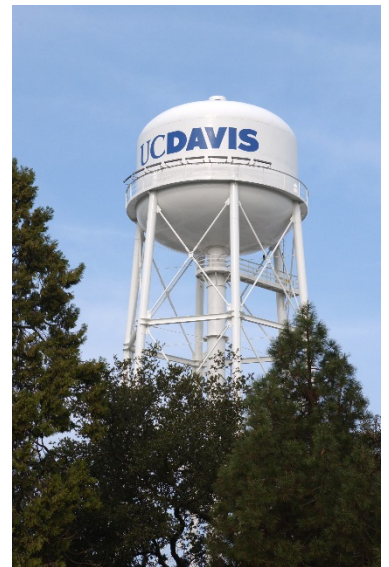


2016

Annual Security and Fire Safety Report



This report is being issued for UC Davis and the UC Davis Health System in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (“Clery Act”), 20 U.S.C. § 1092(f), Title 34 U.S. Code of Federal Regulations Section 668.46, and the California Education Code, Sections 67380-67385.

Revised on September 30, 2019. See page 34.



UC Davis publishes an Annual Security and Fire Safety Report which includes important information about safety and security policies implemented to protect the welfare of our campus community. The report provides crime statistics for the previous three years regarding crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by the University, and contains information about fire safety policies and procedures. The report is available on both the UCD [Police Department](#) and [Safety Services](#) websites. You may obtain a printed copy of the report by sending an email request to PublicRecords@ucdavis.edu or a written request addressed to the Information Practices Officer, Office of the Campus Counsel, University of California, Davis, One Shields Avenue, Davis, California 95616.

UC Davis is committed to protecting the safety and security of all students, staff, and faculty, as well as visitors to our campus, and to providing accurate and complete information regarding crimes committed in the campus community. We believe that our policies and programs for preventing and reducing crime, and our emergency notices, timely warnings and disclosure of crimes reported, promote a safer, more informed community. Please take time to read this information and, if you have questions, contact the resources identified within for assistance.

Notice of Non-discrimination

UC Davis does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, pregnancy, disability, medical condition, ancestry, marital status, age, citizenship or veteran status in its programs and activities. Questions may be directed to Chief Compliance Officer Wendi Delmendo, wjdelmendo@ucdavis.edu or (530) 752-6550. For information about the Department of Education Office for Civil Rights, visit their [website](#).

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THE UC DAVIS POLICE DEPARTMENT

UC Davis Police Department officers are duly sworn peace officers under Section 830.2 of the California Penal Code. The department's 50 officers are armed and have the same authority under the law as municipal police officers. UC Davis police officers patrol the Davis campus and UCDHS 24 hours a day, 365 days a year. They enforce applicable local, state, and federal laws; arrest violators; investigate and suppress crime; investigate traffic and bicycle accidents; and provide a full range of police-related services, including immediate response to all medical and fire emergencies. The 9-1-1 Public Safety Answering Point (PSAP) communication center operates 24 hours a day, 365 days a year and can receive calls from TDD machines.

The Department also employs unarmed non-sworn Protective Service Officers at the Primate Center to provide on-site security, as well as approximately 120 non-sworn student Cal Aggie Hosts who perform security-related functions on campus. The Protective Service Officers and Aggie Hosts perform observe and report functions and do not have powers of arrest. The UC Davis Police Department has created a Security Division within the Police Department, which includes a Security Director who is responsible for drafting security policies and improving campus security through security assessments, security cameras and access controls.



Safety is a top priority at UC Davis, and the university offers Aggie Guardian as an additional personal safety tool for members of the campus community. The application provides a virtual safety escort, eyewitness reporting and 9-1-1 access. The application is monitored 24/7 by the campus Public Safety Dispatch Center. The UC Davis Police Department provides information about the application to both students and families during Orientation. Information about the application can be found on the [UCDPD website](#).

The UC Davis Police Department also offers Safe Rides. The Safe Rides service is available to anyone who prefers an alternative to walking alone or in a small group at night. Those using the service are given a ride in a clearly marked security vehicle or are escorted on foot by an Aggie Host Security Officer. All drivers have a valid California driver's license and are trained Aggie Host Security personnel who have been background checked, fingerprinted, and are in compliance with the California DMV pull system. Additionally, each employee of this program has completed a "Safe Driver Awareness" course administered by UC Davis Staff Development.

UCDMC offers Safety Escorts on nights and weekends to those who call their dispatch (916-734-2555), and has a shuttle service Monday-Friday.



Crime prevention and apprehension of those who commit crimes at the UC Davis campus and UCDHS are the Police Department's primary goals. To achieve these goals, the Police Department works closely with surrounding law enforcement agencies, and has written agreements with city, county and other state police agencies.

REPORTING CRIMES AND EMERGENCIES

All crimes occurring on campus or at UCDHS should be reported immediately to the UC Davis Police to ensure an appropriate response. The UC Davis Police Department has primary jurisdiction over the University of California, Davis, campus and the UC Davis Health System in Sacramento. The University strongly encourages victims to report immediately all incidents and/or any suspicious activity to the UC Davis Police any time of the day or night. Crimes occurring off-campus should be reported immediately to the law enforcement agency having jurisdiction.

Emergencies

To report crimes in progress or police, fire, or medical emergencies on campus or at UCDHS:

- If calling from a cell phone, dial 530-752-1230 to reach campus police; at UCDHS, call 916-734-2555. We encourage you to program this as a one-touch number on your phone (if you dial 9-1-1 from some cell phones it may take longer to connect your call and determine your location).
- If calling from any land-line phone on the UC Davis campus or at UCDHS, including pay phones, dial 9-1-1 (this will connect you directly to the UC Davis Police Department's Public Safety Dispatch Center).

On campus or at UCDHS, if you dial 9-1-1 from a land-line phone or use a yellow emergency telephone, the dispatcher or operator can locate the phone from which you are calling and will dispatch a police officer. If there is a fire and no telephone is available, activate one of the fire alarms located throughout campus and UCDHS.

Non-Emergencies

For NON-EMERGENCY calls for assistance:

- If calling from a cell phone or land-line phone, call the UCD Police Department at 530-752-1727 (Davis) or 916-734-3841 (UCDHS).
- The UC Davis Police Department is located in the Fire/Police Building at 625 Kleiber Hall Drive. Requests for services at UCDHS can be made at the Police Department located in Lot 7, at 'V' and 42nd Streets.
- Crimes can be averted and suspects apprehended more quickly if suspicious activity is reported promptly. If someone's behavior or the situation is disturbing, threatening, or causing a disruption, call the UC Davis Police Department. The police will assess the situation and take any necessary and appropriate action.

Anonymous Reporting Process

For victims who do not wish to file a police report or make a formal complaint to the University, the Center for Advocacy, Resources and Education (CARE) serves as an anonymous reporting unit for victims of sexual assault, dating or domestic violence, and stalking who would like to have their incident reflected in the aggregate crime statistics within the Annual Security and Fire Safety Report. Disclosing information related to sexual harassment, sexual assault, dating or domestic violence, and/or stalking to CARE program staff will not initiate an administrative or criminal investigation, and all personally identifying information of the parties will be kept confidential.

UC Davis encourages licensed counselors (including Sexual Assault Victim Advocates) and pastoral (religious) counselors to inform those they counsel, if and when they deem it appropriate, of these procedures for reporting crimes on a voluntary, anonymous basis for inclusion in crime statistics.

Reporting Hate Crimes

A hate crime is any criminal act or attempted criminal act directed against a person(s), public agency or private institution based on the victim's actual or perceived race, national origin, religion, sexual orientation, disability, or gender identity or because the person, agency or institution is identified or associated with a person or group of an identifiable race, national origin, religion, sexual orientation, disability, or gender identity. A hate crime includes an act that results in injury, however slight; a verbal threat of violence that apparently can be carried out; an act that results in property damage; and property damage or other criminal act(s) directed against a private or public agency.

Crimes routinely classified as misdemeanors can be felonies if committed because of bigotry. A conviction cannot be based on speech alone, unless the speech itself threatens violence against a specific individual or group, and the perpetrator has the ability to carry out the threat. If you are the victim of or witness a hate crime, report it as soon as possible to the UC Davis Police Department.

EMERGENCY AND CRIME ALERTS, TIMELY WARNINGS, AND DAILY CRIME LOGS

Emergency Alerts and Warnings

The Davis campus has implemented the “UC Davis WarnMe” system to send mass messages to students, faculty, and staff during emergencies. The system provides students, faculty, and staff with timely information and instructions during emergencies or other urgent situations that may directly affect their well-being. In an emergency, the UC Davis Police Chief, Fire Chief, Director of Strategic Communication, Director of Emergency Management and Mission Continuity, or their designees are authorized to activate the WarnMe system and determine the content of the message. When possible and consistent with campus policy, they will consult with Strategic Communications regarding the content of the message before distribution.

Messages are sent by multiple methods to contact information listed in the campus directory as well as confidential contact information registered by users. Students receive a notice about the WarnMe system in their main registration tool (SISWeb) and whenever a student’s contact information is out of date they receive an alert about updating their information in the student records tool within their myucdavis site. The system can send simultaneous messages to the university community by e-mail, telephone, cell phone and text messaging. To update contact information, students, faculty and staff should use the [UC Davis WarnMe](#) site.

In the event of an emergency, the University will notify affected members of the campus community, taking into account the safety of the community unless issuing a notification will, in the professional judgment of the Police Chief, Fire Chief or their designees, compromise efforts to assist a victim(s) or to contain, respond to, or otherwise mitigate the emergency. Notifications may be sent to specific groups of individuals if the emergency is isolated to specific campus locations.

Sacramento Campus

The Sacramento campus has implemented the “UC Davis WarnMe” system to send mass messages to students, faculty, and staff during emergencies. The system provides students, faculty, hospital administrators, and staff with timely information and instructions during emergencies or other urgent situations that may directly affect their well-being. In an emergency, UC Davis Police, UC Davis Telecom Operators, UC Davis Hospital Emergency Preparedness and Security Administrator or their designees are authorized to activate the WarnMe system and determine the content of the message. When possible and consistent with campus policy, they will consult with Public Affairs and Marketing regarding the content of the

message before distribution. Notifications may be sent to specific groups of individuals if the emergency is isolated to specific campus locations.

Although the alert system is designed to provide lifesaving information to those in harm's way, the system was upgraded to include a community feature where anyone can register to receive alerts. The system complements other UC Davis communications including the Web (UC Davis homepage and Facebook, and Aggie Family Pack for parents), the Emergency Status Line (530) 752-4000, and news media (KFBK 1530 AM and other news media).

For more information, there is a brochure on [emergency communication](#).

Managing Emergencies

UC Davis/UCDHS has a comprehensive emergency management program under the guidance of a full-time Director of Emergency Management and Mission Continuity/Emergency Preparedness and Security Administrator. It includes a formal emergency operations plan for preparing for, responding to and recovering from emergencies. Every UC Davis/UCDMC department is required to develop and maintain an emergency action plan which includes response protocols and a department evacuation plan. UC Davis/UCDHS uses an emergency operations center/hospital command center to coordinate response to major emergencies, and trains employees to staff the center.

UC Davis main and Sacramento campuses regularly conduct training sessions and emergency exercises, including table top exercises, field exercises and tests of the WarnMe system to assess and evaluate the emergency plans and the capabilities of the campus to respond to an emergency. Strategic Communications for the Davis campus publicizes information about testing of the WarnMe and Aggie Alert system a few days prior to the test, including information about how to register for the alerts. Generally at the Sacramento campus, Public Affairs and Marketing will publish information on The Insider prior to conducting the test. Tests on the Davis and Sacramento campuses are typically performed twice per year and some units perform their own internal tests to stay current on use of the system. UC Davis and UCDMC are part of a regional and statewide emergency management system, and are in compliance with state and federal standards for managing emergencies. See information available on the Safety Services [website](#).

