and Survivor Rights and Services	(877) 256-OVSS (6877)
California Victims' Compensation Programs	(800) 777-9229
California Partnership to End Domestic Violence	(916) 444-7163
National Center for Victims of Crime/Stalking Resource Center	(800) FYI-CALL (394-3255)
An Abuse, Rape, and Domestic Violence Aid and Resource Collection	<a href="http://www.aardvarc.org">http://www.aardvarc.org</a>
Orange County Family Justice Center	(714) 765-1645



## Court Locations, Hours, and Locations to Request Restraining Orders

JUSTICE CENTER:	TYPES OF RESTRAINING ORDERS ACCEPTED FOR FILING:	VENUE: (File your case at the Justice Center where the person you want restrained lives or harassment / abuse took place)
<p><b>Lamoreaux Justice Center</b> 341 The City Drive Orange, CA (657) 622-6069</p> <ul style="list-style-type: none"> <li>Family Law Division: 7th Floor</li> <li>Self-Help Center: 1st Floor, Room 101</li> <li>Domestic Violence Assistance: Center 7th Floor, Room C-611</li> </ul>	<ul style="list-style-type: none"> <li>Domestic Violence</li> </ul>	<p>All cities and unincorporated areas in Orange County</p>
<p><b>Central Justice Center</b> 700 Civic Center Drive West Santa Ana, CA 92701 (657) 622-6878</p> <ul style="list-style-type: none"> <li>Civil Division: 1st Floor</li> <li>Self-Help Center: 1st Floor, Room G100</li> </ul>	<ul style="list-style-type: none"> <li>Civil Harassment</li> <li>Elder/Dependent Adult Abuse</li> <li>Workplace Violence</li> <li>Post-Secondary School Violence</li> <li>Transitional Housing Misconduct</li> </ul>	<p>Fountain Valley, Garden Grove, Huntington Beach, Orange, Santa Ana, Seal Beach, Tustin, Villa Park, and Westminster</p> <p>All cities and unincorporated areas in Orange County for Probate and Elder/Dependent Abuse</p>
<p><b>Harbor Justice Center Newport Beach Facility</b> 4601 Jamboree Road Newport Beach, CA 92660 (657) 622-5700</p> <ul style="list-style-type: none"> <li>Civil Division: 1st Floor</li> <li>Self-Help Center: 1st Floor, Room 150</li> </ul>	<ul style="list-style-type: none"> <li>Civil Harassment</li> <li>Workplace Violence</li> <li>Post-Secondary School Violence</li> <li>Transitional Housing Misconduct</li> </ul>	<p>Aliso Viejo, Costa Mesa, Dana Point, Irvine, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Newport Beach, Rancho Santa Margarita, San Clemente San Juan Capistrano</p>
<p><b>North Justice Center</b> 1275 N. Berkeley Ave. Fullerton, CA 92838 (657) 622-5600</p> <ul style="list-style-type: none"> <li>Civil Division: Upper Level, North Wing</li> <li>Self-Help Center: Upper Level, Room 360</li> </ul>	<ul style="list-style-type: none"> <li>Civil Harassment</li> <li>Workplace Violence</li> <li>Post-Secondary School Violence</li> <li>Transitional Housing Misconduct</li> </ul>	<p>Anaheim, Brea, Buena Park, Cypress, Fullerton, La Habra, La Palma, Los Alamitos, Placentia, Stanton, and Yorba Linda</p>

**HOURS:****All Justice Centers (except Lamoreaux Justice Center):**

Monday-Friday: 8:00am-4:00pm

**Lamoreaux Justice Center:**

Monday-Friday: 8:00am-4:00pm

**Superior Court Self-Help Centers:**

Monday-Thursday: 8:00am-4:00pm; Fridays: 8:00am-3:00pm

**Domestic Violence Assistance Center (located at the Lamoreaux Justice Center):**

8:00am-4:00pm (closed from 12:00pm-12:30pm)

**IMPORTANT:**

- Final check-in at the Clerk's Office is 4:00pm. All parties should appear in the Clerk's Office, Domestic Violence Assistance Center, or Self-Help Center no later than 3:30pm to complete the paperwork.
- The Self-Help Center closes at 3:00pm on Fridays. If the Self-Help Center is closed, the Clerk's Office or Domestic Violence Assistance Center can assist you.

## 13.0 Registered Sex Offender Information

### 13.1 Sex Offender Informational Data

This section describes where law enforcement agency information provided by a State under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) concerning registered sex offenders may be obtained by the UCI and UC Irvine Health Medical Center communities. Federal law requires all registered sex offenders who are enrolled at or employed at a postsecondary institution to provide this information to the state. The state then provides this information to designated local law enforcement authorities in the jurisdiction where the institution is located.

The California Department of Justice maintains an internet website with information concerning designated registered sex offenders in California. This website can be accessed at

<https://www.meganslaw.ca.gov>.

The database may be searched by a sex offender's specific name, obtain zip code and city / county listings, obtain detailed personal profile information on each registrant, and use the map application to search the neighborhood or anywhere throughout California to determine the specific location of any sex offender

registrants on whom the law allows a home address to be displayed.

The California Department of Justice was required by law to post static risk assessment scores for sex offender registrants who are eligible to be scored. For information relating to risk assessments, eligibility, and scoring, please visit the State Authorized Risk Assessment Tool for Sex Offenders ("SARATSO") website at <https://saratso.org>. Information contained in SARATSO website is based on information provided by local law enforcement agencies and other criminal justice entities.

### 13.2 Reporting Sex Offender Information to Department of Justice

Sex offender registrant information is provided to the California Department of Justice by the local law enforcement agency (i.e., the police or sheriff's department) having jurisdiction over the city or county where the offender resides and last registered. If you have information concerning a registrant who is in violation of their registration requirements, or if you believe that a listed address is inaccurate, you should notify your local law enforcement agency or the California Department of Justice. You can report information directly to the California Department of Justice at: <http://www.meganslaw.ca.gov>.

**California Department of Justice**

Phone number (916) 227-4974

E-mail address – [MegansLaw@doj.ca.gov](mailto:MegansLaw@doj.ca.gov)

**Mailing Address:**

California Department of Justice Sex Offender Tracking Program

P. O. Box 903387

Sacramento, CA 94203-3870

For more information about Megan's Law and the California sex offender registration program, please visit the website of the Office of the Attorney General - State of California at: <https://oag.ca.gov/sex-offender-reg>

### 13.3 UCI and UCI Health Medical Center Sex Offender Registration Procedures

UCI and UCI Health Medical Center affiliated registration of sex offenders must be conducted at the UCI Police Department located at 410 East Peltason Drive, Irvine, CA 92697. Persons required registering



must do so in person at the UCI Police Department, Monday through Friday (excluding holidays); during the normal business hours of 8:00 a.m. to 5:00 p.m. Registrations will be handled by appointment only. Please call (949) 824-5223 to schedule an appointment.

## **14.0 Campus Facilities Access and Security**

### **14.1 Security of and Access to Campus Facilities – Academic and Other Buildings**

During normal business hours, UCI buildings and facilities (excluding certain housing facilities and administrative buildings) are open to students, parents, employees, contractors, guests and invitees. During non-business hours, access to UCI campus buildings and other facilities may be limited and may only be accessible with proper identification. Some buildings and facilities at UCI may have individual hours, which could vary throughout the year. In these cases, the UCI campus buildings and facilities will be secured according to schedules developed by the department responsible for the building or facility.

The UCI campus utilizes multiple systems to maintain access control to campus buildings. These include physical keys, electronic locks programmed to open at predetermined times, and proximity electronic keys. More sensitive areas of the campus utilize biometric locks, camera systems, and alarm systems that are directly linked to the UCI Police Department Dispatch Center. The UCI Police Department officers respond to alarmed areas both at the UCI and UC Irvine Health Medical Center campuses and conduct routine patrols to monitor security-related matters at campus buildings and other facilities.

In order to ensure that only authorized individuals have access to UCI and UC Irvine Health Medical Center buildings and facilities, it is essential that students, staff and faculty work together to keep doors of all buildings and other facilities closed and locked after hours. Do not leave doors propped open or unlocked after hours. Do not open the door for individuals you do not know. If your campus keys or other access cards are lost or stolen, report this information immediately to the issuing party / department and the UCI Police Department at (949) 824-5223.

Emergencies may require changes or alterations to posted building and other facility schedules. Buildings,

facilities and other areas at UCI that are reported or determined to be problematic in certain ways may have security surveys and assessments conducted, including lighting, landscaping, access control, alarm monitoring, security camera coverage and other assessments.

Members of the UCI Police Department, UCI Facilities Management, and others may conduct security assessments for new construction, remodeling projects, and other areas conducted on an on-going basis or when requested.

UC Irvine Health Medical Center maintains certain buildings and properties that by their nature are open and accessible to the public 24 hours per day (i.e., Non-Ambulatory Hospital and Emergency Department) or only during weekday business hours (i.e., Ambulatory Clinics). In accordance with various regulations, areas identified as “Sensitive” (as determined through Risk and Vulnerability Assessments) are provided with levels of access control supported by locking devices (i.e., key locks and key card access controls). Varying levels of clearances are assigned based on position, need for access to patient populations, and other medical related access requirements.

### **14.2 Security of and Access to Campus Facilities – Residential Facilities**

UCI is the size of a small city providing residential housing to UCI staff and faculty and approximately 17,000 students residing in on-campus student housing residential facilities. UCI Student Housing facilities range from apartments designed also for students with children and those who are in a domestic partnership to multi- student apartments and residence halls. On-campus student housing at UCI is comprised of eleven different communities, six that are operated by UCI Student Housing and five that are owned and operated by a third-party company called American Campus Communities (“ACC”). Specifically, UCI Student Housing is comprised of the following housing communities: Arroyo Vista, Campus Village, Mesa Court, Middle Earth, Palo Verde, and Verano Place.

ACC operates five additional student housing communities located on the UCI campus: Camino del Sol, Puerta del Sol, Vista del Campo, and Vista del Campo Norte and Plaza Verde.

Security in residential areas is supplemented by Resident Advisors (“RAs”) or Housing Assistants (“HAs”), or at ACC properties, with Community Assistants (“CA”). University owned and operated housing also utilizes live-on Residence Life Coordinators (“RLCs”), and ACC managed properties employ full time, live-on staff members called Resident Directors (“RDs”) and Assistant Resident Directors (“ARDs”), as well as Assistant General Managers (“AGMs”) who also live on site. Everyone in a community has a responsibility to maintain the safety and well-being of the individuals in the community. Students must report any violation of the UCI Student Housing policies and/or Student Code of Conduct to an RA to the UCI Housing Office, or to ACC CA’s or management staff. Students who are not actively involved in a UCI policy violation, but who accede to them, may be subject to the UCI student conduct process. Be aware of what is happening in living areas and take responsibility for developing a positive environment. Any dangerous behavior should be reported to the community housing office and/or the UCI Police Department immediately and is subject to disciplinary action.

Access control to UCI on-campus student housing facilities is limited to building residents, their authorized guests, and other approved members of the university community. These on-campus student housing facilities are secured 24 hours a day, 7 days a week and require either a key or card key to access the facilities. Over extended breaks or during emergencies, changes or alterations to any access control schedules may occur. Access or attempted access to a room or facility without authorization is not permitted. Also, access or attempted access through a window is not permitted. Students, staff and faculty may not reproduce UCI, UCI Student Housing, ACC Student Housing, and/or UC Irvine Health Medical Center keys. Loaning keys to another party, manipulating locks or door handles to gain entry without a key, or misusing a key or electronic key card is also prohibited. These are violations of the UCI student conduct code and are also violations to UCI Student Housing contracts.

Occasionally, residents may wish to have family members or friends visit or stay with them overnight. Overnight guest visitation in UCI Student Housing is restricted to no more than one person at a time for 3 days within a two-week period. ACC student resident

overnight visitors are restricted to no more than 4 days per visit and no more than 4 days per term.

Each resident is responsible for the behavior of their guests while on campus and in the housing communities. The host must be a resident and make an agreement with their roommates(s)/ apartment-mates prior to inviting guests.

Guests may not sleep in public common areas and must have identification on them at all times. Guests who cause a disruption or violate policies are the responsibility of their host. UCI Student Housing has the right to restrict specific guests if they have been disruptive or have violated UCI Student Housing policies or other general UCI policies. All residents are expected to respect the rights of people with whom they live. Residents and their guests must cooperate with and act respectfully toward UCI and ACC personnel who are acting in the performance of their duties.

Theft is the most prevalent crime that occurs in the residential areas. Residents are encouraged to exercise prudence and caution with respect to their personal safety and security within UCI Student Housing and ACC student Housing facilities. UCI Police Department encourages all residents, guests and other visitors at UCI to be aware of their surroundings and the presence of unknown persons in your communities. All residents and guests are encouraged not to leave their belongings unattended or unsecured. All residents and leaseholders in all UCI on-campus student housing facilities are reminded to lock all doors and windows throughout the year.

Residents and guests must show identification, when requested. This includes, but is not limited to, interactions with all UCI Student Housing staff (both professional and student staff), UCI Dining Service staff and the UCI Police Department.

Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their approved access method to the building.

- **Arroyo Vista Student Housing (UCI Student Housing)** – all doors / access to houses are by card key and / or hard key for residents. Housing staff have access to houses for work related issues (i.e., repairs, cleaning, resident relations).

- **Campus Village Student Housing (UCI Student Housing)** – all doors to apartments are by hard key for residents. Housing staff have access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Mesa Court Student Housing (UCI Student Housing)** – all hall and resident room doors / access are by card key and / or hard key for residents. Housing staff have access to houses for work related issues (i.e., repairs, cleaning, resident relations).
- **Middle Earth Student Housing (UCI Student Housing)** – all hall and resident room doors / access are by card key for residents. Housing staff have access to houses for work related issues (i.e., repairs, cleaning, resident relations).
- **Palo Verde Student Housing (UCI Student Housing)** – all door access to apartments is by hard key for leaseholders. Housing staff have access to apartments for work related issues (i.e., repairs, cleaning, resident relations)
- **Verano Place Student Housing (UCI Student Housing)** – all doors to apartments are by hard key for leaseholders. Housing staff have access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Vista del Campo Student Housing (ACC Housing Community)** – all apartment doors have electronic locks. Residents are provided with an electronic key fob. All bedroom doors have hard key deadbolt locks. Residents are provided with a key that is independent to their bedroom door. ACC staff has access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Vista del Campo Norte Student Housing (ACC Housing Community)** – all apartment doors have electronic locks. Residents are provided with an electronic key fob. All bedroom doors have hard key deadbolt locks. Residents are provided with a key that is independent to their bedroom door. ACC staff has access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Camino del Sol Student Housing (ACC Housing Community)** – all apartment doors have electronic locks. Residents are provided with an electronic key fob. All bedroom doors have hard key deadbolt locks. Residents are provided with a key that is independent to their bedroom door. ACC staff has access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Puerta del Sol Student Housing (ACC Housing Community)** – all doors to apartments are by hard key for leaseholders. All bedroom doors have hard key deadbolt locks. Residents are provided with a key that is independent to their bedroom door. ACC staff has access to apartments for work related issues (i.e., repairs, cleaning, resident relations).
- **Plaza Verde (ACC Housing Community)** – all apartment doors have electronic locks. Residents are provided with an electronic key fob. All bedrooms have deadbolt locks. Residents are provided with a key that is independent to their bedroom door. ACC staff has access to apartments for work related issues (i.e., repairs, cleaning, resident relations)



### 14.3 Solicitors

Door-to-door solicitation of products, services or other items is prohibited at UCI. Residents are encouraged to report the presence of solicitors to residential life personnel and/or the UCI Police Department. Residents are also advised to keep their resident hall or apartment doors locked at all times. Residents are encouraged to ask for assistance from any residential life staff member, Resident Advisor (RA), Community Assistant (CA) or UCI Police Department officer. Additionally, residents may not operate a business or sell products or services for personal profit from housing facilities, unless it is part of a pre-approved, UCI Student Housing sponsored event.

### 14.4 Shuttle Bus Service

Anteater Express shuttle buses provide safe transportation around the UCI campus and from local campus communities for residents, commuters, visitors, and UCI affiliates. Shuttle bus drivers provide additional eyes and ears for the UCI Police Department. Anteater Express operates a variety of shuttle routes during the Fall, Winter, Spring, and Summer quarters. For general information on the Anteater Express Shuttle, shuttle routes, and shuttle stops, please visit <https://shuttle.uci.edu/> or call (949) 824-5547.

UCI Medical Center operates a shuttle service provided through the Parking and Transportation Services (“PTS”) Program for patients, visitors, students and employees. A shuttle service between the UCI Health Medical Center and UCI campus is also provided in support of the campus and UCI Health Medical Center’s Rideshare Alternatives Program initiative.

### 14.5 Parking Lots, Structures, and Services

UCI Transportation and Distribution Services manages all parking-related services on the UCI main campus. UCI maintains specific parking lots with dedicated parking stalls for those students living in UCI on campus student housing facilities who have a valid parking permit.

UCI also has 4 parking structures <http://www.parking.uci.edu/parking/kiosks.cfm/>, each containing more than 1,000 parking spaces. These 4 parking structures include Anteater Parking Science Parking Structure, and Mesa Parking Structure.

UCI Transportation operates a VIP Service Program on the UCI campus at no charge to all UCI affiliates; 7 days a week, from 7:00 a.m. to 11:00 p.m. Services include jump-starts, tire sealant for your vehicle or bicycle, vehicle unlock, emergency gas delivery service, mobile electric vehicle charging and an emergency ride home program from the UCI campus. Service limitations may apply. You may call (949) 824-VIPS (8477) for more information or to request use of this service. UCI offers a tow truck service for removing vehicles that pose a potential safety issue by obstructing vehicles and pedestrian movement.

### UCI Health’s Parking and Transportation

Services (“PTS”) Program manages all parking related services for students, faculty, staff, patients and visitors at the UC Irvine Health Medical Center using on-site and off-site parking lots and structures owned or leased by the Regents of the University of California. The PTS Program has approximately 4,800 stalls in its inventory and operates a Parking Enforcement Program overseen by Parking Enforcement Officers (“PEO”). Additional services include a Valet Program, electric charging stations, and patient shuttles.

In order to reduce the chance of property loss while your vehicle is parked at UCI, never leave your vehicle running, unlocked, keys in the ignition or the windows rolled down. Keep all valuables out of sight. Use security devices such as a car alarm, steering wheel lock and/or a fuel/electric cut-off switch.

When approaching your vehicle, have the keys in your hand and remember to look inside your vehicle before you get in. For emergencies, each parking structure has blue light emergency call boxes located on each level. Each blue light emergency call box directly connects to the UCI Police Department.

### 14.6 Security Considerations in Maintenance of Campus Facilities

UCI and UCI Health Facilities Management, as well as ACC maintenance staff, are responsible for providing campus buildings and grounds that meet the University’s requirements, have an environmentally acceptable atmosphere for students, faculty and staff, and ensure the health and safety of all personnel. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions.

Additionally, the UCI Police Department Community Service Ambassador (“CSA”) program works in conjunction with UCI Facilities Management to perform lighting checks of the entire UCI campus on a quarterly basis. Additionally, UCI Police Department officers regularly patrol the UCI campus, ACC managed housing properties and the UC Irvine Health Medical Center campus and report malfunctioning lights, poorly lit areas, security deficiencies and other unsafe physical conditions.

This information is forwarded to UCI Facilities Management. In addition, the CSA program performs quarterly checks of the emergency blue light communication system across the UCI campus and ACC managed properties. Emergency blue light terminals are inspected to ensure they are functioning properly.

#### UCI Transportation Parking Enforcement

Representatives conduct safety checks in the UCI parking structures on a nightly basis in an attempt to locate and address anything that may be of concern. Moreover, UCI Transportation and Distribution Services staff perform regular field condition reporting during all shifts and site assessments of parking lots and parking structures on an as needed basis. These staff address issues with respect to lighting and structural issues as well as roadway hazards, crosswalk enhancements and placement of signage. The UCI campus community can report items of concern for repair or notification by contacting UCI Transportation and Distribution Services at 949-824-7275 or email [parking@uci.edu](mailto:parking@uci.edu).

UCI owns a low-power emergency radio, AM 1690, that transmits traffic and event information 24 hours a day, 7 days a week. During an emergency, flashing beacons are activated and the campus is directed to tune to AM 1690 for up-to-the-minute evacuation or emergency response information.

UCI Student Housing staff receive and report any maintenance issues to the UCI Student Housing Facilities department through an online work order system. ACC communities utilize an online work order submittal system. Students living within ACC properties may submit work orders online or by calling the front desk at their community. Maintenance issues are then responded to and addressed within a timely manner. After-hours response is also available to address facilities maintenance emergencies.

The UCI Health Public Safety Division regularly monitors insufficient lighting and hazards reporting deficiencies through a program called Maintenance Connection.

Security officers will conduct lighting studies if needed based on a risk and vulnerability assessment or if requested by UCI Health administration. Security officers regularly conduct Random Security Measures (“RSM”) to detect, deter, or mitigate unsafe conditions and when needed, report unsafe conditions to Facilities & Maintenance through the Maintenance Connection system.

Other members of the UCI community are encouraged to report building, facility and equipment problems or unsafe conditions by contacting the UCI Facilities Service Desk at (949) 824-5444 between the hours of 7:00 a.m. and 4:30 p.m. After hours, please call the UCI Central Plant directly at (949)824-5520. Additionally, the UCI Facilities Management Lock and Security Shop maintain access control systems for campus buildings and facilities on the UCI campus and can be reached at (949) 824-4870. For the UCI Health System, please call (714) 456-5700 to report building, facility and equipment problems or unsafe conditions





## 15.0 Illegal Weapons

California state law and UCI policy prohibit the possession or control of any firearms, deadly weapons, explosive devices, fireworks, nunchakus, metal knuckles, shurikens, billy clubs, saps, or any other deadly weapons or prohibited knives, while on any UCI property or building facility, including the UCI Health Medical Center, except as required in the lawful course of business or as authorized by the UCI Chief of Police.

Anyone found in violation of the university's policies will be subject to the disciplinary policies and procedures applicable to students, staff and faculty, and/or criminal prosecution by the appropriate jurisdiction.

A weapon is anything somebody could use to hurt somebody else. Weapons could include a gun, knife, pepper spray, hands, fists, feet, and any available object that could be used to hurt another person.

Specifically, California Penal Code section 626.9 prohibits any person from bringing or possessing a firearm upon the grounds of a University of California campus, or any property owned or operated by the University of California, without written permission. Similarly,

California Penal Code section 626.10 prohibits any person who brings or possesses any dirk, dagger, ice pick, or knife having a fixed blade longer than 2.5 inches upon the grounds of the University of California.

Moreover, pursuant to California Penal Code section 16590, the possession of an undetectable firearm, cane gun, wallet gun, zip gun, belt buckle knife, blackjack, etc. is prohibited by law. Under California Penal Code section 417, it is illegal for any person to exhibit a firearm or any deadly weapon in a rude, angry, or threatening manner, or unlawfully using the same in any fight or quarrel. Any person found to be in violation of any weapons law is subject to arrest, prosecution and imprisonment.

## 16.0 Alcohol, Drug and Substance Abuse Policies

UCI, UCI Health and UCIPD enforce the California underage drinking laws. Additionally, the possession, use, and sale of illegal drugs is prohibited at UCI & UCI Health Medical Center and enforcement of both State and Federal drug laws will be enforced by UCIPD.

## 16.1 UCI Policy on and Enforcement of the Possession, Use and Sale of Illegal Drugs

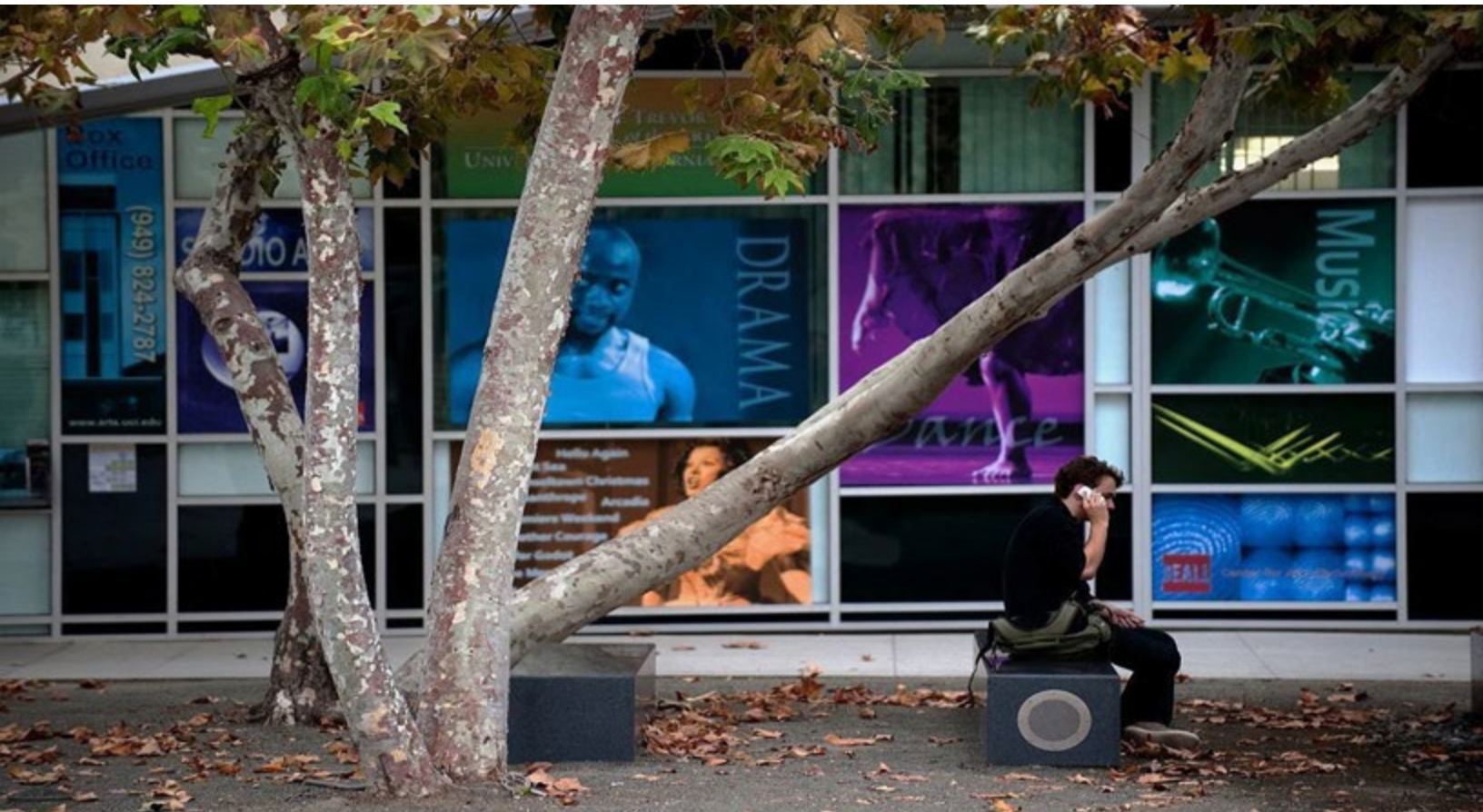
The UCI campus and the UCI Health Medical Center campus have been designated Drug Free. The possession, sale, manufacture and distribution of any controlled substance is illegal under both state and/or federal laws. These laws are strictly enforced by the UCI Police Department. Violators of these laws are subject to UCI disciplinary action (for affiliated members of the institution), criminal prosecution, fine and imprisonment.