On November 12, 2015 UC Davis held its annual Functional Exercise to test command, control, and communications capabilities outlined in the Emergency Operations Plan. The Functional Exercise started at 8:00am and ended at 3:00pm and was unannounced to the community. The exercise scenario centered on a public health outbreak affecting, community safety, business operations and causing regional impacts; the test was held in the Mrak Hall, conference room 203 and the Emergency Operation Center on the Davis Campus.

Crime Alert Bulletins and Timely Warnings

UC Davis Police Department uses the WarnMe notification system to broadcast warnings about immediate threats to the campus community. This notification is made as soon as practical. UC Davis Police Department also promptly publicizes any incident of criminal activity that poses a potential serious or continuing threat to the Davis campus or UCDHS through Campus Crime Alert Bulletins, maintaining identifying information of the victim in confidence. Bulletins are sent to the campus community by email and can be accessed [online](#) (see Alerts box on the right side of the home page).

The UC Davis Police Department has an e-mail-based Crime and Incident Alert Notification Service by which students, faculty, staff, parents, and any member of the general public can be notified when an Alert is issued. Anyone with a ucdavis.edu email is automatically added to the timely warning emails and cannot opt out unless they are no longer associated with the university. For non-affiliates to subscribe to the Alert Notification Service, send an e-mail to sympa@ucdavis.edu. In the body of the message, type "sub ucdavispolice your first name your last name." For example, a parent named James Bond would subscribe by sending the following message: sub ucdavispolice James Bond. For questions, contact the UC Davis Police Department's Crime Prevention Unit, 530-752-6589 or crimeprevention@ucdavis.edu.

Campus security authorities (CSAs) receive periodic notifications by email reminding them of their responsibility to notify campus police immediately, or as soon as practicably possible, if they receive information about a violent crime, sexual assault, or hate crime which was committed on or adjacent to the campus, on a non-campus property owned or controlled by the University, or at a recognized student organization. Emergency and non-emergency contact information for the UCDPD both at the campus and the Medical Center is provided in that notification. CSAs are told that if a victim has not consented to being identified that they may withhold the victim's identity from the police, as well as the identity of the alleged assailant if known, however, they are asked to provide the UCDPD with enough information (when, what, where, etc.) about the incident to enable them to determine whether a potential threat to the community exists and therefore a crime alert should be issued.

Daily Crime Logs

UC Davis Daily Crime Logs for the past two years are available at the offices of the UC Davis Police Department (main campus station is located at 625 Kleiber Hall Drive and UCDHS has a substation located at 4200 V Street, Sacramento). Daily Crime Logs for the previous 60 days are available [online](#).

MISSING PERSONS NOTIFICATION POLICY

Missing Students Who Reside in On Campus Housing:

UC Davis takes the safety and welfare of our students very seriously. To that end, each student living in a campus housing facility has the opportunity to register the name and contact

information of a person he or she would like notified if the student is determined to be missing and cannot be located through reasonable outreach and investigation. Missing person contact information is registered confidentially and is accessible only to authorized campus officials in furtherance of a missing person investigation. Housing authorities will notify UC Davis Police immediately in the event any resident student is discovered to be missing. The University Police Department will take any missing persons report which is reported to them without delay regardless of jurisdiction. A missing person report will be given investigative priority over non-emergency property crimes.

When an officer receives a report of a missing person, the officer will determine the category of missing person and complete a report. The reporting officer will ensure that the appropriate information is entered into the California and National Missing Persons data base. If the missing person is a student, the reporting UC Officer will also ensure notification is made to the student's emergency contact, if available, within 24 hours of the initial report. If the missing person is under 18 and not emancipated, UC Police will notify a custodial parent or guardian, within 24 hours of the initial report. In all cases UCD Police Department will inform local law enforcement within 24 hours that the student has been determined to be missing.

OVERVIEW OF POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment and violence. The University prohibits sexual violence, including sexual assault, dating violence, domestic violence and stalking; such behavior violates University policy (see Appendix A for the UC system-wide policy and Appendix B for the UC Davis policy) and may also violate the law.

UC Davis takes all complaints of sexual violence very seriously. The safety and well-being of our students, faculty, and staff are among the University's highest priorities. Anyone who has been affected by sexual violence, whether on or off campus, is encouraged to utilize the support services listed here.

The following definitions apply:

Sexual Harassment is defined as unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal or physical conduct of a sexual nature when a person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program (Quid Pro Quo). Sexual harassment also includes conduct that is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs

and services of the University and creates an environment that a reasonable person would find to be intimidating or offensive (Hostile Environment).

Consideration is given to the totality of the circumstances in which the conduct occurred. Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g. vendors, contractors, visitors, and patients). Sexual harassment may also include incidents in hierarchical relationships, between peers and between individuals of any gender or gender identity.

This policy shall be implemented in a manner that recognizes the importance of the rights to freedom of speech and expression and shall not be interpreted to prohibit expressive conduct that is protected by the free speech and academic freedom principles discussed in Section III.F.

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

The Respondent's belief that the Complainant consented shall not provide a valid excuse where the Respondent's belief arose from the Respondent's own intoxication or recklessness; where 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 where the Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was asleep or unconscious, unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication, or unable to communicate due to a mental or physical condition.

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

Dating Violence is defined as conduct by a person who is or has been in a romantic or intimate relationship with the Complainant that intentionally, or recklessly, causes bodily injury to the Complainant or places the Complainant in reasonable fear of serious bodily injury. The nature

of the relationship between the Complainant and Respondent is determined by the length, type, and frequency of interaction between them.

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

Sexual Assault – Contact: Without the consent of the Complainant, touching of an intimate body part (genitals, anus, groin, breast, or buttocks) unclothed or clothed. As this definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence, the Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment.

Aggravated Sexual Assault – Penetration and Aggravated Sexual Assault – Contact: Sexual Assault – Penetration and Sexual Assault – Contact are aggravated when it includes 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 include age and relationship, to do or submit to something that they would not otherwise do), or deliberately causing a person to be incapacitated (through drugs or alcohol). Sexual Assault – Penetration and Sexual Assault – Contact are also aggravated when it includes intentionally taking advantage of the other person's incapacitation (including voluntary intoxication) or recording, photographing, transmitting, or distributing intimate or sexual images without the prior knowledge and consent of the parties involved.

Stalking is repeated conduct directed at a Complainant (e.g. following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking of a non-sexual nature is addressed by other University policies including but not limited to the [Policy on Student Conduct and Discipline Section 102.10](#).

Other Prohibited Conduct includes sexual intercourse with a person under the age of 18; exposing one's genitals in a public place for the purpose of sexual gratification; and 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.

Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of prohibited conduct or participation in the investigation, report, remedial, or disciplinary processes.

Confidential Resources: The employees who receive reports in their confidential capacity include CARE advocates, Ombuds, licensed counselors in student counseling centers and in employee assistance programs, any persons with a professional license requiring confidentiality (including health care employees but excluding campus legal counsel), or someone who is supervised by such a person.

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

Complainant: any person who files a report of sexual violence or sexual harassment or other prohibited behavior or retaliation or any person who has been the alleged subject of such prohibited conduct or retaliation.

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

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

Respondent: A person alleged to have engaged in prohibited conduct and about whom a report of sexual violence, sexual harassment, other prohibited behavior, or retaliation is made.

Responsible Employee: Any University employee who is not a confidential resource and who receives, in the course of employment, information that a student (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited behavior shall 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 any of them in their capacities as employees.

In addition, the following who, in the course of employment, receive a report of prohibited conduct from any other person affiliated with the University shall notify the Title IX Officer or designee, including: Campus Police; Human Resource Administrators, Academic Personnel, and Title IX Professionals; Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units (ORU); and faculty members.

Reporting Sexual Assault, Domestic Violence, Dating Violence and Stalking

Individuals have the right to choose whether they want to report an incident of sexual violence to the University, to local law enforcement agencies, to either or to both. They also have the right not to file a report. What follows is information about reporting options and the resources available for support.

Individuals can report an incident of sexual harassment or sexual violence to the University by contacting the Harassment & Discrimination Assistance and Prevention Program (HDAPP) at 530-752-2255. If someone would like a victim advocate to accompany them when making a report, they may also contact the Center for Advocacy, Resources and Education (CARE) at 530-752-3299.

Any person who has been the victim of a sexual assault, domestic violence, dating violence or stalking or anyone who has witnessed such a crime is encouraged to immediately report the incident to the law enforcement agency having jurisdiction over the case. If the incident occurred on the main campus or at the UC Davis Health System, victims may contact the UC Davis Police Department by calling 911 or (530) 752-1230 (Davis campus); (916) 734-2555 (UCDHS).

Regardless of where the incident occurred, victims of sexual violence may access confidential support and advocacy services from CARE. Victims may choose to access CARE services even if they do not wish to make a formal report to law enforcement or the University. In addition, in cases where the accused is a member of the UC Davis community, victims of sexual violence have the right to make a report to the University's Title IX Officer. A CARE Advocate will explain the options and procedures associated with filing a report and will assist victims in notifying the appropriate police agency and/or the Title IX office should the victim choose to do so. Victims of sexual violence also have the right to refuse to file a report with law enforcement or the University. Please note that reporting an incident is a separate step from choosing to participate in prosecution. When an individual files a report, they are not obligated to participate in legal or University proceedings. Instead, a decision to participate or not participate in such proceedings can be made at any time.

UC Davis makes information available to students and employees about sexual violence support services and reporting options, which includes information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both on campus and in the community.

Seeking Medical Attention and Preserving Evidence

If a victim decides they would like to report an incident, they are encouraged to file a report as soon as possible. Delays in reporting may make gathering evidence more difficult which may in turn affect criminal prosecutions and University investigations. Regardless of whether the incident is reported to the police, it is important to seek immediate medical attention, even if there is no evidence of serious injury. In cases of sexual assault, a medical examination is important to check for sexually transmitted diseases or other infection/injuries, and for pregnancy. A CARE advocate can help victims find an appropriate medical provider.

The University encourages victims to preserve all physical evidence; the Sexual Violence

Support Services and Reporting Options brochure they are given includes information about the timing and preservation of evidence. If the incident of sexual violence happened within 7 days, individuals, if they choose, may be eligible to have an evidentiary exam in order to collect evidence of the assault. To preserve evidence, individuals should not change clothes, bathe or shower, brush their teeth or use mouthwash, comb their hair, or take other action to clean up before going to the hospital. If individuals feel they may have been administered drugs to facilitate an assault, it is best to wait to urinate until reaching the hospital where a urine sample can be collected. A CARE advocate and a police officer will accompany victims to the exam if they consent. Usually, law enforcement approves the exam for evidentiary purposes; however, if a victim is not sure they want to report the assault to the police, they may be eligible for an exam as specified by the Violence Against Women Act (VAWA). A VAWA exam may allow victims to have evidence collected while it is still possible, and give them some time to think about whether to report the crime.

Please note that the UC Davis Student Health & Wellness Center does not conduct evidentiary exams. These exams are provided by the Bridging Evidence Assessment & Resources (BEAR) program in Sacramento. For more information about the evidentiary exam process, please contact Center for Advocacy, Resources and Education (CARE) at 530-752-3299.

Victims/survivors of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to University investigators or police.

How to Obtain Support, Assistance, Resources and Referrals

In order to ensure that victims of sexual assault are provided with support and assistance, the UC Davis Police Department will contact the CARE Advocate as soon as the victim contacts the police to ensure the victim has an advocate present during the investigative interview. In cases of dating violence, domestic violence, and stalking, the UC Davis Police Department will ensure that the victim knows they have a right to have an advocate present during the investigative interview. If a victim does not want to speak to the Advocate, they will be provided with written resource describing options and available support services (see Appendix C). A CARE Advocate is available regardless of whether individuals choose to report the assault to law enforcement. Victims can contact CARE by calling (530) 752-3299.

The CARE Advocate can provide individual crisis counseling, and will accompany victims as desired during medical treatment, interviews by law enforcement or university investigators, student judicial proceedings, court hearings, and other proceedings associated with their complaint. In addition, the CARE Advocate serves in an advocacy role for the interests and needs of the victim, and will discuss options and procedures regarding academic assistance, housing, safety, transportation, employment, and medical and counseling needs. With respect to academic matters, the CARE Advocate serves as liaison between the victim and instructors, departments, and dean's offices to make necessary arrangements for accommodations. The

CARE Advocate also serves as liaison for issues of housing and safety, and will assist in changing on-campus housing if necessary. A CARE Advocate can explain the availability of, and provide assistance with, orders of protection, no contact orders, and/or restraining orders. These services are available regardless of whether the victim chooses to report to the university, campus police or local law enforcement.

Victims may report an incident to law enforcement at any time. In the event of an emergency where immediate assistance is needed, dial 9-1-1 to be connected with the nearest police department. If there is no emergency, individuals can file a police report in the jurisdiction where the assault occurred. The UC Davis Police Department may be reached at 530-754-2677 (campus) or (916) 734-3841 (UCD Medical Center). The City of Davis Police Department may be reached at 530-747-5400. A victim advocate from CARE can assist with filing a police report within any jurisdiction.

The CARE Advocate will refer victims as necessary to other resources, including support groups, individual psychological counseling, and outside agencies. Additional rape crisis services are available in Yolo County through Empower Yolo in Woodland (crisis line: 530-662-1133). Sacramento is served by WEAVE (Women Escaping A Violent Environment), crisis line 916-920-2952. A comprehensive list of resources available to victims of sexual violence can be found [here](#).

Notice of Rights & Options

Any student, faculty or staff member who reports sexual or gender violence, including sexual assault, domestic or dating violence, or stalking, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options (Appendix C). This written explanation identifies existing counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both within the institution and in the community; and describes options for available assistance in; and how to request changes to academic, living, transportation, and working situations or protective measures. UC Davis will make such accommodations or provide such protective measures if the victim requested them and if they are reasonably available, regardless of whether the victim chooses to report the incident to UC Davis Police or local law enforcement.

Administrative Handling of Sexual Assault, Domestic Violence, Dating Violence and Stalking

UC Davis responds to reports of sexual assault, dating/domestic violence and stalking through the University's sexual harassment and sexual violence policy and procedures. A full copy of the policy can be found in Appendix B.

Whether someone chooses to report an incident or not, they are encouraged to contact CARE, where all intervention services are confidential, free, and available to any UC Davis student, staff, or faculty. If the victim chooses to make a formal report to the University, the Victim Advocate from CARE will arrange for the victim to meet with someone from the campus

Harassment & Discrimination Assistance and Prevention Program (HDAPP). The victim may also choose to report directly to HDAPP without the assistance of the CARE advocate. The HDAPP representative will explain the UC Davis administrative procedures for responding to complaints of sexual violence. Staff from HDAPP and CARE will also help with any accommodations that may be needed.

A victim advocate can discuss protective measures that may be considered, which may include the following:

- Obtaining orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts. These orders would be honored both on and off-campus and the victim advocate could assist with making any necessary accommodations to enforce an order.
- Creating a plan to limit or prevent contact between the victim and the other person. This may include making changes to class, work situations, transportation, or housing arrangements for the victim or the accused, regardless of whether the crime is reported to campus police or local law enforcement.
- Taking steps to increase the victim's sense of safety and security while they continue with classes, work and other activities.

UC Davis will maintain the confidentiality of any accommodation or protective measure unless doing so interferes with the University's ability to implement the accommodations or protective measure.

Depending upon the circumstances of the case, the University may consider other interim measures. If the accused is a student and if the circumstances warrant it, the University may decide that an interim suspension is necessary.

After meeting with HDAPP, a victim's complaint is reviewed to determine if a formal investigation should be conducted. For purposes of the investigation and adjudication process, the victim is referred to as the "Complainant" and the accused person is referred to as the "Respondent." Most allegations of sexual violence that are reported to the University are investigated. If an investigation is warranted, the Title IX Officer will appoint a University investigator. Investigators receive annual training on issues related to sexual assault, domestic violence, dating violence and stalking and how to conduct an investigation that protects the safety of victims and promotes accountability. Both the Complainant and the Respondent will be notified of the charges and investigation, and each will have the same rights during it, including, but not limited to, the right to: (1) be accompanied by an adviser and a support person of their choice at any stage of the process, and (2) be simultaneously informed in writing of the outcome of the investigation. Investigators apply a preponderance of evidence standard to make a determination of responsibility. Procedures used to ensure a full, fair, and impartial investigation are described in the UC Sexual Harassment and Sexual Violence Policy (Appendix A).

The University investigator will separately meet with the Complainant and Respondent, and other potential witnesses, to gather information. The Complainant and the Respondent will have the opportunity to receive information about the evidence gathered and identify questions for the investigator to pose. When the fact-gathering portion of the investigation is complete, the investigator will prepare and submit a report that includes their findings of fact and a recommendation whether the Respondent has violated University Policy.

If the Respondent is a student, the report is forward to the Office of Student Support and Judicial Affairs (OSSJA). The Complainant and the Respondent each have an opportunity to review and comment on the report. The Director of OSSJA reviews that Investigation Report and decides whether to accept the Investigator's recommendations. If the decision finds the Respondent in violation, then the Director issues a decision about disciplinary sanctions in accordance with Appendix G of the [UC Davis Administration of Student Discipline](#).

Both parties are informed simultaneously of the decision and either party may appeal the decision based on identified grounds. The University assigns an Appeal Hearing Officer. The Appeal Hearing Officer may uphold the decision, overturn it, or modify it. If the Appeal Hearing Officer upholds the decision, there is no further appeal rights. If the Appeal Hearing Officer overturns or modifies the decision, either party has one additional right to appeal.

Disciplinary sanctions for students found in violation of the UC Davis Student Harassment and Sexual Violence Policy can include but are not limited to:

- Dismissal
- Suspension
- Exclusion from Areas of Campus or Official University Functions
- Loss of Privileges and Exclusion from Activities
- Deferred Separation
- Disciplinary Probation
- Censure/Warning
- Restitution

A finding that the violation involved force, violence or duress, deliberately causing someone to be incapacitated or taking advance of someone's incapacitation or recording, transmitting or distributing intimate or sexual images without consent results in a two-year minimum suspension up through dismissal. Sexual assault without the above factors results in suspension for two years absent exceptional circumstances. Other sexual contact in violation of policy results in a minimum one year suspension up to dismissal absent exceptional circumstances.

UC Davis staff or faculty members may be subject to disciplinary action following an investigation into allegations of sexual harassment or sexual violence under applicable

personnel policies or collective bargaining agreements. Possible sanctions the University may impose on faculty/staff will depend on the nature of the violation and may include:

- Written reprimand in personnel file
- Reduction in salary
- Temporary or permanent demotion
- Unpaid Suspension
- Denial or curtailment of emeritus status
- Dismissal from the employ of the University
- Mandated education
- Change in work location
- Restrictions from all or portions of campus
- Restrictions to scope of work

For more information about the administrative process the University uses to handle cases of sexual violence, contact the Harassment and Discrimination Assistance and Prevention Program (HDAPP) at 530-752-9255 or 916-734-2259, call the Sexual Harassment Hotline at 530-752-2255 or 916-734-2255, or see the [HDAPP website](#).

Confidentiality

The University will protect the privacy of everyone involved in a report of sexual violence to the greatest degree possible under law and University policy. If an individual does not wish to file a report with the police or the University, they can report a sexual assault, dating violence, domestic violence, or stalking confidentially to the Center for Advocacy, Resources and Education (CARE) by contacting (530) 752-3299. Incidents discussed with CARE may be counted and disclosed in the University's annual crime statistics (if the crime falls within a reportable category), but identities and details regarding the crime will not be reported to law enforcement or the University.

If an individual decides to report sexual violence to the University, a small group of administrators will consult to determine if an investigation is appropriate. That group includes the campus Title IX Officer and Sexual Harassment Officer; and a representative from one of these units as appropriate: Academic Affairs, Student Judicial Affairs and Human Resources. These people will be informed of both parties' names and the allegations.

If an investigation is charged, the Respondent is not automatically told who made the complaint. However, the victim's name will probably appear in the notification letter sent to the accused by the Title IX Officer. For example, that letter usually contains this language (this particular example addresses alleged sexual assault):

- "I'm writing to notify you that I have received a complaint that you engaged in conduct that may have violated the University's sexual harassment and sexual violence policy. Specifically, it is alleged that you sexually assaulted (name) at (location) on (date)..."

Witnesses who are interviewed by the investigator will also know about the report, but they will not be told who made the report. Until the investigation is completed, no one else would have reason to be told about the report. Professors, parents, supervisors, co-workers or others are not informed. If a victim needs assistance getting extensions, changing residence, or with any other interim actions, CARE can generally provide that assistance without providing any details to others.

At the conclusion of the investigation, the Title IX Officer will notify the Respondent and Complainant about the outcome of the investigation and will provide them a copy of the investigation report.

It may be helpful to know that University employees - have an obligation to notify the University's Title IX Officer about reports of sexual harassment and sexual violence, even if the person making the report requests that no action be taken. If an individual prefers to seek assistance that will not lead to a report he or she should consider talking with one of the University's confidential resources before making an official complaint. A list of confidential resources, which for the campus include CARE, Counseling Services, ASAP, WRRC, LGBTQIA, and the Ombuds Office, is available [online](#), and may also be found in the Sexual Violence Support Services and Reporting Options brochure found in Appendix C.

SEXUAL VIOLENCE PREVENTION EDUCATION & AWARENESS PROGRAMS

The Center for Advocacy, Resources and Education (CARE) provides mandatory in-person training for all incoming undergraduate students. Additionally, CARE and HDAPP collaborate to provide mandatory in-person education to graduate and professional school students. This education includes information about the nature, dynamics and common circumstances and effects associated with sexual assault, domestic violence, dating violence and stalking. The program includes information about risk reduction and bystander intervention strategies. If incoming students do not complete this training within the time period established by the campus, a registration hold is placed on the student's record and the student is not able to register for classes until the training is completed. In addition to these programs, each year CARE, and other campus partners, present and sponsor an average of 150 to 200 sexual violence prevention programs, lectures, training sessions and workshops to classes, residence halls, student organizations, athletic teams, sororities and fraternities. CARE also prepares and widely distributes numerous educational brochures and other publications.

All UC Davis employees are required to complete sexual harassment and sexual violence education upon hire. Supervisors and managers receive additional mandatory education every two years. UC Davis also provides periodic training on the prevention and handling of sexual assault, domestic violence, dating violence and stalking to all relevant personnel including UC Davis police officers and dispatchers, student judicial affairs staff and hearing officers,

university investigators and other staff associated with the Title IX program. The Harassment and Discrimination Assistance and Prevention Program provides education relating to sexual harassment prevention for a wide variety of audiences including student groups, staff and faculty. All instructor-led programs include information about the prevention and handling of sexual violence.

Several UC Davis offices collaborate on a variety of other activities throughout the academic year designed to ensure that all members of the UC Davis community are aware of the policies and resources pertaining to issues of sexual violence. This includes communications with the campus community through a variety of methods, including use of social media, tabling events, flyers, and special events.

The following resources provide more information on sexual harassment and sexual violence:

- [Website for information on sexual assault, domestic violence, dating violence and stalking](#)
- [Website for Center for Advocacy Resources and Education \(CARE\)](#)
- [Website for Harassment and Discrimination Assistance and Prevention Program \(HDAPP\)](#)
- [The UCD sexual harassment and sexual violence policy PPM 400-20](#)

PUBLIC INFORMATION REGARDING SEX OFFENDERS

The State of California requires sex offenders to register with the police in the jurisdiction in which they reside, as well as with campus police departments if they are employed, carrying on a vocation, or attending school. Information on registered sex offenders is available on the Megan's Law [website](#).

KEEPING THE CAMPUS SAFE: SAFETY PRECAUTIONS

Developing Campus Safeguards

Providing security to the campus community is a continuous process of reevaluating existing policies, facilities, and practices so that they conform to the changing needs of the community and reduce or eliminate hazards. To supplement the efforts of the UCD Police Department, several committees and programs exist or are developed on an as-needed basis to evaluate existing practices, facilities, and landscaping and make security recommendations. Working with staff, faculty and students, we strive to make UC Davis a safe place in which to live and learn.