## 16.2 UCI Policy on and Enforcement of Possession, Use and Sale of Alcoholic Beverages

The possession, use and sale of alcohol on the UCI campus is governed by UCI Alcohol Policy and California

state law. Laws regarding the possession, use, sale, consumption, and furnishing of alcohol are controlled by the California Department of Alcohol and Beverage Control (ABC). Primary responsibility for the enforcement of alcohol laws on the UCI & UCI Health Medical Center campuses is with UCIPD. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the UCI Alcohol Policy for anyone to consume or possess alcohol in any public/private area of the campuses without prior University approval.

Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.



The service and consumption of alcoholic beverages is permitted only in UCI facilities licensed to serve alcoholic beverages and at UCI events for which a “Request to Serve or Sell Alcoholic Beverages” has been approved by UCI Hospitality & Dining Services (HDS). Approval of the Request will be contingent upon completion of other requirements, such as obtaining liquor liability insurance and providing Certified Professional Servers.

A completed Request Form (“Request”) with the signatures of an Approving Authority and an Event Location Approver must be submitted to HDS for each event at least 20 business days prior to the event. A diagram of all serving areas must be attached. After HDS approves the Request, HDS will send a copy of each Request to the Primary Event Representative, the Event Location Approver, and the UCI Police Department.

In addition to UCI requirements for the serving and consumption of alcoholic beverages, Sponsoring Organizations must also comply with state requirements when selling alcoholic beverages. An alcoholic beverage license from the ABC is required under all circumstances.

### 16.3 Drug and Alcohol-Abuse Education Programs

UCI students and employees with substance abuse issues (including alcohol) create a health and safety risk for themselves and for others. Such abuses can also result in a wide range of serious emotional and behavioral problems. UCI and the UCI Health Medical Center make available to students and employees a wide variety of alcohol and substance abuse programs. These programs are designed to discourage the use of illegal substances and to educate the campus community about strategies that ensure the safe and responsible use of legal substances (such as alcohol and prescription drugs).

UCI Counseling Services, Student Health Center (Department of Psychiatry, and the Alcohol/Other Drug (AOD) Task Force provide counseling and referral services to students who suffer from a substance abuse problem. Group and individual counseling sessions are available to students at no cost. All information regarding any contact or counseling is confidential and will be treated in accordance with UCI policies, state and federal laws. A student's decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action.

The Center for Student Wellness & Health Promotion offers a comprehensive alcohol and other drug (AOD) prevention program. The Center also provides a wide variety of trainings and workshops on the topic of AOD issues. For more information, contact the Center at (949) 824-9355 or visit the Center’s website at [www.StudentWellness.uci.edu](http://www.StudentWellness.uci.edu).

The Center also promotes safe practices, responsibility and awareness around alcohol consumption and other drugs. A professional health educator or trained peer educators are available to provide presentations on alcohol and other drug topics. In addition to alcohol and other drugs, the Center has developed programs on topics such as Sexual & Relationship Health, Mental Health & Emotional Wellbeing, and Nutrition, Disordered Eating and Body Image. Their two signature programs/trainings educate students about bystander intervention and helping someone in need (the “Step Up UCI!” bystander intervention program) and understanding and helping someone who may be struggling with mental health challenges (“Behind Happy Faces” mental health program). Each of these programs are an in-depth, two-hour training.

UCI and UCI Health Medical Center employees who have substance abuse problems are encouraged to seek assistance through the UCI Guidance Resources Program, which is an Employee Assistance Program (EAP) and provides comprehensive Work-Life services. For more information, please call 1-844-UCI-EAP3 (824-3273) to speak to a master’s or doctoral level professional who will guide you to the appropriate services you require. Additionally, employees may visit Guidance Resources online at [www.guidanceresources.com](http://www.guidanceresources.com) and enter UCI’s Company ID: UCIEAP3.

In compliance with the Drug-Free Schools and Communities Act of 1989 below is a list and brief description of the programs that are offered throughout the year. To view the biennial report, click [here](#).



Intervention / Strategy	Brief Description
<b>Alcoholics Anonymous Meetings</b>	These are open meetings on campus for students, staff, faculty and other community members (M-F, 12-1pm).
<b>AOD Consultation</b>	One-on-one consultation using brief motivational techniques focusing on violations for use of substances other than alcohol including marijuana, prescription drugs and illicit drugs. The goal of the consultation is to educate students about the effects of illicit drug use, to promote self-evaluation of drug use habits and to facilitate the acquisition of effective coping strategies to make informed decisions and reduce the risk and harm associated with drug use.
<b>Alcohol Awareness Class</b>	This class is assigned as a first-level sanction for alcohol policy violations. The goals of the class are to educate students about the effects of alcohol use, provide current data and statistics about alcohol use on campus, to encourage students to implement the skills of alcohol-related risk reduction and to facilitate the acquisition of effective coping strategies so that students can make informed decisions and reduce their alcohol-related risk and harm.
<b>BASICS</b>	Brief Alcohol Screening and Intervention for College Students (BASICS) is an evidence-based strategy utilizing brief motivational interviewing techniques. It is generally assigned as a sanction for higher-level first violations or as a follow-up to the Alcohol Awareness Class for second violations. The goal of BASICS is to provide individually-based feedback for students about the effects of alcohol, and to promote self-evaluation of drinking habits to facilitate the acquisition of effective coping strategies to make informed decisions and reduce the risk and harm associated with drug use.
<b>E-CHUG</b>	A brief online assessment for personal alcohol use that provides individualized feedback, some based on campus and national norms. This intervention is generally assigned as part of a sanction, but all students can access the assessment and use it if they choose.
<b>E-TOKE</b>	A brief online assessment for personal marijuana use that provides individualized feedback, some based on campus and national norms. This intervention is generally assigned as part of a sanction, but all students can access the assessment and use it if they choose.
<b>Tobacco/ Smoking Cessation</b>	Tobacco/Smoking cessation services are available to students through the Center for Student Wellness & Health Promotion. Community partners occasionally come to campus to provide workshops that are open to students, faculty and staff. HR has resources available to assist employees with tobacco/cessation related services.
<b>Smoke Free Tobacco Free Task Force</b>	The campus has a Smoke/Tobacco-Free Task Force that works on the implementation strategies of the UC system-wide smoke/tobacco free policy that went into effect at UCI on January 1, 2014.
<b>Smoke Free Tobacco Free Policy</b>	The campus has a Smoke/Tobacco-Free Task Force that works on the implementation of the UC system-wide smoke/tobacco free policy that went into effect at UCI on January 1, 2014.
<b>AOD Task Force</b>	A comprehensive coalition/task force made up of campus and community partners that meets quarterly to address the needs and concerns of both the campus and community on AOD issues.
<b>Campus Social Host Ordinance</b>	UCI Police Department implemented a campus version of the social host ordinance. The intent is to provide a means to hold those accountable for hosting social events that require a response by the UCI Police Department and/or have violations of campus policy or laws that occur.
<b>Community Social Host Ordinances</b>	Several communities in the UCI area, including the City of Irvine, have implemented new social host and/or loud/disruptive social gathering ordinances to address social gathering that require some sort of response by law enforcement. These ordinances hold the host responsible for the costs of calls/response and any violations that occur/cited.
<b>TiPS Training</b>	TiPS training is a standardized training (developed by Health Communications, Inc.) geared toward training servers of alcohol. It focuses on recognizing basic signs of intoxication, how to intervene appropriately to prevent intoxication and/or handle someone who is already intoxicated, and how to create an environment that supports responsible social behavior and environments where alcohol is present. The specific TiPS University program is designed to train students on the role they can take with their peers in social environments. TiPS training is used to train catering and concessions staff, UCI campus pub staff, and selected student groups including Peer Health Educators.

<b>Greek Bus Program</b>	This program is designed to address the issue of off campus events/parties hosted by Greek letter organizations. These large events involve students going to an off-campus venue for an organized social event. The goal is to minimize the occurrence and potential consequences from impaired driving. By organizing alternative transportation, and a sober designated driver (i.e., the bus driver), students attending these events would not be driving drunk and/or riding with a drunk driver.
<b>Educational Workshops</b>	Educational workshops focus on providing educational information, normative information and skill training including how to party safely, create a plan when socializing and access to resources on and off campus.
<b>Educational Programming</b>	A wide variety of large and small scale educational events and programs including speakers, tabling and videos to relay educational information, provide skill training and refer students to resources on and off campus.
<b>FIRST Module</b>	First-year Internet Required Safety Training (FIRST) is a 20-minute online module that covers basic alcohol education, campus policies and resources on alcohol and sexual assault. Completion of this training is required for all incoming freshmen and transfer students.
<b>Peer Education Program</b>	The AOD Programs Manager trains selected student volunteers on AOD trends, campus norms, and address campus needs around AOD. Students learn to facilitate workshops, develop programs and conduct outreach. The goal of the peer health educator program is to empower students to motivate their peers to make healthy lifestyle choices and connect students to resources for help.

### 16.4 Results of Disciplinary Proceedings (2008 Higher Education Opportunity Act (“HEOA”) Requirement)

In compliance with the requirements of UCI’s Program Participation Agreement (“PPA”) and the Higher Education Opportunity Act (“HEOA”) of 2008, UCI will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18 of the United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by UCI against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.



## 17.0 Preparation of the Annual Security Report and Annual Fire Safety Report

Purpose of the Annual Security Report and Annual Fire Safety Report

Under the Clery Act, UCI and the UC Irvine Health Medical Center have immediate, on-going, and annual requirements. This Annual Security Report is updated and published annually and contains safety and security-related policy statements, procedures and crime statistics (i.e., crime statistics for the last three calendar years). UCI and the UCI Health Medical Center distribute the Annual Security Report and Annual Fire Safety Report to all current students, staff and faculty by October 1 each year. UCI and UC Irvine Health Medical Center also inform prospective students, staff and faculty about the availability of these reports.

### 17.1 Annual Security Report and Annual Fire Safety Report Annual Notification Requirement and Distribution

The Annual Security Report and Annual Fire Safety Report are distributed in compliance with the requirements of the Clery Act. Specifically, both reports are distributed to all currently enrolled students and all current employees by October 1 each year. Both reports are also distributed to prospective students (i.e., any individuals who have contacted UCI requesting information about admission) and prospective employees (i.e., any individuals who have contacted UCI and the UC Irvine Health Medical Center requesting information concerning employment) upon request.

UCI Police Department distributes an individual notice about the Annual Security Report and the Annual Fire Safety Report to each student and employee by October 1 of each year via various publication outlets and mediums. The notice generally includes a statement of the reports' availability, a brief description of the information contained within the reports, a direct link to the internet website at which the report is posted and information regarding where paper copies of the reports may be obtained upon request.

The Annual Security Report and the Annual Fire Safety Report are distributed as two separate report documents. The Annual Fire Safety Report may be directly accessed by visiting the following website: [https://ehs.uci.edu/fire-safety/pdfs/UCI\\_HEOA\\_Report.pdf](https://ehs.uci.edu/fire-safety/pdfs/UCI_HEOA_Report.pdf)

## 17.2 Annual Security Report and Annual Fire Safety Report Preparation Process

The UCI Police Department has primary responsibility for coordinating and compiling the information contained within the Annual Security Report by working with various individuals and departments from around UCI and the UC Irvine Health Medical Center. Input from a variety of individuals is important in order to convey the latest and most updated information. In addition to reviewing all UCI Police Department police reports, the UCI Police Department coordinates with the UCI Office of Academic Integrity & Student Conduct, UCI Student Housing, and each of the American Campus Community ("ACC") student housing properties to collect and reconcile Disciplinary Referral statistic data related to liquor law violations, drug law violations and weapon law violations that involve Clery Act reportable data. The UCI Police Department also coordinates the collection, classification and reconciliation of all UCI and UC Irvine Health Medical Center Campus Security Authority ("CSA") Reports to ensure proper reporting of Clery Act reportable crime statistic data. Other sources for crime statistics come from local law enforcement agencies. Various campus departments contribute to the ASR, such as, the CARE office, Student Wellness & Health Promotions, Office of Equal Opportunity and Diversity, UCI Student Housing and Dean of Students Office.

The Environmental Health & Safety (EH&S) Fire Marshal on the UCI campus has primary responsibility for coordinating and compiling the information contained within the AFSR. The UCI campus Fire Marshal works closely with the UCI Police Department in reconciling all reported fires within UCI on-campus student housing facilities as well as the primary duty to investigate all reported fires for a Clery arson investigation determination for data reported in the Annual Security Report.

Moreover, the following systems are available to members of the larger community who are interested in receiving notification information regarding emergencies on the UCI campus:

- Zot Radio AM 1690
- KUCI Radio FM 88.9
- Facebook <http://facebook.com/UCIrvinePD>
- Twitter <http://twitter.com/UCIrvinePD>



## 18.0 Clery Crime Statistics

### 18.1 Clery Crime Statistics, Sources and Unfounded Crime Reports

UCIPD is charged with the responsibility to collect, classify, score and report crime statistics to the U.S. Department of Education and UCI's and UCI Health Medical Center's current and prospective students, faculty and staff. Clery Act crimes are reported to the Department of Education via a web-based online reporting tool and to the campus communities in the Annual Security Report by October 1 of each year. Statistical crime reporting requirements vary depending upon the governmental recipient. Mandated reporting requirements regarding crime statistic data to the Federal Bureau of Investigation is different from the mandated U.S. Department of Education Clery Act crime reporting requirements. For example, Clery Act crime reporting requires the reporting of disciplinary referral data for drug, weapon and liquor law violations that is not required by either state or federal law enforcement entities who also mandate certain crime reporting requirements. Clery Act crime statistic data is also collected from non-law enforcement personnel, called Campus Security Authorities ("CSAs"), as well as outside law enforcement agencies who may have jurisdiction over certain UCI and UCI Health Medical Center locations classified as "non-campus buildings and property."