Access to and Maintenance of Campus Buildings and Grounds

UC Davis is a large campus, situated on 5,500 acres. During the school year, our daily population of over 55,000 students, staff, and faculty makes us a small city in itself with its own crime problems. The nature of the study, service, and research conducted at UC Davis and

UCDHS requires that many of our buildings and facilities be open and accessible 24 hours a day. Since the campus and UCDHS are open, many individuals find it easy to access the buildings and grounds and a few may engage in criminal activity. So, regardless of time, day or night, no matter where you are on campus or at UCDHS, be alert, aware of your surroundings and use common-sense safety precautions.

Buildings, facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UC Davis Police Officers regularly patrol the campus and report malfunctioning lights or other unsafe physical conditions to facilities management authorities for correction. In addition, UC Davis invites reports of physical hazards (for example, broken stairs, overgrown shrubs, or a missing traffic sign) to [Facilities Management](#).

Residential Buildings

UC Davis provides housing to more than 6,500 students, from apartments designed for students with children to multi-student apartment complexes and residential buildings. The UC Davis Police, Student Housing staff, and apartment managers for on-campus private housing work together to create safer, more comfortable, living and learning environments for students. The security of residential areas involves on-duty residence hall staff, apartment managers, Cal Aggie Hosts Security Patrol/Safety Escort services, and round-the-clock UC Davis Police patrols. However, residents must also take an active role to ensure their own security. Most residence halls are accessible only by key or key card 24 hours a day, and residents and visitors must ensure that locked buildings stay closed and locked. You should not allow people you do not know to follow you into the building. Other safety measures include keeping your room or apartment door locked; always carrying your key; taking precautions to protect your keys against theft or loss; and immediately reporting any theft/loss of your building or room keys. Finally, alert residence hall staff and the UC Davis Police if you notice improper entry (someone climbing over a fence) or suspicious activity (a stranger leaving your friend's room carrying his or her computer).

Non-Residential Buildings

Our campus has over 1,100 buildings comprising almost 8 million square feet. Burglars or others intent on crime may target these structures. Although most buildings can be accessed by key after business hours, many are locked and alarmed after 5 p.m. It is essential that staff, faculty, and students cooperate to keep closed facilities locked. To prevent unauthorized entrance to campus buildings, DO NOT prop doors open, leave doors unlocked, or open the door for people you do not know. In addition, protect the security of campus keys, and report immediately any loss or theft of keys.

Parking, Biking, or Walking on Campus

If you park on campus, lock your vehicle and consider using a steering wheel locking device and/or auto alarm. Place all valuables in your trunk or in another location where they will not be visible when viewed from the outside. Similarly, always lock your bicycle, even if you will be gone only a few minutes, and secure it to a fixed bike rack/pod if possible. If you are out at

night on campus or walking to campus parking lots, use the Safety Escort Service. Most important, if you need assistance, do not hesitate to ask any staff member, Cal Aggie Host, or Police Officer.

Weapons on Campus

State law and University policy prohibit the possession or use of weapons on University property. It is a felony punishable by up to four years in prison to possess any firearm on University property, whether in a book bag, in the car, or in an office, classroom, or apartment. Possessing a concealed weapon or automatic weapons of any kind is illegal, whether on campus or in the community. Campus policies prohibit bringing on campus weapons such as knives with blades longer than 2 1/2 inches, switchblades, dirks, daggers, stun guns, BB-gun, air guns, metal knuckles, nun chaku, and similar items.

If you see a gun or other weapon on University property, please alert the police immediately at 530-752-1230 (Davis campus) or 916-734-2555 (UCDHS), with a description of the location of the weapon and/or the individual carrying it. If you believe that the weapon is being or is about to be used, dial 9-1-1 from a land-line, and from a cell phone, dial either 530-752-1230 (Davis campus) or 916-734-2555 (UCDHS).

EDUCATION & PREVENTION SERVICES AND PROGRAMS

Crime Prevention

Crime prevention is the anticipation, recognition, and the appraisal of a crime risk and the initiation of action to remove or reduce it. The UC Davis Police Department Crime Prevention Unit provides support and services to campus community members to make UC Davis a safer place to work, learn and live. The Crime Prevention unit presents an average of 75 to 100 workshops/training sessions for students and employees annually (on request), and publishes and distributes thousands of copies of brochures and flyers for students, faculty, and staff on topics such as personal safety, office and residential security, burglary and theft prevention, and vehicle security. The Crime Prevention unit provides consultation and crime prevention audits on request; may assist in developing department-specific emergency plans for evacuations, bomb threats, and criminal incidents; and may give crime prevention input in the planning process for new buildings, and in landscaping design and maintenance.

Center for Advocacy, Resources and Education

Center for Advocacy, Resources and Education (CARE) provides violence intervention and prevention services to the UC Davis campus and UC Davis Health System in Sacramento. Intervention services include confidential crisis counseling, advocacy and accompaniment services are available to any UC Davis student, faculty and staff who are survivors of sexual assault, intimate partner violence or stalking regardless of gender, sexual orientation, ethnicity, religion, age or (dis)ability. Prevention services include educational programming and professional training for campus and community partners, including students and student staff,

professional staff in various departments, administrators, law enforcement, medical professionals, community service providers and prosecutors. CARE staff also facilitate the mandatory Violence Intervention & Prevention (VIP) Workshop that is required for all incoming undergraduate students. Additionally, CARE educates the campus and UCDHS communities about available services and violence prevention via marketing, social networking, printed materials and other outreach efforts.

Bike Patrol Unit

Bike Patrol officers provide highly visible and accessible policing services, focusing their efforts on bike theft prevention and apprehension, bicycle safety, and enforcement.

Aggie Host Security Officers Program

The Aggie Host Security Officers Program provides a wide range of services for events held on campus, including line control, ticket taking, contraband control, ushering and limited crowd control. Aggie Hosts also operate the Escort Service as part of Student Patrol. You can call (530) 752-1727 for an escort from 5:30 p.m. to 3:00 a.m. seven nights a week. Aggie Hosts patrol the parking structure at the Memorial Union at night and on weekends to reduce vandalism and provide security for nighttime users of the structure.

COLLECTION OF STATISTICS FOR CAMPUS SECURITY REPORT

The UC Davis Police Department is responsible for collecting statistics, identifying reportable crimes, reporting crimes to the FBI and the Department of Education, and publishing statistics to the public. Under law, these statistics must be reported in the categories specified by each agency. FBI statistics include only crimes occurring on the campus or at UCDHS that are reported to police. The Clery Act requires reports from a wider geographic area (e.g. adjacent public property and off-campus student organization property); from a broader scope of "reporters" (e.g., "campus security authorities" having "significant responsibility for student and campus activities," including deans, athletic coaches, student housing and student judicial staff, and advisors to student organizations); for disciplinary referrals as well as arrests for drug, alcohol, and weapons violations; and for different crimes (e.g. forcible sexual assault vs. rape and attempted rape).

The current Campus Security Report has been compiled for the previous calendar year from crime reports received by the UC Davis Police Department; from crime statistics received from other police agencies having jurisdiction over off-campus UC Davis-affiliated, -owned, or -controlled property at other locations (including student organization properties such as fraternity houses); from crime reports received in response to written surveys sent to over 900 non-police "campus security authorities," and from reports received through the confidential reporting process described previously.

The cities of Davis and Sacramento and Yolo and Solano counties surround the UC Davis campus and the UC Davis Medical Center. Police agencies with jurisdiction over those areas are sent annual written requests for statistics of crimes occurring on University affiliated property. Other law enforcement agencies also receive written requests if they have UC Davis buildings/property in their jurisdictions. UC Davis Police report arrests for liquor, drug, and weapons offenses occurring on campus, at UCDHS, and in student residences on campus. The Annual Security Report also includes statistics of arrests made by UC Davis police or other police agencies on public property adjacent to campus or UCDHS and at off-campus property owned, controlled by, or affiliated with UC Davis (e.g. fraternities), as well as disciplinary referrals to Student Housing and Student Judicial Affairs for drug, alcohol, and weapon violations.

The University encourages all crimes to be promptly reported to the UC Davis Police Department, and that non-police campus security authorities receiving reports of crimes forward the information to the UC Davis Police. In general, reports are confidential unless the victim gives permission to document identifying information or for police to investigate. Report forms include crime definitions and request specific information (date, location, nature of offense). This information is used to compile statistics, while preserving confidentiality, avoiding duplicate or inaccurate statistical reporting, and to assign reports to appropriate Clery and FBI crime classifications. For questions regarding the preparation of the Annual Security Report, call 530-752-6550.



DEFINITIONS OF REPORTABLE CRIMES

Arson – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Criminal Homicide – Manslaughter by Negligence – The killing of another person through gross negligence.

Criminal Homicide – Murder and Non-negligent Manslaughter – The willful (non-negligent) killing of one human being by another.

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

Robbery – The taking or attempting to take anything of value from the care, custody, or control of a person by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)

Weapons: Carrying, Possessing, Etc. – 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.

Drug Abuse Violations – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations – The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Sex Offense – 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 incapability.

Sex Offense – Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Sex Offense – Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

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

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

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

Destruction/Damage/Vandalism of Property – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hate Crime – Any crime committed in whole or in part, because one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

UC Davis Clery Act Statistics for 2013, 2014 & 2015

The following statistics, provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, are for your information. These statistics are compiled annually by the University of California, Davis.

Grand Total (All locations)

Criminal Offenses	2013	2014	2015
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	24	-	-
Sex offenses - Non Forcible	0	-	-
Sex offense - Rape	-	16	28
Sex offense - Fondling	-	6	20
Sex offense - Incest	-	0	0
Sex offense - Statutory Rape	-	1	1
Robbery	3	3	4
Aggravated assault	7	7	22
Burglary	58	66	54
Motor vehicle theft	6	13	9
Arson	4	2	7
Domestic Violence	11	10	15
Dating Violence	5	6	5
Stalking	17	13	22
Other Arrests & Disciplinary Actions	2013	2014	2015
Weapons Arrests	2	5	8
Drug Arrests	25	20	38
Liquor Arrests	50	47	62
Weapons Disciplinary Actions	2	1	0
Drug Disciplinary Actions	20	27	23
Liquor Disciplinary Actions	1	7	15

Main Campus at Davis

Criminal Offenses	Student Residences			Other on Campus			Subtotal On Campus			Adjacent Public Property			Subtotal Main Campus		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses - Forcible	12	-	-	2	-	-	14	-	-	0	-	-	14	-	-
Sex offenses - Non Forcible	0	-	-	0	-	-	0	-	-	0	0	0	0	-	-
Sex offense - Rape	-	13	17	-	0	8	-	13	25	-	0	0	-	13	25
Sex offense - Fondling	-	4	6	-	1	10	-	5	16	-	0	0	-	5	16
Sex offense - Incest	-	0	0	-	0	0	-	0	0	-	0	0	-	0	0
Sex offense - Statutory Rape	-	1	0	-	0	0	-	1	0	-	0	0	-	1	0
Robbery	0	0	0	2	1	4	2	1	4	0	0	0	2	1	4
Aggravated assault	3	1	0	3	3	3	6	4	3	0	0	0	6	4	3
Burglary	22	5	4	18	27	30	40	32	34	0	0	0	40	32	34
Motor vehicle theft	0	0	0	4	5	4	4	5	4	0	0	0	4	5	4
Arson	0	0	1	2	1	2	2	1	3	0	0	0	2	1	3
Domestic Violence	6	4	7	4	5	2	10	9	9	0	0	1	10	9	10
Dating Violence	3	5	3	2	1	2	5	6	5	0	0	0	5	6	5
Stalking	3	6	6	12	5	14	15	11	20	0	0	0	15	11	20
Other Arrests & Disciplinary Actions	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Weapons Arrests	1	0	0	1	4	7	2	4	7	0	0	0	2	4	7
Drug Arrests	0	0	1	1	6	8	1	6	9	0	0	0	1	6	9
Liquor Arrests	10	0	0	37	45	50	47	45	50	2	2	12	49	47	62
Weapons Disciplinary Actions	0	1	0	2	0	0	2	1	0	0	0	0	2	1	0
Drug Disciplinary Actions	9	22	13	10	5	10	19	27	23	0	0	0	19	27	23
Liquor Disciplinary Actions	1	6	12	0	1	3	1	7	15	0	0	0	1	7	15

For 2014, Robbery crimes was changed from 2 to 1 because one crime was incorrectly listed as having occurred on the Main Campus but the crime occurred at the Medical Center.

Medical Center at Sacramento

Criminal Offenses	Medical Center			Adjacent Public Property			Subtotal		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex offenses - Forcible	3	-	-	0	-	-	3	-	-
Sex offenses - Non Forcible	0	-	-	0	-	-	0	-	-
Sex offense - Rape	-	0	1	-	0	0	-	0	1
Sex offense - Fondling	-	1	2	-	0	0	-	1	2
Sex offense - Incest	-	0	0	-	0	0	-	0	0
Sex offense - Statutory Rape	-	0	1	-	0	0	-	0	1
Robbery	0	2	0	0	0	0	0	2	0
Aggravated assault	0	2	19	0	0	0	0	2	19
Burglary	4	19	15	0	0	0	4	19	15
Motor vehicle theft	2	6	5	0	1	0	2	7	5
Arson	0	1	4	0	0	0	0	1	4
Domestic Violence	1	0	6	0	0	0	1	0	6
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	2	2	2	0	0	0	2	2	2
Other Arrests & Disciplinary Actions	2013	2014	2015	2013	2014	2015	2013	2014	2015
Weapons Arrests	0	0	1	0	1	0	0	1	1
Drug Arrests	18	13	24	5	1	3	23	14	27
Liquor Arrests	1	0	0	0	0	0	1	0	0
Weapons Disciplinary Actions	0	0	0	0	0	0	0	0	0
Drug Disciplinary Actions	0	0	0	0	0	0	0	0	0
Liquor Disciplinary Actions	0	0	0	0	0	0	0	0	0

For 2014, Robbery crime was changed from 1 to 2 because one crime was incorrectly listed as having occurred on the Main Campus but the crime occurred at the Medical Center.

Non-Campus But Affiliated

Criminal offenses	2013	2014	2015
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	7	-	-
Sex offenses - Non Forcible	0	-	-
Sex offense - Rape	-	3	2
Sex offense - Fondling	-	0	2
Sex offense - Incest	-	0	0
Sex offense - Statutory Rape	-	0	0
Robbery	0	0	0
Aggravated assault	1	1	0
Burglary	14	15	5
Motor vehicle theft	0	1	0
Arson	2	0	0
Domestic Violence	0	1	0
Dating Violence	0	0	0
Stalking	0	0	0
Other Arrests & Disciplinary Actions	2013	2014	2015
Weapons Arrests	0	0	0
Drug Arrests	1	0	2
Liquor Arrests	0	0	0
Weapons Disciplinary Actions	0	0	0
Drug Disciplinary Actions	1	0	0
Liquor Disciplinary Actions	0	0	0

Hate Crimes

Main Campus

2013

One on campus destruction/damage/vandalism of property incident(s) characterized by race bias

One on campus intimidation incident(s) characterized by race bias

One on campus simple assault incident(s) characterized by gender bias

2014

One on campus destruction/damage/vandalism of property incident(s) characterized by race bias

One on campus destruction/damage/vandalism of property incident(s) characterized by sexual orientation bias

One on campus intimidation incident(s) characterized by race bias

One student residence simple assault incident(s) characterized by ethnicity bias

2015

One non-campus destruction/damage/vandalism of property incident(s) characterized by religion bias

One on campus destruction/damage/vandalism of property incident(s) characterized by religion bias

One on campus simple assault incident(s) characterized by religion bias

One student residence destruction/damage/vandalism of property incident(s) characterized by religion bias

One student residence simple assault incident(s) characterized by race bias

Three on campus intimidation incident(s) characterized by religion bias

Two on campus destruction/damage/vandalism of property incident(s) characterized by race bias

Medical Center

2013

No hate crimes were reported

2014

No hate crimes were reported

2015

No hate crimes were reported

One 2015 non-campus destruction/damage/vandalism of property incident(s) characterized by religion bias was added on 9/30/2019. The incident occurred within UCD's Clery geography but at the time was not reported by Campus Security Authorities or the law enforcement agency with jurisdiction over the incident location.

Unfounded Crimes

Main Campus

2013

No unfounded crimes

2014

No unfounded crimes

2015

No unfounded crimes

Medical Center

2013

No unfounded crimes

2014

No unfounded crimes

2015

One Medical Center DomesticViolence, Unfounded

SUBSTANCE ABUSE: POLICY, SANCTIONS, & LAWS

In accordance with the Drug Free Schools and Communities Act of 1989, the following information is provided regarding University and campus policies prohibiting unlawful possession, use or distribution of drugs or alcohol; University and campus sanctions regarding drug and alcohol violations by students or employees; federal, state, and local laws and penalties for drug and alcohol offenses; health effects of drug and alcohol abuse; and local resources providing assistance for drug and alcohol abuse (counseling, rehabilitation, or re-entry programs).

University Policy and Sanctions

The University strives to maintain communities and workplaces free from the illegal use, possession, or distribution of alcohol and other drugs. The manufacture, sale, distribution, dispensation, possession, or use of alcohol and controlled substances by University students and employees on University property, at official University functions, or on University business is governed by law, University policy, and campus regulations. Students violating these laws and policies are subject to disciplinary action, including suspension or dismissal from the University, and may be referred for criminal prosecution and/or required to participate in appropriate treatment programs. Employees violating these laws and policies may be subject to corrective action, up to and including dismissal, under applicable University policies and labor contracts, and may be referred for criminal prosecution and/or required to participate in an Employee Support Program or appropriate treatment program.

Loss of Financial Aid for Conviction Involving Possession/Sale of Illegal Drugs

A conviction under federal or state law for any offense involving the possession or sale of illegal drugs will result in the loss of eligibility for any Title IV, HEA grant, loan, or work-study assistance (HEA Sec. 484(r)(1)); (20 U.S.C. 1091(r)(1)), if the conviction occurs during a period of enrollment for which the student was receiving Title IV HEA program funds.

Federal Laws and Sanctions

Under Federal law, it is a felony offense to sell or intend to sell, manufacture, or distribute DEA scheduled drugs or mixtures containing them (e.g. cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, and so-called "designer drugs", as well as "counterfeits" purported to be such drugs), or to traffic in marijuana or hashish. Depending upon the quantity of drugs involved, penalties for first offenses range from 5 years to life (20 years to life if death or serious injury involved) and fines up to \$10 million or more, and for second offenses from 10 years to life (life if death or serious injury involved) and fines up to \$20 million.

It is important to note that illegal trafficking in over-the-counter or prescription drugs (including anabolic steroids) which are listed as DEA Schedules II – V are included in the above penalties and fines. Those convicted of possession or distribution of controlled substances can be barred from receiving benefits of federal programs, including student grants and loans, contracts, ability to conduct teaching and research using controlled substances, and professional

and commercial licenses; may be subject to forfeiture of property used in or traceable to illegal controlled substance transactions; and, if non-citizens, subject to deportation.

California Laws and Sanctions

California law prohibits furnishing and selling alcoholic beverages to underage (younger than 21) or obviously intoxicated individuals. Underage persons may not buy alcoholic beverages or possess them on campus, in public, or in places open to public view; the penalties for violations of these laws may include substantial fines and jail. Alcohol may not be sold without a license or permit. State law also prohibits driving a motor vehicle under the influence (a blood alcohol level of .08 percent or higher creates a presumption of intoxication, but can be charged with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunk driving penalties include jail or prison, fines of \$1,000 or more, driver's license suspension or revocation, and required drug/alcohol treatment programs. Refusing to submit to a test for blood alcohol can result in suspension of driver's license for up to 3 years. Sale or possession for sale of controlled substances such as cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, marijuana, and "designer drugs" is a felony with terms of 3 years or more; manufacture results in terms of 3 years or more; possession alone is punishable by up to 4 years in prison. Sentences are enhanced for previously convicted felons, for distribution within 1,000 feet of a school or University or within 100 feet of a recreational facility, and for distribution to a pregnant woman or to someone under 18 by one over 18. Property used in drug transactions can be seized.

Sacramento City and City of Davis Ordinances

Sacramento City ordinances and Davis municipal codes prohibit consumption of alcohol in public, possessing open containers of alcohol in public or at retail off-sale premises, and drinking in parks. City of Davis municipal codes also prohibit intoxicated persons from being in or around a vehicle in public, unless the vehicle is controlled or operated by a sober individual; and prohibit individuals and organizations from hosting or allowing a party, gathering or event (defined as two or more persons assembled for a social occasion or activity) if underage persons are present and in possession of/consuming alcohol. Sanctions (probation, jail, fines) are imposed in accordance with California state law.

SUBSTANCE ABUSE: EDUCATION, PREVENTION PROGRAMS, ASSISTANCE SERVICES AND RESOURCES

Campus programs, services, and resources include:

- **Health Education and Promotion (HEP)** – is focused on preventing and reducing alcohol, tobacco and other drugs issues in the student population, developing, managing and evaluating strategies to aid students in making informed decisions in these areas. This program is a lead partner in the Safe Party Initiative, a campus and community evidence-based strategy that aims to reduce problems related to college student drinking at parties in the Davis community. Student "party goers" and "party throwers"

can visit the [Safe Party](http://safeparty.ucdavis.edu) website, safeparty.ucdavis.edu, to find tips on how to reduce the risks of alcohol-related problems. While taking the eCHECKUP TO GO self-assessment located on the [Safe Party](http://safeparty.ucdavis.edu) website is required of all incoming UC Davis students, any student can complete this brief confidential survey at any time at no charge. The eCHECKUP TO GO feedback helps identify personal risk patterns and offers harm reduction strategies related to alcohol use. More information is available at [Safe Party](http://safeparty.ucdavis.edu) or by calling 530-754-4878.

- **Alcohol, Tobacco and Other Drugs Intervention Services (ATODIS)** – provides free and confidential individual assessment and intervention services for UC Davis students who can meet with a Safe Zone trained ATOD Intervention Services professional. Services and referrals are provided in collaboration with Counseling Services, Student Health and Counseling Services’ medical staff, Neighborhood Court or self-referrals. Free, 90-minute group sessions are also provided in a confidential and non-judgmental environment for students referred from the conduct system or students who self-refer. More information is available at [ATOD](http://atod.ucdavis.edu) or by calling 530-752-6334. Smoking cessation services are also available to students free of charge. If the student meets with the ATODIS Coordinator they can receive one month of the following Nicotine Replacement Therapies for free: gum, patches, or lozenges. For more information call 530-752-6334.
- **New Collegiate Recovery Group: Recover, Inspire, Support, Empower (RISE)** – meets weekly in the Student Health and Wellness Center. This group is open to any UC Davis undergraduate or graduate student who is choosing not to use any mind altering substances. This is not a 12-step meeting but a support group for students in recovery. Students can contact slake@shcs.ucdavis.edu for more information.
- **Counseling Services** - provides short-term counseling at no cost to UC Davis registered students and referrals to other providers and services; also provides on-line anonymous self-assessment and screening for alcohol and related issues. More information is available from the [Counseling Services](http://counseling.ucdavis.edu) website or by calling 530-752-0871.
- **Academic & Staff Assistance Program (ASAP)** - offers confidential, cost free assessment, intervention, consultation and referral services to all UCD faculty, staff and their immediate families. More information is available at the [ASAP](http://asap.ucdavis.edu) website or by calling 530-752-2727.