This section of the Annual Security Report contains Clery Act crime statistic data that has been compiled from the 2018 calendar year, which is the most recent calendar year that the Clery Act requires crime statistic data to be reported. This section also contains crime statistic data from calendar years 2017 and 2016, the previous two most recent calendar years in which crime statistic data was reported. Crime statistic data under the Clery Act is disclosed based on where a crime occurs, the types of crimes that were reported, and the year in which the crimes were reported.

Some crimes are not directly reported to the UCI Police Department. As such, by collecting Clery Act crime statistic data through other established channels, UCI is able to obtain a more accurate picture of crimes occurring on the UCI Campus, UCI Health Medical Center campus, public property and non-campus building and property locations.

A crime is deemed to have been "reported" for Clery Act purposes when a witness, a victim, a third party or an offender (regardless of that person's affiliation with UCI or UCI Health) brings such allegation of crime to the attention of law enforcement or a Campus Security Authority ("CSA"), including the UCI Police Department. In turn, UCI discloses Clery Act reportable crimes in the statistical portion of this Annual Security Report regardless of whether the crimes have been investigated by the police, and regardless of whether a finding of guilt

or responsibility has been assigned or any case has been forwarded/assigned to the District Attorney's office.

Clery Act crime statistic data has been compiled from UCI Police Department police records, reports from non-law enforcement personnel identified as CSAs and other law enforcement agencies that have jurisdiction over UCI and UC Irvine Health Medical Center Clery reporting geography known as "non-campus" buildings and property.

### **Clery Act Crimes**

UCI and the UCI Health Medical Center report crime statistic data for the three (3) most recent calendar years concerning the number of each of the following crimes that occurred on or within the UCI Clery Act Geography and are reported to CSAs:

- Primary Crimes: (1) Murder and non-negligent manslaughter (criminal homicide); (2) Negligent manslaughter (criminal homicide); (3) Rape; (4) Fondling; (5) Incest; (6) Statutory Rape; (7) Robbery; (8) Aggravated Assault; (9) Burglary; (10) Motor Vehicle Theft; and (11) Arson.
- Hate Crimes: Any of the above-mentioned offenses under "Primary Crimes", and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by one of the categories of bias.
- VAWA Offenses: Any incidents of Domestic Violence, Dating Violence and Stalking. (Note Sexual Assault is also a VAWA Offense, but is included in the Criminal Offenses category for Clery Act reporting purposes).
- Arrests and Referrals for Disciplinary Action: (1) Arrests for liquor law violations, drug abuse violations, and weapons law violations; and/or (2) Persons affiliated with UCI and/or UCI Health Medical Center who are referred for campus disciplinary action for liquor law violations, drug abuse violations, and weapons law violations.

### **Unfounded Crime Reports**

Beginning with the reports due in 2016, UCI and UC Irvine Health Medical Center have been required to include in the Department of Education's Web-based survey and the Annual Security Report statistics for the total number of crime reports that were "unfounded" and subsequently withheld from crime statistics during each of the three most recent calendar years.

A reported Clery Act crime to UCI Police Department may not be withheld or subsequently removed from the Clery Act crime statistics data based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. However, a reported crime may be withheld or subsequently removed from the crime statistics in the rare situation where law enforcement personnel have fully investigated the reported crime and, based on the results of a full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn law enforcement personnel may "unfound" a crime report. It is important to note that the recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, or the failure to make an arrest do not "unfound" a crime report. For Clery Act purposes, the determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

UCI Campus – Clery Criminal Offense Statistics Reporting Table						
Criminal Offenses	Year	On-Campus Property	*On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property	Total
Murder / Non-Negligent Manslaughter	2022	1	0	0	0	1
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Rape	2022	27	20	0	0	27
	2021	17	13	0	0	17
	2020	9	9	0	0	9
Fondling	2022	16	12	0	0	16
	2021	6	5	0	0	6
	2020	10	7	0	0	10
Incest	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0
	2021	2	2	0	0	2
	2020	0	0	0	0	0
Robbery	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	1	0	0	1	2
Aggravated Assault	2022	2	1	0	0	2
	2021	3	2	0	0	3
	2020	6	3	2	0	8
Burglary	2022	32	12	1	0	33
	2021	25	16	0	0	25
	2020	27	19	0	0	27
Motor Vehicle Theft	2022	52**	0	1	0	53
	2021	7	0	0	0	7
	2020	3	0	0	0	3
Arson	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	1	1	0	0	1

**Notes** \*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The crime statistics contained in this subset category are derived from crime statistics counted in the On-Campus Property category.

\*\* In October 2022, guidance was provided by ED to include ebikes & scooters to the Motor Vehicle Theft category. Hence the increase in the Motor Vehicle Theft statistic for 2022 (5 cars, 26 ebikes & 21 scooters).

UCI Campus – Clery Criminal Offense Statistics Reporting Table						
VAWA Offenses	Year	On-Campus Property	*On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property	Total
Domestic Violence	2022	16	11	0	0	16
	2021	14	12	0	0	14
	2020	8	7	0	1	9
Dating Violence	2022	8	8	0	0	8
	2021	5	4	0	0	5
	2020	5	4	0	1	6
Stalking	2022	38	24	0	0	38
	2021	11	7	0	0	11
	2020	24	9	0	0	24

**Notes**

\*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The crime statistics contained in this subset category are derived from crime statistics counted in the On-Campus Property category.



UCI Campus – Clery Arrest and Disciplinary Referral Statistics Reporting Table						
Liquor, Drug and Weapon Law Violation Offenses	Year	Geographic Location				Total
		On-Campus Property	*On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property	
Arrests: Liquor Law Violations	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	1	1
Disciplinary Referrals: Liquor Law Violations	2022	271	271	0	0	271
	2021	207	207	0	0	207
	2020	142	142	0	0	142
Arrests: Drug Law Violations	2022	8	2	0	0	8
	2021	5	1	0	1	6
	2020	11	2	0	6	17
Disciplinary Referrals: Drug Law Violations	2022	39	39	0	0	39
	2021	4	4	0	0	4
	2020	24	24	0	0	24
Arrests: Weapon Law Violations	2022	2	1	0	0	2
	2021	1	0	0	0	1
	2020	4	1	0	1	5
Disciplinary Referrals: Weapon Law Violations	2022	2	2	0	0	2
	2021	0	0	0	0	0
	2020	1	1	0	0	1

### UCI Campus Hate Crime Reporting

- **2022:** There was one hate crime reported for the UCI campus during calendar year 2022.
  - On campus, located in a residential facility, property destruction motivated by race bias.
- **2021:** There were no hate crimes reported for the UCI campus during calendar year 2021.
- **2020:** There were two hate crimes reported for the UCI campus during calendar year 2020.
  - On campus intimidation (received a letter) based on race bias.
  - On campus verbal intimidation based on race bias.

### UCI Campus Unfounded Crime Reporting

- **2022:** There were two unfounded crime reports for UCI campus during calendar year 2022.
- **2021:** There were no unfounded crime reports for UCI campus during calendar year 2021.
- **2020:** There were no unfounded crime reports for UCI campus during calendar year 2020.

### Notes

\*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The crime statistics contained in this subset category are derived from crime statistics counted in the On-Campus Property category.



**UCI Health Medical Center Campus – Clery Criminal Offense Statistics  
Reporting Table**

Criminal Offenses	Year	On-Campus Property	*On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property	Total
<b>Murder / Non-Negligent Manslaughter</b>	2022	0	N/A	0	0	0
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0
<b>Manslaughter by Negligence</b>	2022	0	N/A	0	0	0
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0
<b>Rape</b>	2022	0	N/A	1	0	1
	2021	2	N/A	0	0	2
	2020	2	N/A	0	0	2
<b>Fondling</b>	2022	8	N/A	2	0	10
	2021	18	N/A	0	0	18
	2020	10	N/A	0	0	10
<b>Incest</b>	2022	0	N/A	0	0	0
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0
<b>Statutory Rape</b>	2022	0	N/A	0	0	0
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0
<b>Robbery</b>	2022	0	N/A	1	0	1
	2021	0	N/A	1	0	1
	2020	1	N/A	0	0	1
<b>Aggravated Assault</b>	2022	4	N/A	0	0	4
	2021	3	N/A	0	0	3
	2020	0	N/A	0	0	0
<b>Burglary</b>	2022	2	N/A	4	0	6
	2021	2	N/A	4	0	6
	2020	1	N/A	1	0	2
<b>Motor Vehicle Theft</b>	2022	4	N/A	0	0	4
	2021	6	N/A	2	0	8
	2020	5	N/A	0	0	5
<b>Arson</b>	2022	1	N/A	0	0	1
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0

**Notes**

\*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The UC Irvine Health Medical Center does not have On-Campus Student Housing Facilities on their campus, thus the designation in each category under "On-Campus Student Housing Facilities" is "N/A" indicating "Not Applicable".

UCI Health Medical Center Campus – Clery Criminal Offense Statistics Reporting Table						
VAWA Offenses	Year	On-Campus Property	*On-Campus Student Housing Facilities	Non-Campus Buildings or Property	Public Property	Total
Domestic Violence	2022	0	N/A	0	0	0
	2021	0	N/A	0	0	0
	2020	2	N/A	0	0	2
Dating Violence	2022	1	N/A	0	0	1
	2021	1	N/A	0	0	1
	2020	0	N/A	0	0	0
Stalking	2022	6	N/A	0	0	6
	2021	0	N/A	0	0	0
	2020	0	N/A	0	0	0

**Notes**

\*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The UC Irvine Health Medical Center does not have On-Campus Student Housing Facilities on their campus, thus the designation in each category under “On-Campus Student Housing Facilities” is “N/A” indicating “Not Applicable”.



<b>UCI Health Medical Center – Clery Arrest and Disciplinary Referral Statistics Reporting Table</b>						
<b>Liquor, Drug and Weapon Law Violation Offenses</b>	<b>Year</b>	<b>On-Campus Property</b>	<b>*On-Campus Student Housing Facilities</b>	<b>Non-Campus Buildings or Property</b>	<b>Public Property</b>	<b>Total</b>
<b>Arrests: Liquor Law Violations</b>	<b>2022</b>	0	N/A	0	0	<b>0</b>
	<b>2021</b>	0	N/A	0	0	<b>0</b>
	<b>2020</b>	0	N/A	0	0	<b>0</b>
<b>Disciplinary Referrals: Liquor Law Violations</b>	<b>2022</b>	0	N/A	0	0	<b>0</b>
	<b>2021</b>	0	N/A	0	0	<b>0</b>
	<b>2020</b>	0	N/A	0	0	<b>0</b>
<b>Arrests: Drug Law Violations</b>	<b>2022</b>	37	N/A	0	1	<b>38</b>
	<b>2021</b>	11	N/A	0	1	<b>12</b>
	<b>2020</b>	26	N/A	0	23	<b>49</b>
<b>Disciplinary Referrals: Drug Law Violations</b>	<b>2022</b>	0	N/A	0	0	<b>0</b>
	<b>2021</b>	0	N/A	0	0	<b>0</b>
	<b>2020</b>	0	N/A	0	0	<b>0</b>
<b>Arrests: Weapon Law Violations</b>	<b>2022</b>	2	N/A	0	0	<b>2</b>
	<b>2021</b>	3	N/A	0	0	<b>3</b>
	<b>2020</b>	2	N/A	0	0	<b>2</b>
<b>Disciplinary Referrals: Weapon Law Violations</b>	<b>2022</b>	0	N/A	0	0	<b>0</b>
	<b>2021</b>	0	N/A	0	0	<b>0</b>
	<b>2020</b>	0	N/A	0	0	<b>0</b>

#### **UC Irvine Health Medical Center Campus Hate Crime Reporting**

- **2022:** There were two hates crimes reported for the UCI Health Medical Center campus during calendar year 2022.
  - On campus simple assault motivated by race bias.
  - On campus intimidation and threats to life motivated by race bias.
- **2021:** There were no hate crimes reported for the UCI Health Medical Center campus during calendar year 2021.
- **2020:** There were no hate crimes reported for the UCI Health Medical Center campus during calendar year 2020.

#### **UC Irvine Health Medical Center Campus Unfounded Crime Reporting**

- **2022:** There was one unfounded crime reports for the UCI Health Medical Center campus during calendar year 2022.
- **2021:** There were no unfounded crime reports for the UCI Health Medical Center campus during calendar year 2021.
- **2020:** There were no unfounded crime reports for the UCI Health Medical Center campus during calendar year 2020.

#### **Notes**

\*On-Campus Student Housing Facilities crime statistics are a subset of the On-Campus Category crime statistics and are not a separate geographic category of crime statistics. The UC Irvine Health Medical Center does not have On-Campus Student Housing Facilities on their campus, thus the designation in each category under “On-Campus Student Housing Facilities” is “N/A” indicating “Not Applicable”.