Community resources include Sacramento and Yolo County services and Twelve Step Programs:

- [Alcoholics Anonymous \(AA\)](#) 24 Hour Hotline – 916-454-1100
- [Marijuana Anonymous](#) – 800-766-6779
- [Cocaine Anonymous](#) – 916-469-6588
- [Narcotics Anonymous \(NA\)](#) – 800-565-2135; [Sacramento area](#)

- [Al-Anon/Alateen](#) – email: wso@al-anon.org
- [Sacramento County Department of Health & Human Services Alcohol & Drug Services](#)
- **Yolo County Alcohol, Drug and Mental Health Services** – 888- 965-6647 (no charge, 24 hrs)
- [Yolo County Alcohol & Drug Information and Treatment Services](#) – Davis 530-757-5530, Woodland 530-666-8630, West Sacramento 916-375-6350, Crisis 888-965-6647
- [Refuge Recovery](#)

HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE

Substance abuse can cause very serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. Chronic health problems may arise from long-term abuse, and acute, traumatic reactions may arise even from one-time or moderate use. In addition to the toxicity of specific drugs, mixing drugs can compound toxic effects. Illegal, "counterfeit" or "designer" drugs may be toxic, contaminated, or have impurities causing poisoning, and can be lethal. Acute health problems may include heart attack, stroke, and sudden death (even first-time use of cocaine or GHB). Long-term effects include heart and/or lung damage, high blood pressure, blood vessel leaks in brain, brain cell destruction, permanent memory loss, infertility, impotency, immune system impairment, kidney failure, and cirrhosis of the liver. Substance abuse is correlated with high-risk behavior that could lead to accidents and injury, increased risk of contracting a sexually transmitted infection, or unwanted pregnancy. Drugs and alcohol might also be used to incapacitate victims of sexual assault. Using alcohol or other drugs while pregnant can cause fetal damage, birth defects, miscarriage and infant death. Additional information on health risks of substance abuse can be found on this [website](#).

On-line resources regarding health risks of alcohol, tobacco and other drugs from the Student Health and Counseling Services' Health Education and Promotion department:

- [Alcohol](#)
- [Alcohol poisoning](#)
- [Substance Abuse](#)
- [Smoking Cessation](#)
- [Electronic Cigarettes](#)
- [Hookah](#)
- [Marijuana](#)
- [Opiates](#)
- [Stimulants](#)
- [Sedatives](#)
- [Prescription Drug Abuse](#)
- [Heroin](#)



UC DAVIS FIRE SAFETY REPORT

The UC Davis campus is served by the UC Davis Fire Department for emergency response in Fire and Emergency Medical Services, and by Safety Services Fire Prevention Services for state regulated code enforcement and life and property protection on behalf of the California State Fire Marshal.

The mission of the UC Davis Fire Department is to protect and enhance the safety and well-being of our community with pride and excellence. UCDFD presently employs 23 full-time personnel and 15 Student Resident Firefighters. Emergency response is provided from Fire Station 34, the UCDFD Fire/Police Building. The UCDFD crew has an engine, a tiller truck with a 100 foot aerial ladder and a hazardous materials unit.

The Fire Prevention Services unit is made up of the Campus Fire Marshal, who has the State of California title of Lead Designated Campus Fire Marshal (DCFM), two Inspectors with DCFM status, one Hazardous Materials Specialist and a Fire Extinguisher technician. Fire Prevention Services is responsible for ensuring that the Campus Fire Safety Program is carried out in order to comply with all relevant laws and regulations and to maintain a safe environment for our students, our faculty and staff members.

POLICIES §668.49(b)

a. Safety Policies §668.49(b)(4)

All Student Housing policies are described in the *Guide to Residence Hall Life* which is given to every resident electronically upon signing of the residence contract, and is available on the Student Housing [website](#). All residents are responsible for being

familiar with the information contained in the handbook. Other campus policies are published by the UC Davis Fire Prevention Services and are available [online](#).

i. Use of Electrical Appliances

Guide to Residence Hall Life:

Section 3: Residence Hall & University Policies/ B. Policies/ 2. Appliances, Food Preparation

All appliances must be in good working order and used responsibly. They must be approved for use by Underwriters' Laboratory (UL) and free of wiring defects. Food may only be prepared in community or apartment kitchens. (Microwaved food is excluded.) Appliances/food preparation items, including cooking knives, that may be stored but not used in rooms include, but are not limited to, toasters, toaster ovens, crock pots, hot air popcorn poppers, hot plates, waffle irons, rice cookers, broilers, and any devices with an open heating element.

- Barbecues- Barbecues may not be used on balconies, under trees, in courtyards, breezeways, or around swimming pools. They must be at least 25 feet away from any building or overhang, and this distance must be increased if smoke is travelling toward one of these areas. Lighter fluid, propane, and other flammable gases or liquids may not be stored in residence hall rooms.
- Coffeemakers, microwaves, refrigerators- Only one refrigerator (maximum storage capacity of 4.5 cubic feet with a maximum height of 35 inches) and one microwave (maximum wattage of 800 watts) or one micro fridge, is/are allowed in any single, double or triple room. In suites, each living room and bedroom can have one refrigerator and one microwave. Only one coffee maker may be in use at a time in a residence hall room.
- Portable heaters- portable heaters are prohibited.
- Torchiere halogen lamps- these lamps are prohibited.
- Power tools- Power tools may not be used in residence hall rooms or areas.

Guide to Residence Hall Life:

Section 3: Residence Hall & University Policies/ B. Policies/ 16. Fire Safety

- Electrical Safety- Modifications to or changes in electrical wiring are prohibited as are splices, octopuses, or modification devices used to add plugs. Only UL approved, grounded power strips with fuses may be used.
- Evacuation- Residents must evacuate the building when a fire alarm has sounded.
- False Alarm- Residents may not intentionally or recklessly activate an alarm in a non-emergency situation.
- Fire- Causing, attempting to cause, or contributing to the continuation of a fire is prohibited.
- Fireplaces- Unauthorized use of a Student Housing fireplace is prohibited.

- Flammable Liquids- Flammable liquids and other hazardous materials may not be stored or used in Student Housing buildings. This includes, but is not limited to, gasoline and lighter fluid.
- Room Decorations- Large wall hangings must be treated with flame retardant. Exterior room doors may not be more than 33% covered. Student Housing reserves the right to adjust this percentage and will notify residents if any change is made. Paper or plastic may not be used to cover any light or fixture. Lighting fixtures, including holiday lights, may not be hung on any surface outside rooms or suites including windows or doors.
- Tampering- Tampering with fire suppression equipment, including but not limited to fire extinguishers, smoke detectors, fire alarm pull stations, automatic door closers, and sprinklers, is prohibited. Tampering includes covering smoke detectors, hanging items from sprinklers or sprinkler pipes, or otherwise disabling fire suppression equipment.

ii. Smoking

Guide to Residence Hall Life:

Section 3: Residence Hall & University Policies/ B. Policies/ 28. Smoking

Smoking and tobacco use are not permitted on University property or in any Student Housing building or dining facility. Tobacco use includes inhaling, smoking, chewing, dipping or any other assimilation of tobacco products. Smoking or tobacco use within 25 feet of any building entry, courtyard, stairway, passageway, pool area, patio, balcony, or operable window is considered violation of Student Housing policy.

iii. Open Flames

Guide to Residence Hall Life:

Section 5: Fire Safety/ C. Torchiere Halogen Lamps

The Consumer Product Safety Commission (CPSC) has issued a warning to consumers that the light bulbs in most torchiere style halogen lamps can reach very high temperatures and could start a fire if they come in contact with curtains, clothes, or other flammable materials. It is because of this increased fire and safety risk that torchiere halogen lamps are prohibited in the residence halls.

Guide to Residence Hall Life:

Section 3: Residence Hall & University Policies/ B. Policies/ 6. Candles, Incense

Candles, incense, and items that produce an open flame are prohibited regardless of the reason for use.

Candle and Other Open-Flame Guidelines, REV JAN 2013 UCDFPS Fire Net/ Campus Directive

UC Davis Campus policies prohibit the use of candles or open-flame devices in almost all campus facilities. Candles are prohibited from use in the dormitories under any conditions. Candles may be used (in very limited capacities, e.g. a Unity candle at a wedding) at other campus facilities only after obtaining a Candle/Open Flame Permit from the UC Davis Fire Prevention office.

b. Fire Evacuation Procedures §668.49(b)(5)

Guide to Residence Hall Life:

Section 5: Fire Safety/ A. Fire Alarms, Smoke Detectors, & Fire Sprinklers

All residence halls are equipped with fire detection devices and manual pull stations. When manual pull stations are activated, a hall alarm will sound and the UC Davis fire department will be notified. Rooms in Leach Hall are equipped with smoke detectors that will sound hall alarms when activated. Rooms elsewhere in the Tercero area, Webster and Emerson Halls are equipped with smoke detectors that sound a local alarm within the affected room; these buildings also have heat detectors that sound an alarm in public areas and notify the fire department. Rooms in Thoreau, Bixby, Gilmore, Malcolm, Ryerson, Alder, Thompson, Miller, Regan, Kearney, Laben, Wall, Campbell and Potter Halls are equipped with smoke detectors and heat sensitive sprinklers that sound a local alarm and release water within the affected room. Fire department personnel will respond immediately to all alarms with a full complement of firefighting equipment. It is the responsibility of each student to evacuate the residence hall when an alarm sounds; failure to leave during an alarm will result in disciplinary action.

Each resident needs to be aware of the sensitivity of smoke detectors (and fire sprinklers in Thoreau, Bixby, Gilmore, Malcolm, Ryerson, Alder, Thompson, Miller, Regan, Kearney, Laben, Wall, Campbell and Potter Halls) in their rooms and hallways. They can be activated by foreign materials (e.g. water, smoke, aerosol sprays) or sudden shock (e.g. being hit or touched). They cannot properly respond to smoke or fire if they are covered, taken down, or have objects hanging from them. As a result, such activity is not permitted. **Tampering with or activating an alarm in a non-emergency situation, or the presence of illegal cooking devices that cause an activation of the system, will result in disciplinary action as well as the assessment of a charge for costs attributed to the false alarm.**

c. Fire Safety Education and Training §668.49(b)(6)**Guide to Residence Hall Life:****Section 5: Fire Safety**

Fire safety is taken very seriously in the residence halls and you are expected to adhere to the following regulations. For reasons of safety, the fire department has imposed restrictions on furnishings and some electrical equipment. Large wall hangings [such as tapestry and large posters] must be treated with a flame retardant. Students are not permitted to use anything that produces an open flame, such as candles, in their rooms or suites. Hallways and walkways, as well as building entrance and exit areas, need to be clear at all times. No items should be stored in these areas at any time. This includes, but is not limited to, bicycles and trash. Students may not store or repair motorized vehicles in the residence halls. It is also prohibited for students to store gasoline or other flammable liquids in any living units. Cooking/warming appliances may not be used in residence hall rooms with the exception of coffee pots, oil popcorn poppers [no hot air popcorn poppers], and microwaves [see Electrical Safety]. Kitchens located in Primero Grove should be used properly and maintained by the residents. Appliances in rooms often activate the sensitive fire alarm system; small appliances and hot air popcorn poppers may be used in community kitchens. No person may use or store fireworks or firecrackers in residence halls or on campus.

d. Fire Education Training

All Student Housing Resident Advisors are required to participate in fire safety education seminars each year prior to the start of the fall quarter. The UC Davis Fire Prevention Services delivers the training. Student Housing also provides instruction to Resident Advisors.

Residents in Student Housing receive the following safety education: Participation in Fire Drills; Fire Safety information in the Guide to Student Life; and all incoming freshman and their families are required to attend a safety session in which the Fire Department and Fire Prevention Services provide information.

Additional training from Fire Prevention Services is available upon request for students, staff and faculty. More information can be found [online](#).

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
Atriums at La Rue 50; 400 Russel Park Dr	X		X		X	X	X	X
Atriums at La Rue 100; 400 Russel Park Dr	X		X		X	X	X	X
Atriums at La Rue 200; 400 Russel Park Dr	X		X		X	X	X	X
Atriums at La Rue 300; 400 Russel Park Dr	X		X		X	X	X	X
Atriums at La Rue 400; 400 Russel Park Dr	X		X		X	X	X	X
Cuarto Emerson Hall; 565 Oxford Cr			X		X	X		X
Cuarto Thoreau Hall; 533 Oxford Cr	X		X		X	X	X	X
Cuarto Webster Hall; 541 Oxford Cr			X		X	X		X
Dome 02; 319 Orchard Park Dr			X			X		
Dome 03; 325 Orchard Park Dr			X			X		
Dome 04; 331 Orchard Park Dr			X			X		
Dome 05; 337 Orchard Park Dr			X			X		
Dome 06; 343 Orchard Park Dr			X			X		
Dome 07; 397 Orchard Park Dr			X			X		
Dome 08; 391 Orchard Park Dr			X			X		
Dome 09; 385 Orchard Park Dr			X			X		
Dome 10; 379 Orchard Park Dr			X			X		
Dome 11; 367 Orchard Park Dr			X			X		
Dome 12; 361 Orchard Park Dr			X			X		
Dome 13; 355 Orchard Park Dr			X			X		
Dome 14; 349 Orchard Park Dr			X			X		
Dome 15; 373 Orchard Park Dr			X			X		
Fraternity 100 Parkway; 100 Parkway Cr	X		X		X	X	X	
Fraternity 200 Parkway; 200 Parkway Cr	X		X		X	X	X	
Fraternity 310 Parkway; 310 Parkway Cr	X		X		X	X	X	
Fraternity 320 Parkway; 320 Parkway Cr	X		X		X	X	X	
Fraternity 330 Parkway; 330 Parkway Cr	X		X		X	X	X	
Fraternity 400 Parkway; 400 Parkway Cr	X		X		X	X	X	
Fraternity 500 Parkway; 500 Parkway Cr	X		X		X	X	X	
Colleges at La Rue #1; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #2; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #3; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #4; 164 Orchard Park Dr	X		X		X	X		X

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
Colleges at La Rue #5; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #6; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #7; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #8; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #9; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #10; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #11; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #12; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #13; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #14; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #15; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #16; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #17; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #18; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #19; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #20; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #21; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #22; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #23; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #24; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #25; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #26; 164 Orchard Park Dr	X		X		X	X		X
Colleges at La Rue #27; 164 Orchard Park Dr	X		X		X	X		X
¹ Orchard Park #5000; 5000 Orchard Park Dr			X		X	X		
¹ Orchard Park #5100; 5100 Orchard Park Dr			X		X	X		
¹ Orchard Park #5200; 5200 Orchard Park Dr			X		X	X		
¹ Orchard Park #5300; 5300 Orchard Park Dr			X		X	X		
¹ Orchard Park #5400; 5400 Orchard Park Dr			X		X	X		
¹ Orchard Park #5500; 5500 Orchard Park Dr			X		X	X		
¹ Orchard Park #5600; 5600 Orchard Park Dr			X		X	X		
¹ Orchard Park #5700; 5700 Orchard Park Dr			X		X	X		
¹ Orchard Park #5700; 5700 Orchard Park Dr			X		X	X		
¹ Orchard Park #5800; 5800 Orchard Park Dr			X		X	X		

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
¹ Orchard Park #5900; 5900 Orchard Park Dr			X		X	X		
¹ Orchard Park #6000; 6000 Orchard Park Dr			X		X	X		
¹ Orchard Park #6100; 6100 Orchard Park Dr			X		X	X		
¹ Orchard Park #6200; 6200 Orchard Park Dr			X		X	X		
¹ Orchard Park #6300; 6300 Orchard Park Dr			X		X	X		
¹ Orchard Park #6400; 6400 Orchard Park Dr			X		X	X		
¹ Orchard Park #6500; 6500 Orchard Park Dr			X		X	X		
¹ Orchard Park #6600; 6600 Orchard Park Dr			X		X	X		
¹ Orchard Park #6700; 6700 Orchard Park Dr			X		X	X		
¹ Orchard Park #6800; 6800 Orchard Park Dr			X		X	X		
¹ Orchard Park #6900; 6900 Orchard Park Dr			X		X	X		
¹ Orchard Park #7000; 7000 Orchard Park Dr			X		X	X		
¹ Orchard Park #7100; 7100 Orchard Park Dr			X		X	X		
¹ Orchard Park #7200; 7200 Orchard Park Dr			X		X	X		
¹ Orchard Park #7300; 7300 Orchard Park Dr			X		X	X		
¹ Orchard Park #7400; 7400 Orchard Park Dr			X		X	X		
¹ Orchard Park #7500; 7500 Orchard Park Dr			X		X	X		
¹ Orchard Park #7600; 7600 Orchard Park Dr			X		X	X		
Primero Grove Laurel; 506 Primero Grove Cr	X		X		X	X	X	X
Primero Grove Magnolia; 512 Primero Grove Cr	X		X		X	X	X	X
Primero Grove Manzanita; 518 Primero Grove Cr	X		X		X	X	X	X
Primero Grove Spruce; 500 Primero Grove Cr	X		X		X	X	X	X
Regan Campo; 605 Regan Hall Bkwy	X		X		X	X	X	
Regan Indio; 505 Regan Hall Cr	X		X		X	X	X	
Regan Nova; 555 Beckett Hall Cr	X		X		X	X	X	
Regan Paloma; 515 Beckett Hall Cr	X		X		X	X	X	
Regan Rienda; 575 Beckett Hall Cr	X		X		X	X	X	
Regan Sereno; 525 Regan Hall Cr	X		X		X	X	X	
Regan Talara; 535 Beckett Hall Cr	X		X		X	X	X	
Russell Park Apts; 400 Russell Park		X	X		X	X	X	
Segundo Alder; 1081 La Rue Rd	X		X		X	X	X	X
Segundo Bixby; 1019 La Rue Rd	X		X		X	X	X	X
Segundo Gilmore; 1029 La Rue Rd	X		X		X	X	X	X

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
Segundo Malcolm; 1059 La Rue Rd	X		X		X	X	X	X
Segundo Miller; 1079 La Rue Rd	X		X		X	X	X	X
Segundo Ryerson; 1063 La Rue Rd	X		X		X	X	X	X
Segundo Thompson; 1087 La Rue Rd	X		X		X	X	X	X
Solano Park Apts #1100; 1100 Solano Park Cr		X	X		X	X		
Solano Park Apts #1200; 1200 Solano Park Cr		X	X		X	X		
Solano Park Apts #1300; 1300 Solano Park Cr			X		X	X		
Solano Park Apts #1400; 1400 Solano Park Cr			X		X	X		
Solano Park Apts #1500; 1500 Solano Park Cr			X		X	X		
Solano Park Apts #1600; 1600 Solano Park Cr		X	X		X	X		
Solano Park Apts #1700; 1700 Solano Park Cr			X		X	X		
Solano Park Apts #1800; 1800 Solano Park Cr			X		X	X		
Solano Park Apts #1900; 1900 Solano Park Cr			X		X	X		
Solano Park Apts #2000; 2000 Solano Park Cr			X		X	X		
Solano Park Apts #2100; 2100 Solano Park Cr		X	X		X	X		
Solano Park Apts #2200; 2200 Solano Park Cr			X		X	X		
Solano Park Apts #2300; 2300 Solano Park Cr			X		X	X		
Solano Park Apts #2400; 2400 Solano Park Cr			X		X	X		
Solano Park Apts #2500; 2500 Solano Park Cr			X		X	X		
Solano Park Apts #2600; 2600 Solano Park Cr		X	X		X	X		
Solano Park Apts #2700; 2700 Solano Park Cr			X		X	X		
Solano Park Apts #2800; 2800 Solano Park Cr			X		X	X		
Solano Park Apts #2900; 2900 Solano Park Cr			X		X	X		
Solano Park Apts #3000; 3000 Solano Park Cr			X		X	X		
Solano Park Apts #3100; 3100 Solano Park Cr		X	X		X	X		
Solano Park Apts #3200; 3200 Solano Park Cr			X		X	X		
Solano Park Apts #3300; 3300 Solano Park Cr			X		X	X		
Solano Park Apts #3400; 3400 Solano Park Cr			X		X	X		
Solano Park Apts #3500; 3500 Solano Park Cr			X		X	X		
Solano Park Apts #3600; 3600 Solano Park Cr		X	X		X	X		
Solano Park Apts #3700; 3700 Solano Park Cr			X		X	X		
Solano Park Apts #3800; 3800 Solano Park Cr			X		X	X		
Solano Park Apts #3900; 3900 Solano Park Cr			X		X	X		

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
Solano Park Apts #4000; 4000 Solano Park Cr		X	X		X	X		
Solano Park Apts #4100; 4100 Solano Park Cr			X		X	X		
Solano Park Apts #4200; 4200 Solano Park Cr		X	X		X	X		
Solano Park Apts #4300; 4300 Solano Park Cr			X		X	X		
Solano Park Apts #4400; 4400 Solano Park Cr			X		X	X		
Temporary Bldg 13; 530 Regan Hall Cr	X		X		X	X		
Temporary Bldg 14; 540 Regan Hall Cr	X		X		X	X		
Temporary Bldg 15; 550 Regan Hall Cr	X		X		X	X		
Tercero Campbell; 434 Dairy Rd	X		X	X	X	X	X	X
Tercero Currant; 584 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Hawthorne; 664 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Kearney; 352 Dairy Rd	X		X		X	X	X	X
Tercero Laben; 376 Dairy Rd			X		X	X	X	
Tercero Live Oak; 622 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Mahogany; 686 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Pine; 568 Tercero Dall Dr	X		X	X	X	X	X	X
Tercero Potter; 468 Dairy Rd	X		X	X	X	X	X	X
Tercero Scrub Oak; 598 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Sequoia; 648 Tercero Hall Dr	X		X	X	X	X	X	X
Tercero Wall; 637 La Rue Rd	X		X	X	X	X	X	X
West Village Ramble; 100 Sage St Bldg C	X		X		X	X	X	
West Village Ramble; 110 Sage St Bldg A	X		X		X	X	X	
West Village Ramble; 110 Sage St Bldg B	X		X		X	X	X	
West Village Ramble; 110 Sage St Bldg C	X		X		X	X	X	
West Village Ramble; 1538 Jade St Bldg A	X		X		X	X	X	
West Village Ramble; 1538 Jade St Bldg B	X		X		X	X	X	
West Village Ramble; 1540 Jade St Bldg A	X		X		X	X	X	
West Village Ramble; 1540 Jade St Bldg B	X		X		X	X	X	
West Village Ramble; 1540 Jade St Bldg C	X		X		X	X	X	
West Village Ramble; 1545 Jade St Bldg A	X		X		X	X	X	
West Village Ramble; 1545 Jade St Bldg B	X		X		X	X	X	
West Village Ramble; 1545 Jade St Bldg C	X		X		X	X	X	
West Village Ramble; 1545 Jade St Bldg D	X		X		X	X	X	