## Clery Crime Hierarchy Counting Rules – FBI Uniform Crime Reporting Program

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

- **The Clery crimes Hierarchy Rule is:**

- (1) Criminal Homicide
    - (1)(a) Murder and Non-Negligent Manslaughter
    - (1)(b) Manslaughter by Negligence
  - (2) Sexual Assault (Sex Offenses), which includes:
    - (2)(a) Rape
    - (2)(b) Fondling
    - (2)(c) Incest
    - (2)(d) Statutory Rape
  - (3) Robbery
  - (4) Aggravated Assault
  - (5) Burglary
  - (6) Motor Vehicle Theft
  - (7) Liquor Law Violations
  - (8) Drug Law Violations
  - (9) Weapons Law Violations
- Exceptions to the Hierarchy Rule: There are exceptions to using the Hierarchy Rule when counting offenses. These exceptions apply to Arson, Sexual Assaults, Hate Crimes, and VAWA Offenses.
    - Arson is always counted regardless of the nature of any other offenses that were committed during the same incident. Always count the most serious offense along with the Arson when multiple offenses are committed during the same incident. Incidents where persons are killed as a direct result of Arson are counted as Murder and Non-negligent Manslaughter and Arson or Manslaughter by Negligence and Arson.

- If Rape, Fondling, Incest or Statutory Rape occurs in the same incident as Murder, count both the Sexual Assault and the Murder. Fondling is recognized as an element of the other Sexual Assaults. Include a Sexual Assault as Fondling only if it is the only Sexual Assault. If Fondling occurs in the same incident as Murder, count both the Fondling and the Murder.
- Fondling is recognized as an element of the other sex offenses (i.e., rape) and is counted only if it is the only sex offense.
- Hate Crimes are counted in the same manner that the offenses are when they are not Hate Crimes except that the Hierarchy Rule does not apply to Hate Crimes. All of the offenses committed in a multiple offense incident that are bias-motivated are counted.
- The Hierarchy Rule does not apply to VAWA Offenses. Therefore, for any Criminal Offense, Hate Crime, or arrest for Weapons, Drug or Liquor Law Violations that is also a VAWA Offense, the Clery statistics reflect the original offense and the VAWA Offense. The only exception is when both Domestic Violence and Dating Violence is present in the same incident; Domestic Violence is counted over Dating Violence.
- If an individual is both arrested and referred for disciplinary action for an offense, only the arrest is counted. Arrests and referrals for these law violations are not covered by the Hierarchy Rule used to count Criminal Offenses. Therefore, arrests for Weapons, Drug Abuse and Liquor Law Violations are counted in addition to the most serious Criminal Offense when occurring in a single incident.



Clery Act crime data is reported based on the calendar year in which a crime report is received by the Clery Act Compliance Program Manager and/or the UCI Police Department. The collection process of Clery Act crimes is facilitated by the UCI Police Department Clery Act Compliance Program Manager, who works within the UCI Police Department. UCI Campus Security Authorities (“CSAs”) report allegations of Clery Act crimes that have been reported in good faith. Any crime reported to a CSA must be immediately transmitted to the UCI Police Department on a CSA Report Form either via email to [Clery@uci.edu](mailto:Clery@uci.edu), via fax at (949) 824-0150, via campus mail Zot Code 4900 or delivered in-person at the UCI Police Department located at 410 East Peltason Drive, Irvine, CA 92697.

Additionally, UCI encourages all crimes to be reported directly to the UCI Police Department, 24 hours per day, and 7 days per week at (949) 824-5223. In any emergency, always dial 9-1-1.

All crime reports received by the UCI Police Department (the official Clery crime reporting structure established by UCI and the UC Irvine Health Medical Center) are reviewed, classified, and analyzed by the Clery Act Compliance Program Manager and undergo a multi-layer review process. Each crime report is then organized by

crime offense according to the crime definitions and elements contained in the latest FBI Uniform Crime Report (“UCR”) Summary Reporting System (“SRS”) Manual, the FBI Hate Crime Reporting Handbook, and/or the FBI National Incident Based Reporting System (“NIBRS”) Manual.

Additionally, each crime report is organized by geographic location, according to the Clery Act geographic reporting definitions. Once classified, crimes are then tallied and placed in the appropriate Clery Act geographic section by year in which the crime was reported.

Clery Act geographic locations include: on-campus property (with subset location: on-campus student housing facilities), non-campus property, public property, as defined. Separate crime statistic tables are prepared for the UCI campus and the UC Irvine Health Medical Center campus since each is deemed to be its own “Separate Campus” for purposes of the Clery Act.

Stalking offenses include a statistic for each year in which the stalking course of conduct is reported. Stalking reports are recorded as occurring either at the first location within the Clery Act Geography where the stalking course of conduct occurred or the location where the victim first became aware of the stalking

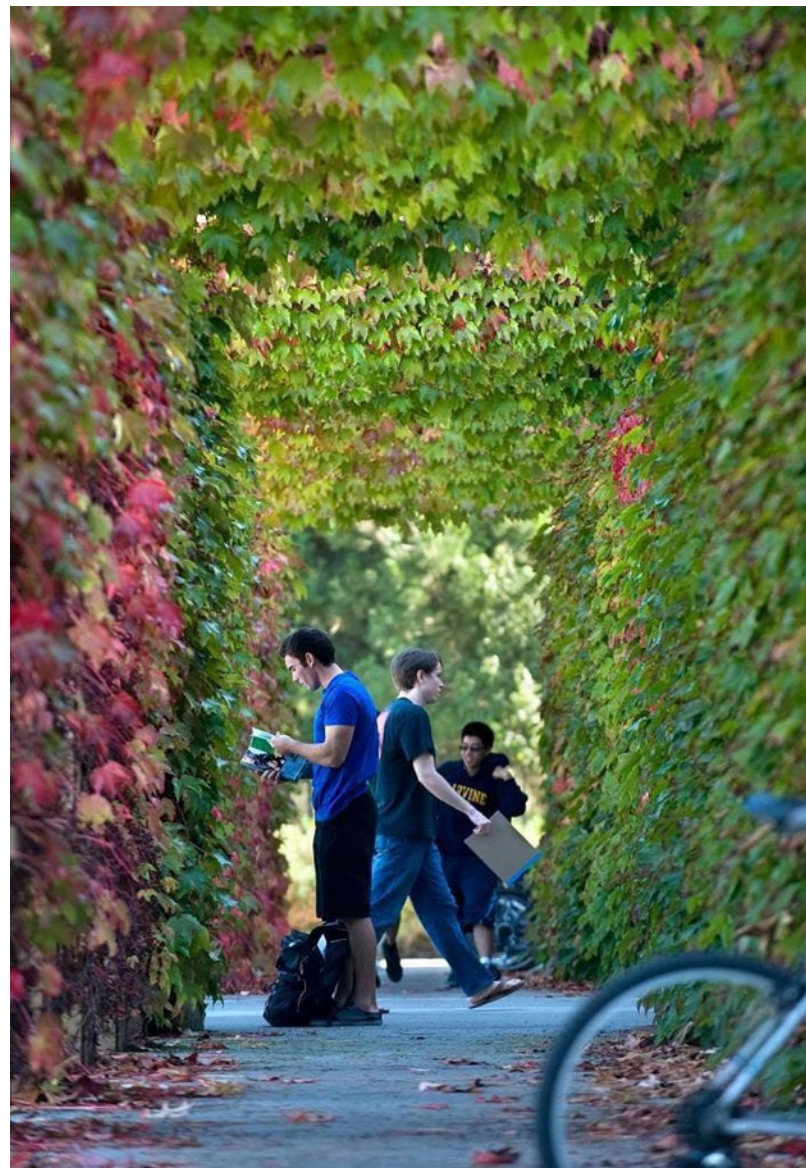
course of conduct. It is not necessary for all activities in the course of conduct to occur on/in Clery Act geography in order to count the incident. A stalking incident in which only one or some of the activities took place on/in Clery Act geography must be included in the reported statistics. A single course of conduct may include varying stalking activities and may include acts covered over electronic communication (i.e., emails, texts, social media, etc.). When recording reports of stalking that include activities in more than one calendar year, a crime statistic for each and every year in which the course of conduct is reported to a local police agency or a CSA must be recorded.

Under the Clery Act, hate crime statistics are reported for Clery Act crimes as well as for the crimes of Larceny-Theft, Motor Vehicle Theft, Arson, Simple Assault, and intimidation/destruction/vandalism of property that has been committed based on the Victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, disability. A hate or bias related crime is not a separate, distinct crime. Rather, it is the commission of a criminal offense, which is proven through investigation to be motivated by the offender's bias. A crime is considered a hate crime if sufficient objective facts are present to conclude that the offender's actions in whole or part were motivated by bias. Each case is assessed separately and investigators are alert to misleading or feigned facts, meant to give false impression of bias. Investigators do not count an incident as a hate crime based on the victim's perception alone. The Clery Act does not collect statistics regarding hate-motivated incidents (that are not otherwise deemed to be hate crimes). However, the UCI Police Department does collect and maintain statistics on all reported hate bias motivated crimes and incidents, outside of Clery Act crime reporting requirements.

## 18.2 Clery Act Crime Reportable Geography

The Clery Act mandates the collection, classification and reporting of crime reports that are then translated into Clery Act crime statistic data organized into specific geographic categories known as "UCI Clery Act Geography." Below is a description of each Clery Act geographic location as it appears in the crime statistic tables for both UCI and the UC Irvine Health Medical Center. Please reference the [UCI Geography Maps](#) for additional detail on Clery Act geography.

- **On-Campus:** (i) any building or property owned or controlled by UCI or the UC Irvine Health Medical Center within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).



- **On-Campus Student Housing Facilities (subset of the On-Campus category):** any student housing facility that is owned or controlled by UCI or the UCI Health Medical Center, or is located on property that is owned or controlled by UCI or the UCI Health Medical Center, and is within the reasonably contiguous geographic area that makes up the campus, is considered an on-campus student housing facility. Only the UCI campus contains Student Housing Facilities/Residential Facilities that would be classified in the UCI Clery Act Geography.
- **Non-Campus Building or Property:** (i) any UCI or UCI Health Medical Center building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

The following communities have been identified as On-Campus Student Housing Facilities on the UCI campus:

- Middle Earth (UCI Student Housing)
- Mesa Court (UCI Student Housing)
- Arroyo Vista (UCI Student Housing)
- Campus Village (UCI Student Housing)
- Palo Verde (UCI Student Housing)
- Verano Place (UCI Student Housing)
- Puerta del Sol (ACC Student Housing)
- Camino del Sol (ACC Student Housing)
- Vista Del Campo (ACC Student Housing)
- Vista Del Campo Norte (ACC Student Housing)
- Plaza Verde (ACC Student Housing)

### 18.3 Clery Crime Definitions

The Clery Act applies the crime definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program when classifying and counting Clery crimes. The definitions for *murder/non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug law violations, and liquor law violations* are derived from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of *fondling, incest and statutory rape* are from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of *larceny-theft (except motor-vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property* are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program. The definitions of *dating violence, domestic violence, and stalking* (for purposes of Clery Act crime statistics reporting) are from the Code of Federal Regulations (Clery Regulations) section 668.46(a). It should be noted that Clery crime definitions used in the compiling Clery crime statistics are different from California state crime definitions that may be used by law enforcement authorities and prosecutorial agencies as well as UCI administrative policy definitions for certain crimes.

The Clery crime definitions and counting rules are as follows:

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime is also counted as a murder/non-negligent manslaughter. One offense per victim is counted.

**Manslaughter by Negligence:** The killing of another person through gross negligence. Any death caused by the gross negligence of another is also counted as Murder/Non-Negligent Manslaughter. One offense per victim is counted.

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Attempted sexual assaults of the

following types are counted as statistics of crime. This definition includes male and female victims.

- a. **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition of Rape now includes "Sodomy" and "Sexual Assault with an Object" crime definitions. One offense per victim is counted.
- b. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. One offense per victim is counted.

- c. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One offense per victim is counted.
- d. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. One offense per victim is counted.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. In any instance of Robbery, one offense for each distinct operation (i.e., incident) is counted, including attempts. The number of victims robbed, the number of those present at the robbery, and the number of offenders are not counted.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or





aggravated bodily injury (includes attempts and whether or not an injury has occurred). This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. One offense per victim is counted. If a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, the number of persons assaulted are counted as the number of offenses. Assaults or attempts to kill or murder, poisoning (including the use of date rape drugs), assault with a dangerous or deadly weapon, maiming, mayhem, assault with explosives, and assault with disease are counted as aggravated assaults.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft (this definition excludes burglary/thefts from vehicles). An incident must meet three conditions to be classified as a burglary: (1) there must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry - no force are counted. This means that the person did not have the right to be in the structure at the time the incident occurred; (2) the unlawful entry must occur within a structure (a structure is defined as having four walls, a roof and a door); and (3) the structure was unlawfully entered to commit a felony or theft. One offense per each distinct operation is counted. Burglaries in individual student rooms are considered a separate offense. For burglaries in suites, each bedroom and the common area in a student housing suite is considered a separate dwelling. The burglary of an academic structure is counted as one offense, regardless of the number of interior rooms entered or items stolen if the rooms were all burglarized during the same time frame. Burglary of a number of patient rooms during the same time frame is counted as a single offense.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This applies to any self-propelled vehicle that runs on land surface and not on rails (includes all joy-riding incidents and attempts). One offense for each stolen vehicle is counted.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another, etc. (includes attempts). Only one offense for each distinct incident of Arson is counted. All of the evidence for any fire not known to be accidental (such as a cooking fire) must be considered by the institutional official designated to make such determinations. At UCI, the Fire Marshal in Environmental Health & Safety (EH&S) is designated as the institutional official to make such determinations.

**Domestic Violence:** The term "domestic violence" is defined as a felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim, (b) by a person with whom the victim shares a child in common, (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred (e) or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** The term “dating violence” is defined as violence committed by a person:

- A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- B. where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration for:
  - The length of the relationship.
  - The type of relationship.
  - The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

**Stalking:** The term “stalking” means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

\*Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

\*Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

\*Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Hate Crime:** A hate crime is a criminal offense committed against a person or property (any Part 1 Crime and additional crime below) which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability based upon the perception that the person or group has one or more of those characteristics. Hate Crimes must be collected and reported according to the category of bias for all Clery Part 1 Crimes as well as Additional Crimes noted below. Hate crimes are not reported for Arrests/Disciplinary Referrals for Liquor, Drug, and Weapon law violations for Dating Violence, Domestic Violence and Stalking:

- A. **Clery Part 1 Crimes:** Murder, Manslaughter, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.
- B. **Additional Crimes** that only apply to Clery statistics IF there is a finding of a hate crime bias based on investigation:
  - Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples include pocket picking, purse snatching, shoplifting, theft from building, and theft from motor vehicle
  - Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
  - Intimidation: To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Drug Abuse Law Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. All drugs, without exception, that are illegal under local or state law where the institution is located is considered a drug law violation. All illegally obtained prescription drugs are considered drug law violations as well.

It should be noted that in California, possession of less than 1 ounce of marijuana on Clery geography is an infraction punishable by a monetary fine. If law enforcement issues a citation and a disciplinary referral is made for violation of Health & Safety Code 11357(b), then the infraction is counted as a disciplinary referral for a drug law violation. The citation is not considered an arrest statistic for purposes of Clery Act statistics because incidents in which a civil citation is issued are not to be classified as an arrest for Clery Act purposes. Since the violation of Health & Safety Code 11357(b) is punishable by a monetary fine, it is considered a civil infraction under California law. Criminal citations in contrast are for offenses that are punishable beyond a simple fine (i.e., jail time).

**Alcohol Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness are counted as alcohol law violations.

**Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of

firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

## 18.4 Other Defined Terms

These additional defined terms are set forth in the Clery Act regulations and other sources as required:

**Business day:** Monday through Friday, excluding any day when the institution is closed.

**Campus:** (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus Security Authority ("CSA"):** This term encompasses the following four groups of people: (i) a campus police department or a campus security department of an institution. (ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property. (iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**UCI Clery Act Geography:** (i) For the purpose of collecting statistics on the crimes listed in paragraph (c) of this section for submission to the Department and inclusion in an institution's annual security report, Clery geography includes— (A) Buildings and property that are



part of the institution's campus; (B) The institution's non-campus buildings and property; and (C) Public property within or immediately adjacent to and accessible from the campus. (ii) For the purposes of the crime log required in paragraph (f) of this section, Clery geography includes, in addition to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department.

**Federal Bureau of Investigation's ("FBI") Uniform Crime Reporting ("UCR") Program:** Nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in the Clery Act and the requirements for classifying Clery Act crimes.

**Hierarchy Rule:** A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

**Non-Campus Building or Property:** (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Pastoral Counselor:** A person, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

**Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking:**

(i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that— (A) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and (B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. (ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in paragraph (i)(2) of this section.

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

**Referred for Campus Disciplinary Action:** The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Test:** Regularly scheduled drills, exercises, and appropriate follow through activities, designed for assessment and evaluation of emergency plans and capabilities.

**Awareness Programs:** Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

**Bystander Intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating

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

**Ongoing Prevention and Awareness Campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

**Primary Prevention Programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Risk Reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**VAWA Offenses - Clery Act Definitions**

**Domestic Violence (Clery Act Definition under Section 668.46(a)):** The term "domestic violence" includes felony or misdemeanor crimes of violence committed by (a) a current or former spouse or intimate partner of the victim, (b) by a person with whom the victim shares a child in common, (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred (e) or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence (Clery Act Definition under Section 668.46(a)):** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition— (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Stalking (Clery Act Definition under Section 668.46(a)):** (i) engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or  
(B) Suffer substantial emotional distress.

**Sexual Assault (Clery Act Definition under Section 668.46(a)):** An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape as used in the FBI's Uniform Crime Report program.

#### VAWA Offenses - Local Jurisdictional Definitions

**Domestic Violence (Definition under California Penal Code §273.5):** Section 273.5(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment. (b) Subdivision

(a) shall apply if the victim is or was one or more of the following:



1. The offender's spouse or former spouse.
2. The offender's cohabitant or former cohabitant.
3. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.
4. The mother or father of the offender's child.

**Domestic Violence (Definition under California Penal Code §243(e)(1)):** When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, (4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (5) "Injury" means any physical injury which requires professional medical treatment. (10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

**Domestic Violence (Definition under California Penal Code §13700(b)):** "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

**Dating Violence (Definition under California Penal Code):** "Dating Violence" is not defined under California law.

**Stalking (Definition under California Penal Code §646.9):** (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.



**Rape (Under California Penal Code §261):** (a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent;
2. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another;
3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused;
4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
5. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or

concealment practiced by the accused, with intent to induce the belief;

6. Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death;
7. Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act, which shows an intention to inflict an injury upon another.



**Rape (Definition under California Penal Code §262):** (a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

1. Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
2. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.
3. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
  - a. Was unconscious or asleep.
  - b. Was not aware, knowing, perceiving, or cognizant that the act occurred.
  - c. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
4. Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
5. Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

**Sexual Battery (Definition under California Penal Code §243.4):** (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

**Sodomy (Definition under California Penal Code §286):** (a) Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

**Oral Copulation (Definition under California Penal Code §288(a)):** Except as provided in subdivision (i), any person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

**Statutory Rape (Definition under California Penal Code §261.5):** (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three

years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts: (A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars (\$2,000). (B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars (\$5,000). (C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars (\$10,000). (D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000).

(2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature.

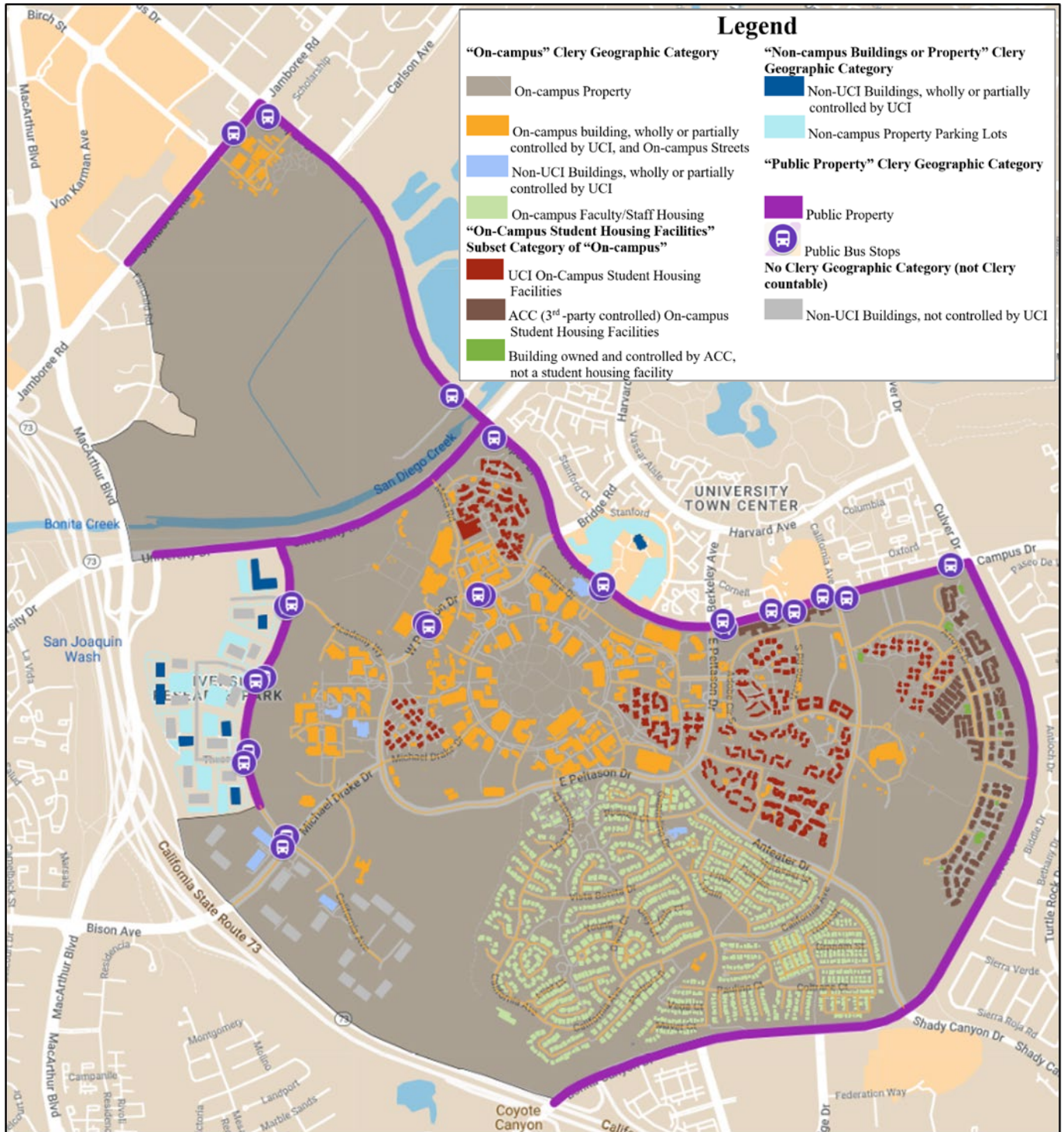
(3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

**Consent (Definition under California Penal Code §261.6):** In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent. Consent is informed. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is voluntary. It must be given without coercion, force, threats, or intimidation.

Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

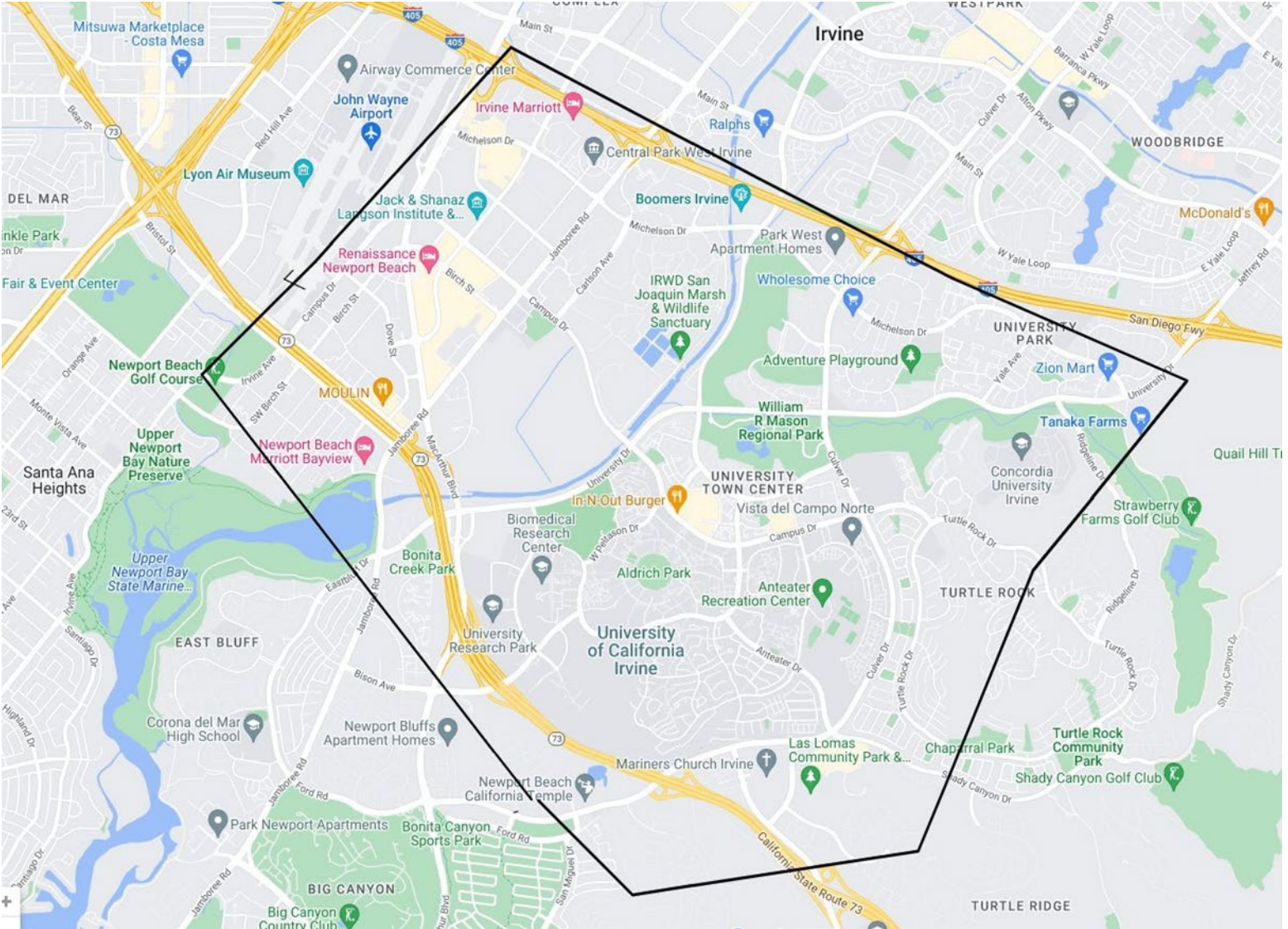
**Consent (Definition under California Penal Code §261.7):** In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent

# UCI Main Campus Clery Act Geography Map



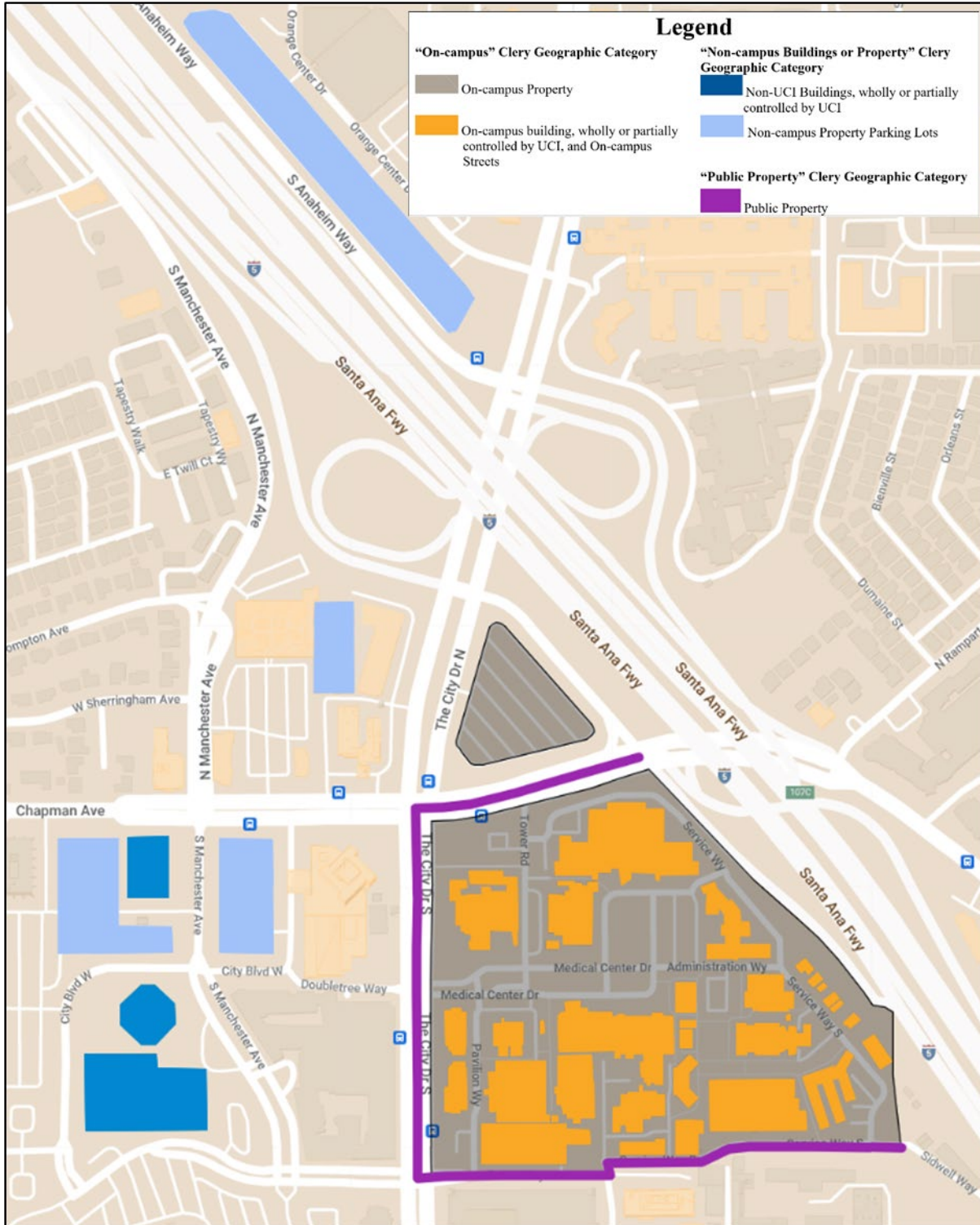
Updated 2023

# UCI Main Campus: UCIPD Patrol Jurisdiction



Updated 2022

# UCI Medical Center Clery Act Geography Map



Updated 2023

# UCI Health: UCIPD Patrol Jurisdiction Map



Updated 2022



The UCI Police Department would like to thank the UCI Clery Act Compliance Committee/Workgroup for their contributions in the 2023 Annual Security Report.

1. Chancellor's Office
2. Vice Chancellor's Office / DFA Leadership
3. Provost / Academic Affairs Office
4. UCI Police Department
5. OEOD / Title IX
6. CARE Office
7. UCI Office of Academic Integrity & Student Conduct
8. Campus Counsel's Office
9. UCI Health
10. Student Affairs
11. UCI Student Housing
12. ACC Student Housing
13. UCI Fire Marshal
14. UCI Risk Management
15. UCI Health Risk Management
16. UCI & UCI Health Human Resources
17. UCI Athletics
18. Office of Global Engagement
19. Division of Continuing Education
20. Student Health Center

Photo Credits: Steve Zylius, Cedric Young, Daniel A. Anderson & Ian Parker

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## Appendix I

### UCIPD Sponsored Programs/Presentations

January 01, 2022 – December 31, 2022

Month	Audience	Content	Format
January	UCI Women's Basketball Team	General Safety	In-Person
January	Sorority & Fraternity Life: Undergraduate Students	General Safety	In-Person
January	Women's Golf Team	General Safety	In-Person
March	Take Back the Night: Undergraduates and Graduate Students	Safety Game	In-Person
March	Social Ecology Course: Undergraduate Students	General Safety	In-Person
April	Drug Addiction Course: Undergraduates and Graduate Students	Drug Education	In-Person
August	UC Education Abroad Program: Undergraduates	Safety Program	In -Person
August	National Night Out: Faculty, Students and Staff	Community Engagement	In-Person
September	UCI Student Housing: Arroyo Vista student staff and Professional Staff	Bike registration program	In- Person
September	UCI Student Housing: Middle Earth and Mesa Court Students	Bike Registration Program	In-Person
September	New Student Athlete Orientation	Ethical Decision Making	In-Person
September	Anteater Involvement Fair: Undergraduates and Graduate Students	Safety Information	In-Person
September	ICS Engineering Department: Faculty and Staff	Active Shooter	In-Person



Month	Audience	Content	Format
October	UCI Ridetoberfest: Faculty, Students and Staff	Bike Safety	In-Person
October	Spooktacular Trunk or Treat: Faculty and Staff families	Community Engagement	In-Person
November	Pharmaceutical Sciences: Faculty and Staff	Active Shooter and General Safety	In-Person
November	American Campus Communities: Undergraduates and Graduate Students	Bike Registration Program	In-Person

### **Bicycle Education and Enforcement Program (BEEP):**

UCI Transportation and Distribution Services and the UCI Police Department have collaborated to form the Bicycle Education and Enforcement Program (BEEP). The BEEP partnership offers various safety and security campaigns each year to offer educational opportunities and information to the UCI campus community, including:

- Pedestrian Safety – mutual respect between bicycles and pedestrians, walking bikes on Ring Mall, and inner ring safety;
- Bike Security – bike theft, bike registration, and information on how to lock your bike;
- Be Visible – biking at night, bike light giveaway;
- Protect Your Investment – wearing a helmet, how to put on a helmet properly, and bike helmet giveaway;
- Share the Lane – information about “sharrows” and signage that shows how bicycles can share the lane with vehicles.

### **Bicycle Festivals:**

In fall and spring quarters, UCI hosts multi-day bicycle safety and education festivals in the most densely traveled part of the campus. Hundreds within the UCI community are educated on bicycle, vehicle and pedestrian safety each day of the event. The events are free to the UCI community.

## Appendix II

UCI's Primary prevention and awareness online and in-person training for all new employees (staff and faculty) from January 01, 2022-December 31, 2022 facilitated by OEOD/Title IX.

**DDS** = Dating/Domestic Violence, **S** = Stalking, **SA** = Sexual Assault, **Discr.** = Discrimination and **SH** = Sexual Harassment

Month	Department	Audience	Total	Format	Content
January	OEOD	Staff	10	Online	DDV, S, SV, SH, Discr.
January	School of Medicine	Faculty and Staff	20	Online	SH
January	Sorority & Fraternity Life	Undergraduate Students	45	Online	DDV, S, SV
January	Office of Academic Integrity & Student Conduct, CARE, and Respondent Services	Staff	25	Online	DDV, SH, S, SV, Discr.
February	Campus Coordinated Response Team	Staff	50	Online	DDV, SH, S, SV
February	SAAS	Staff	15	Online	DDV, SH, S, SV
February	Political Science	Staff and Students	50	Online	DDV, SH, S, SV
February	School of Medicine	Faculty and Staff	37	Online	SH
February	School of Medicine	Faculty and Staff	18	Online	SH
March	UCI Health	Staff	31	Online	Discr.
March	UCI Health	Staff	15	In-Person	DDV, S, SV, SH, Discr.
April	School of Medicine	Faculty	29	Online	SH
April	Dining Services	Staff	22	Online	DDV, S, SV, SH, Discr.
April	Athletics	Staff	40	In-Person	SV
April	Biology	Faculty, Staff, Students	17	In-Person	DDV, S, SV, SH, Discr.
May	Division of Undergraduate Education	Staff and Students	307	Online	DDV, S, SV, SH, Discr.
May	Sorority & Fraternity Life	Staff and Students	31	In-Person	DDV, S, SV, SH, Discr.
June	NASA Student Research	Staff and Students	34	In-Person	DDV, S, SV, SH, Discr.
June	Middle Earth Housing	Staff and Students	35	In-Person	DDV, S, SV, SH, Discr.

Month	Department	Audience	Total	Format	Content
June	Mesa Court Housing	Staff and Students	35	In-Person	DDV, S, SV, SH, Discr.
June	Division of Career Pathways	Staff	15	Online	DDV, S, SV, SH, Discr.
June	Dept. of Culinary and Nutrition	Staff	10	Online	Discr.
June	ACC Housing	Students	80	Online	DDV, S, SV, SH, Discr.
August	School of Medicine-Obstetrics	Faculty, Staff and Students	59	Zoom	DDV, S, SV, SH, Discr.
August	Edge Program	Students	41	Online	DDV, S, SV, SH, Discr.
August	Dining Services	Staff	35	Online	DD, S, SV, SH, Discr.
August	UCI—Campus wide Offering	Staff	10	Zoom	DDV, S, SV, SH, Discr.
August	Biological Sciences	Faculty	2	Zoom	DDV, S, SV, SH, Discr.
August	Graduate Division	Students	500	Online	DDV, S, SV, SH, Discr.
August	School of Law	Students	100	In-Person	DDV, S, SV, SH, Discr.
August	Biological Sciences	Staff	4	Online	DDV, S, SV, SH Discr.
September	Chemistry Graduate Orientation	Staff and Students	60	Zoom	DDV, S, SV, SH, Discr.
September	UCI Health-Surgery	Faculty, Staff and Students	54	Zoom	DDV, S, SV, SH, Discr.
September	UCI Campus Offering	Faculty and Staff	21	Zoom	DDV, S, SV, SH, Discr.
September	Womxn's Center, Latinx Resource Center, Dream Center, Sustainability Resource Center	Students	36	In-Person	DDV, S, SV, SH, Discr.
September	Physics	Students	30	Zoom	DDV, S, SV, SH, Discr.
September	Teacher's Aid Training	Students	43	Zoom	DDV, S, SV, SH, Discr.
September	Anteater Recreation Center	Staff and Students	98	In-Person	DDV, S, SV, SH, Discr.
September	Mathematics	Staff and Students	21	In-Person	DDV, S, SV, SH, Discr.
September	Arts	Faculty, Staff and Students	130	In-Person	SH, Discr.
September	UCI Campus Offering	Faculty and Staff	40	Zoom	DDV, S, SV, SH, Discr.
September	Student Health Center	Staff	13	Zoom	DDV, S, SV
September	Middle Earth Housing	Staff and Students	143	In-Person	DDV, S, SV, SH, Discr.
September	Ecology and Evolutionary Biology	Students	19	In-Person	DDV, S, SV, SH, Discr.
September	Library	Staff and Students	70	In-Person	DDV, S, SV, SH, Discr.
September	ROTC	Faculty, Staff and Students	60	In-Person	DDV, S, SV, SH, Discr.
September	Dining Services	Staff	37	In-Person	DDV, S, SV, SH, Discr.
September	Graduate Division	Students	160	In-Person	DDV, S, SV, SH, Discr.

<b>Month</b>	<b>Department</b>	<b>Audience</b>	<b>Total</b>	<b>Format</b>	<b>Content</b>
September	UCI Women's Basketball	Staff and students	19	In-Person	DDV, S, SV, SH, Discr.
October	Peer Educators	Staff and Students	14	In-Person	DDV, S, SV, SH, Discr.
October	Executive Compliance Committee	Staff	40	Zoom	DDV, S, SV, SH, Discr.
October	ASUCI	Students	200	In-Person	DDV, S, SV, SH, Discr.
October	UCI Men's Basketball	Staff and Students	19	In-Person	DDV, S, SV, SH, Discr.
October	UCI Women's Soccer	Students	39	In-Person	DDV, S, SV, SH, Discr.
November	Violence Prevention Program: Sorority and Fraternity Life	Students	45	In-Person	DDV, S, SV, SH, Discr.
November	Sorority and Fraternity Life	Staff and Students	203	In-Person	DDV, S, SV, SH, Discr.
December	UCI Campus Offering	Staff	60	In-Person	DDV, S, SV, SH, Discr.
December	UCI Campus Offering	Staff	26	In-Person	DDV, S, SV, SH, Discr.

### Appendix III

UCI offers primary prevention and awareness programs directed at all incoming students as well as ongoing prevention and awareness campaigns for existing students and employees. The CARE office offered the following primary prevention and awareness programs for campus community from January 1, 2022 to December 31, 2022. DDS = Dating/Domestic Violence, S = Stalking, SA = Sexual Assault, and SH = Sexual Harassment

Month	Department	Audience	Total	Format	Content
January	Office of Inclusive Excellence	Faculty, Staff and Students	45	Virtual	DDV, SA, S, SH
January	ASUCI	Undergraduate Students	307	In-Person	DDV, SA, S
January	Green Dot Certification	UCI Campus Community	51	Virtual	DDV, SA, SH, S
January	Common Ground	Undergraduate Students	10	Virtual	DDV, SA, S
January	Faculty Staff Lunch and Learn	Faculty and Staff	16	Virtual	DDV, SA, S
January	Sigma Phi Epsilon	Undergraduate Students	25	Virtual	DDV, SA
January	Green Dot Certification	UCI Campus Community	36	Virtual	DDV, SA, SH, S
January	Pi Beta Phi	Undergraduate Students	25	Virtual	DDV, SA, S
February	Community Service and Leadership Fair	Undergraduate Students	7	Virtual	DDV, SA, S
February	Free Clinic Project	UCI Campus Community	60	Hybrid	DDV, SA, S
February	RCO Workshop	Undergraduate Students	9	Virtual	DDV, SA, S
February	Delta Delta Delta	Undergraduate Students	35	Virtual	DDV, SA, S
February	RCO Workshop	Undergraduate Students	12	Virtual	DDV, SA, S
February	Hermanos Unidos	Undergraduate Students	35	Virtual	SA, S
February	Faculty/Staff Lunch & Learn: Trauma-Informed Response	Staff/Faculty	6	Virtual	DDV, SA, S
February	Graduate and Family Housing	Graduate Students	16	Virtual	DDV
February	Consent Valentines	UCI Campus Community	13	In-Person	SA
February	TRIO	Undergraduate Students	13	In-Person	DDV, SA, S
February	Advocacy	Graduate Students	4	Virtual	DDV, SA, SH, S
February	Gamma Phi Beta	Undergraduate Students	57	Virtual	DDV, SA, S
February	Community Care	Graduate Students	6	Virtual	DDV, SA, S, SH
February	Man Enough	UCI Campus Community	64	Virtual	DDV, SA, S
February	LatinX Student Group	Undergraduate Students	11	Virtual	DDV, SA, S
February	Boundaries Workshop	UCI Campus Community	35	Virtual	DD, SA
February	Womxn's Center	UCI Campus Community	331	In -Person	DDV, SA
February	Trauma Informed	Graduate Students	15	Virtual	DDV, SA, SH, S
February	Political Science Womxn's Caucus	Graduate Students	20	Virtual	DDV, SA, SH, S
February	Navigating Relationship	UCI Campus Community	3	Virtual	DDV
March	Common Ground	Undergraduate Students	20	Virtual	DDV, SA, S
March	Dept. Civil Engineering	Faculty and Staff	30	Virtual	DDV, SA, SH, S
March	SOAR	Undergraduate Students	88	In-Person	DDV, SA, S
March	SAFIRE	Undergraduate Students	11	In-Person	DDV

Month	Department	Audience	Total	Format	Content
March	Campus Program	Undergraduate Students	17	Virtual	DDV, SA, SH, S
March	Clothesline Project	UCI Campus Community	17	In-Person	DDV, SA, S
March	Clothesline Project	UCI Campus Community	17	In-Person	DDV, SA, S
April	Girls Inc.	Undergraduate Students	9	Virtual	DDV, SA, S
April	Clothesline Project	UCI Camus Community	1000	In-Person	DDV, SA, S
April	Alpha Epsilon Pi	Undergraduate Students	12	In-Person	DDV, SA, S
April	Take Back the Night	UCI Campus Community	450	In-Person	DDV, SA, SH, S
April	Phi Beta Phi	Sorority Chapter	40	In-Person	SA, SH
April	Denim Day	UCI Campus Community	79	In-Person	SA, SH
April	Online Dating Tips	UCI Campus Community	48	In-Person	DDV
April	Student Success Initiatives	Undergraduate Students	6	In-Person	DDV, SA, S
May	Sorority and Fraternity Life	Students	38	In-Person	DDV, SA, S
May	Student Athlete Advisory Committee	Undergraduate Students	49	Virtual	DDV, SA, S
May	Phi Delta Theta	Undergraduate Students	49	Virtual	DDV, SA, S
May	Online Dating Tips	UCI Campus Community	37	In-Person	DDV
May	Hermanos Unidos de UC Irvine	Undergraduate Students	27	In-Person	DDV, SA, S
May	ASUCI Reclaim Mental Health	Undergraduate Students	15	In-Person	DDV, SA, S
May	Sigma Chi	Undergraduate Students	70	In-Person	DDV, SA, S
May	UCDC	Undergraduate Students	22	Virtual	DDV, SA, S
May	Phi Delta Theta	Undergraduate Students	46	Virtual	DDV, SA, S
May	Antleader Mentorship Program	Undergraduate Students	50	In-Person	DDV, SA, S
May	Office of Inclusive Excellence Certificate Program	Faculty, Staff and Graduate Students	10	In-Person	DDV, SA, S, SH
May	Mesa Court Housing	Undergraduate Students	35	In-Person	DDV, SA, S
May	Peer Academic Advisor Program	Undergraduate Students	70	In-Person	DDV, SA, S
May	Study Abroad Orientation	Undergraduate Students	179	In-Person	DDV, SA, S
May	Gamma Phi Beta	Undergraduate Students	60	In-Person	DDV, SA, S
May	Sigma Pi	Undergraduate Students	77	In-Person	DDV, SA, S
May	At the Intersections: Asian American Identity and Sexual Violence (Asian Mental Health Project)	UCI Campus Community	20	In-Person	SA
May	STEAM Program	Undergraduate Students	10	IN-Person	DDV, SA, S
May	Triangle Fraternity	Undergraduate Students	10	In-Person	DDV< SA S
May	LVO Workshop	Undergraduate Students	35	In-Person	DDV, SA, S, SH
May	Relationship Dynamics	UCI Campus Community	22	In-Person	DDV
May	Phi Delta Theta	Undergraduate Students	30	In-Person	DDV, SA, S
June	AGS Drag Night	Graduate Students	49	In-Person	DDV, SA, S
June	Summer Housing Staff	Undergraduates	50	In-Person	DDV, SA, S
June	SPOP Staffers	Undergraduate Students	125	In-Person	DDV, SA, S, SH

Month	Department	Audience	Total	Format	Content
June	ACC Housing Training	Undergraduate Students	87	In-Person	DDV, SA, S, SH
July	Mini - TSPOP Resource Fair	Undergraduate Students	65	In-Person	DDV, SA, S
July	Mini - TSPOP Workshop	Undergraduate Students	258	In-Person	DDV, SA, S
July	Mini - TSPOP Resource Fair	Undergraduate Students	85	In-Person	DDV, SA, S
July	Mini - TSPOP Workshop	Undergraduate Students	250	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	592	In-Person	DDV, SA, S
July	SPOP Resource Fair	Undergraduate Students	101	In-Person	DDV, SA, S
July	Division of Continuing Education	Undergraduate Students	23	In-Person	DDV, SA, S
July	Faculty & Staff Summer Development Series: Caring for Yourself and Your Community	Undergraduate Students	3	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	605	In-Person	DDV, SA, S
July	SPOP Resource Fair	Undergraduate Students	136	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	576	In-Person	DDV, SA, S
July	Faculty & Staff Summer Development Series: Trauma-Informed Response	Faculty and Staff	11	Virtual	DDV, SA, S
July	SPOP Resource Fair	Undergraduate Students	63	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	566	In-Person	DDV, SA, S
July	Trauma-Informed Resp.	Faculty and Students	11	In-Person	DDV, SA, S
July	SPOP Resource Fair	Undergraduate Students	63	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	5666	In-Person	DDV, SA, S
July	MSBA Orientation	Graduate Students	135	In-Person	DDV, SA, S, SH
July	SPOP Resource Fair	Undergraduate Students	76	In-Person	DDV, SA, S
July	SPOP Workshop	Undergraduate Students	555	In-Person	DDV, SA, S
July	SPOP Resource Fair	Undergraduate Students	209	In-Person	DDV, SA, S
August	SPOP Workshop	Undergraduate Students	563	In-Person	DDV, SA, S
August	SPOP Resource Fair	Undergraduate Students	115	In-Person	DDV, SA, S
August	SPOP Workshop	Undergraduate Students	568	In-Person	DDV, SA, S
August	SPOP Resource Fair	Undergraduate Students	161	In-Person	DDV, SA, S
August	Drop-In Session	Faculty and Staff	9	In-Person	DDV, SA, S, SH
August	SPOP Workshop	Undergraduate Students	544	In-Person	DDV, SA, S
August	SPOP Resource Fair	Undergraduate Students	87	In-Person	DDV, SA, S
August	SPOP Workshop	Undergraduate Students	542	In-Person	DDV, SA, S
August	SPOP Resource Fair	Undergraduate Students	111	In-Person	DDV, SA, S
August	Summer Bridge	Undergraduate Students	76	In-Person	DDV, SA, S
September	Fall Housing Training	Staff and Students	150	In-Person	DDV, SA, S, SH
September	Graduate Orientation	Graduate Students	60	In-Person	DDV, SA, S, SH
September	FGFQ, Soc Sci	Undergraduate Students	12	In-Person	DDV, SA, S
September	School of Business	Graduate Students	30	In-Person	DDV, SA, S, SH
September	Fall Housing Training	Staff and Students	150	In-Person	DDV, SA, S, SH
September	ISPOP Resource Fair	Undergraduate Students	200	In-Person	DDV, SA, S
September	ISPOP Workshop	Undergraduate Students	561	In-Person	DDV, SA, S
September	School of Business	Graduate Students	60	In-Person	DDV, SA, S, SH

Month	Department	Audience	Total	Format	Content
October	ASUCI Orientation	Undergraduates	6	In Person	DDV, SA, S
October	Kababayan at UCI	Undergraduates	50	Virtual	DDV, SA, S
October	University High School	UCI Campus Community	180	In Person	DDV, SA, S
October	SFL Wellness Week Workshop	Undergraduates	118	In Person	DDV, SA, S
October	SOAR Open House	Undergraduates	30	In Person	DDV, SA, S
October	Common Ground	Undergraduates	30	Virtual	DDV, SA, S
October	SFL Wellness Week Panel	Undergraduates	80	Virtual	DDV, SA, S
October	SFL Survivor Panel	Undergraduates	136	In Person	DDV, SA, S, SH
October	Dating and Domestic Violence Awareness Month Tabling	Undergraduates	34	In Person	DDV
October	Nu Alpha Kappa	Undergraduates	11	Virtual	DDV, SA, S
October	Dating and Domestic Violence Awareness Month Tabling	Undergraduates	34	In Person	DDV
October	Division of Continuing Education	Faculty and Staff	20	In Person	DDV, SA, S
November	Zabie Book Event	UCI Campus Community	24	In Person	SA
November	Academic Excellence in Social Ecology	Undergraduates	20	In Person	DDV, SA, S
November	Alpha Chi Omega	Undergraduates	20	Virtual	DDV, SA, S
November	Zot Health Fair	Undergraduates	200	In Person	DDV, SA, S
November	Cultivating Healthy Relationships Through Boundaries Workshop	Undergraduates	5	In Person	DDV
November	INSA	Undergraduates	25	In Person	DDV, SA, S
November	Kababayan Student Leaders	Undergraduates	40	Virtual	DDV, SA, S
November	ZotQuest	UCI Campus Community	309	In Person	DDV, SA, S
November	Delta Delta Delta	Undergraduates	30	In Person	DDV, SA, S
November	SFL New Member Education	Undergraduates	90	In Person	DDV SA, S, SH
November	Sigma Pi	Undergraduates	45	In Person	DDV, SA, S
November	Gamma Phi Beta	Undergraduates	30	In Person	DDV, SA, S
November	Nu Alpha Kappa	Undergraduates	11	Virtual	DDV, SA, S
December	AEPi Jewish Fraternity	Undergraduates	10	In Person	DDV, SA, S



**Appendix IV**  
**UC Systemwide Policies and Adjudication**  
**Frameworks**

[2022 UC Policy on Sexual Violence and Sexual Harassment](#) (Effective January 1, 2022)

[2022 UC PACAOS-Appendix-E: Sexual Violence and Sexual Harassment Student Adjudication Framework](#)  
(Effective January 1, 2022)

[2022 UC PACAOS-Appendix-F: Sexual Violence and Sexual Harassment Student Adjudication Framework](#)  
(Effective January 1, 2022)

[2022 UC Systemwide Investigation and Adjudication Framework for Senate and Non-Senate Faculty](#)  
(Effective January 1, 2022)

[2022 UC Systemwide Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel](#)  
(Effective January 1, 2022)

[UC PACAOS Appendix E and F Guidance](#) (Issued December 20, 2021)

[UC Guidelines on Prohibited Conduct Definitions in the Context of Patient Care](#) (Effective December 9, 2019)

[UC Guidance on Investigating Prohibited Conduct in the Context of Patient Care](#) (Effective December 9, 2019)

[UC SVSH Faculty Respondent Disciplinary Sanction Guidelines](#)

[UC Interim Clery Act Policy](#) (Effective July 14, 2022)

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**Appendix V**  
**Disciplinary Procedures for Faculty Policies**  
**for Dating Violence, Domestic Violence, and**  
**Stalking.**

[The Faculty Code of Conduct \(APM – 015\)](#)

[University Policy on Faculty Conduct and the Administration of Discipline \(APM 016\)](#)

[Academic Senate Bylaws 336. Privilege and Tenure: Divisional Committees -- Disciplinary Cases](#)

[Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM 150\)](#)

[University Policy on Non-Senate Academic Appointees/ Grievances \(APM 140\)](#)

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