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
West Village Ramble; 1655 Hutchison Pl Bldg B	X		X		X	X	X	
West Village Ramble; 1655 Hutchison Pl Bldg C	X		X		X	X	X	
West Village Ramble; 1655 Jade St Bldg A	X		X		X	X	X	
West Village Ramble; 1721 Hutchison Dr Bldg A	X		X		X	X	X	
West Village Ramble; 1721 Hutchison Dr Bldg B	X		X		X	X	X	
West Village Ramble; 1721 Hutchison Dr Bldg C	X		X		X	X	X	
West Village Ramble; 1739 Hutchison Dr Bldg A	X		X		X	X	X	
West Village Ramble; 1739 Hutchison Dr Bldg B	X		X		X	X	X	
West Village Ramble; 1739 Hutchison Dr Bldg C	X		X		X	X	X	
West Village Ramble; 1743 Hutchison Dr Bldg A	X		X		X	X	X	
West Village Ramble; 1743 Hutchison Dr Bldg B	X		X		X	X	X	
West Village Ramble; 1743 Hutchison Dr Bldg C	X		X		X	X	X	
West Village Ramble; 1743 Hutchison Dr Bldg D	X		X		X	X	X	
West Village Ramble; 301 N. Sage Dr Bldg A	X		X		X	X	X	
West Village Ramble; 301 N. Sage Dr Bldg B	X		X		X	X	X	
West Village Ramble; 301 N. Sage Dr Bldg C	X		X		X	X	X	
West Village Ramble; 301 N. Sage Dr Bldg D	X		X		X	X	X	
West Village Solstice; 1890 Tilia St	X		X		X	X	X	
West Village Solstice; 2075 Jade St	X		X		X	X	X	
West Village Solstice; 2120 Jade St	X		X		X	X	X	
West Village Solstice; 2145 Jade St	X		X		X	X	X	
West Village Solstice; 2150 Tilia St	X		X		X	X	X	
West Village Solstice; 1890 Tilia St	X		X		X	X	X	
West Village Solstice; 1855 Jade St	X		X		X	X	X	
West Village Solstice; 220 Celadon St	X		X		X	X	X	
West Village Solstice; 250 Celadon St	X		X		X	X	X	
West Village Solstice; 255 Celadon St	X		X		X	X	X	
West Village Solstice; 225 Celadon St	X		X		X	X	X	
West Village Solstice; 2035 Jade St	X		X		X	X	X	
West Village Solstice; 2040 Tilia St	X		X		X	X	X	
West Village Solstice; 2080 Tilia St	X		X		X	X	X	
West Village Veridian; 1715 Tilia St	X		X		X	X	X	
West Village Veridian; 1605 Tilia St	X		X		X	X	X	

Residential Facilities	Fire Sprinkler		Fire Alarm System				Fire Separations	
	Full	Partial	Smoke*	Duct	Manual Pull	Evac Device	Corridor	Room
West Village Veridian; 215 Sage St	X		X		X	X	X	
West Village Veridian; 201 Sage St	X		X		X	X	X	
West Village Veridian; 1590 Tilia St	X		X		X	X	X	
West Village Veridian; 1575 Tilia St	X		X		X	X	X	
8 th and Wake North; 1440 Wake Forest Dr	X		X	X	X	X	X	X
8 th and Wake South; 1440 Wake Forest Dr	X		X	X	X	X	X	X

¹Orchard Park Housing Area is currently not occupied, and is slated for destruction.

UC Davis Standard Policy*

- If a building has a fire sprinkler system, the smoke detectors in the sleeping rooms sound locally, while the smoke detectors in the corridors will activate evacuation devices throughout the building and send a signal to the UC Davis Dispatch Center (9-1-1 Operator).
- If a building has no fire sprinkler system, the smoke detectors in the sleeping rooms send a signal to the UC Davis Dispatch Center (9-1-1 Operator) and the smoke detectors in the corridors activate evacuation devices throughout the building.

Fire Separations**

Corridor: Fire-Rated walls in corridors generally have a one-hour fire rating, are located between the corridor and occupied spaces (i.e. Sleeping Rooms), and are designed to prevent the passage of fire and smoke into the corridor for one hour. The corridor is a protected environment permitting building occupants the ability to safely escape the building should a fire occur.

Room: Fire-rated walls in rooms generally have a one-hour fire rating, surround the room, except the exterior wall, and are designed to prevent the passage of fire and smoke between the room and adjacent spaces for one hour.

FIRE DRILLS

Location (Living Area)	# of Buildings
Cuarto (Dorm)	3
Segundo Regan Complex (Dorm)	8
Segundo North (Dorm)	3
Segundo 5 Story Bldgs (Dorm)	4
Tercero North (Dorm)	3
Tercero Kearney/Laben (Dorm)	2
Tercero South (Dorm)	7
Primer Grove (Apts)	4
	34

Fire drills are conducted in all dormitories once per year. The drills generally occur within one month of the start of the fall quarter. The UC Davis Fire Department and Fire Prevention Services conduct the drills in coordination with Student Housing staff. The residents are aware that a fire drill will take place; they are not notified in advance of the date or time of the scheduled drill. When the fire alarm system is activated, all residents are informed that a drill is taking place, and that they are required to exit the building. When this is complete, the Fire Department delivers a 5-7 minute safety talk to the residents and staff.

REPORTING LIST

A list of titles of each person or organization to which students and employees should report that a fire occurred.

From landline or cellular phone, dial 9-1-1 for Emergency Services

UC Davis Dispatch Emergency Number (530) 752-1234

Report to Resident Advisor of Housing Unit

FUTURE IMPROVEMENTS

The UC Davis Fire Department and Facilities Management Department maintain a list of the buildings that will receive system upgrades.

School Year	System	Action	Building	Building Type
2016/2017	All	Build	Tercero Phase 4	4 Story Dormitory
2017/2018	All	Build	Leach Hall Replacement	3 Hall Dormitory

STATISTICS

Statistics for on campus student housing facilities for the three most recent calendar years (2013, 2014, 2015)

DISCLOSURE OF INFORMATION

Residential Facilities	Date	Time	Classification	Cause	Injuries that Required Treatment at Medical Facility	Deaths Related to Fire	Value of Property Damage	Incident Number
Ryerson Hall, 2 nd Floor	2/12/15	15:00	Intentional	Décor on door lit on fire	0	0	\$60	15-0212154
2200 Solano Park	2/18/15	18:18	Unintentional	Cooking/Fryer	0	0	\$550	15-0218164
Malcolm Hall	5/6/15	14:00	Unintentional	Cooking/Stovetop	0	0	\$1,750	15-5060106
Sereno Hall, 2 nd Floor	1/7/14	13:14	Undetermined	Trash Can	0	0	\$0	14-0107060
4000 Solano Park	10/08/14	20:05	Unintentional	Cooking/Stovetop	0	0	\$0	14-0108156
Domes #9	10/09/14	18:40	Unintentional	Cooking/Stovetop	0	0	\$0	14-1009164
Bixby Hall, 3 rd Floor	12/05/14	08:47	Unintentional	Cooking/Oven	0	0	\$180	14-2050050
3200 Solano Park	4/16/13	10:07	Unintentional	Cooking/Microwave	0	0	\$200	13-0001278

A current list of fires that have occurred at on-campus student housing facilities is available on the Safety Services [website](#). A hard copy is maintained in the reception office of Safety Services, Room 276 Hoagland Hall and is available during business hours, 8:00 a.m. – 5:00 p.m., Monday-Friday.

APPENDIX A





Sexual Violence and Sexual Harassment

[Para la traducción en Español, oprima aquí](#)

[中國版本, 請按這裡](#)

Academic Officer:	Vice Provost – Academic Personnel and Programs
Academic Office:	APP – Academic Personnel and Programs
Student Officer:	VP – Student Affairs
Student Office:	SA – Student Affairs
Staff Officer:	VP – Human Resources
Staff Office:	HR – Human Resources
Issuance Date:	1/1/16
Effective Date:	1/1/16
Last Review Date	6/7/15
Scope:	This Policy applies to all University employees as well as undergraduate, graduate, and professional students (hereafter referred to as “students”). The policy applies at all University campuses, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, Agriculture and Natural Resources, and to all University programs and activities.

For assistance with incidents of sexual violence, sexual harassment, dating violence, domestic violence, and stalking, please contact your Title IX Officer. If you are a student and desire confidential assistance contact your local CARE Advocate. Local resource information can be found at <http://sexualviolence.universityofcalifornia.edu/get-help/index.html>.

I. POLICY SUMMARY

The University of California is committed to creating and 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. Every member of the community should be aware that the University prohibits sexual violence and sexual harassment, retaliation, and other prohibited behavior (“Prohibited Conduct”) that violates law and/or University policy. The University will respond promptly and effectively to

reports of Prohibited Conduct and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy on Sexual Violence and Sexual Harassment (hereafter referred to as *Policy*).

This *Policy* addresses the University of California’s responsibilities and procedures related to Prohibited Conduct in order to ensure an equitable and inclusive education and employment environment free of sexual violence and sexual harassment. The *Policy* defines conduct prohibited by the University of California and explains the administrative procedures the University uses to resolve reports of Prohibited Conduct.

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FOR QUESTIONS ABOUT THIS *POLICY*, PLEASE CONTACT:

	Academic	Student	Staff
Contact	Janet Lockwood	Eric Heng	Rachael Howard
Email:	Janet.Lockwood@ucop.edu	Eric.Heng@ucop.edu	Rachael.Howard@ucop.edu
Phone:	(510) 987-9499	(510) 987-0239	(510) 987-9859

II. DEFINITIONS

A. **Consent**

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

The [Respondent](#)'s belief that the [Complainant](#) consented shall not provide a valid excuse where:

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. due to the influence of drugs, alcohol, or medication, unable to understand the fact, nature, or extent of the sexual activity; or
 - c. unable to communicate due to a mental or physical condition.

B. Prohibited Conduct

1. Sexual Violence:

- a. **Sexual Assault - Penetration:** Without the consent of the Complainant, penetration, no matter how slight, of the vagina, anus, or mouth by a penis; or the vagina or anus by any body part or object.
- b. **Sexual Assault - Contact:** Without the consent of the Complainant, touching an intimate body part (genitals, anus, groin, breast, or buttocks) (i) unclothed or (ii) clothed.

Note: As this definition encompasses a broad spectrum of conduct, not all of which constitutes sexual violence. The Title IX Officer will determine whether the allegation should be treated as sexual violence or sexual harassment. (See FAQ #4 for more information)

Note: Sexual Assault--Penetration and Sexual Assault - Contact are aggravated when it includes the following:

- Overcoming the will of Complainant by:
 - *force* (the use of physical force or inducing reasonable fear of immediate or future bodily injury);
 - *violence* (the use of physical force to cause harm or injury);
 - *menace* (a threat, statement, or act showing intent to injure);
 - *duress* (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship, to do or submit to something that they would not otherwise do).
 - deliberately causing a person to be incapacitated (through drugs or alcohol);
- Intentionally taking advantage of the other person's incapacitation (including voluntary intoxication).
- Recording, photographing, transmitting, or distributing intimate or sexual images without the prior knowledge and consent of the parties involved.

c. **Relationship Violence:**

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

ii. **Domestic Violence:**

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

d. **Stalking:** Repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking of a non-sexual nature is addressed by other University policies including but not limited to the [Policy on Student Conduct and Discipline Section 102.10](#).

2. **Sexual Harassment:**

a. Sexual Harassment is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal or physical conduct of a sexual nature when:

i. *Quid Pro Quo:* a person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program; or

ii. *Hostile Environment:* such conduct is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs and services of the University and creates an environment that a reasonable person would find to be intimidating or offensive.

b. Consideration is given to the totality of the circumstances in which the conduct occurred. Sexual harassment may include incidents:

i. between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients);

ii. in hierarchical relationships and between peers; and

iii. between individuals of any gender or gender identity.

- c. This *Policy* shall be implemented in a manner that recognizes the importance of the rights to freedom of speech and expression and shall not be interpreted to prohibit expressive conduct that is protected by the free speech and academic freedom principles discussed in Section III.F.

3. Other Prohibited Behavior

- a. Invasions of Sexual Privacy
 - i. Without a person’s consent, watching or enabling others to watch that person’s nudity or sexual acts in a place where that person has a reasonable expectation of privacy;
 - ii. Without a person’s consent, making photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material depicting that person’s nudity or sexual acts in a place where that person has a reasonable expectation of privacy; or
 - iii. Using depictions of nudity or sexual activity to extort something of value from a person.
- b. Sexual intercourse with a person under the age of 18.
- c. Exposing one’s genitals in a public place for the purpose of sexual gratification.
- d. Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under this *Policy*.

C. Retaliation Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of Prohibited Conduct or participation in the investigation, report, remedial, or disciplinary processes provided for in this *Policy*.

D. Other Definitions

1. Confidential Resources:

The following employees who receive reports in their confidential capacity include:

- a. CARE Advocates,
- b. Ombuds,
- c. Licensed counselors in student counseling centers and in employee assistance programs,
- d. Any persons with a professional license requiring confidentiality (including health center employees but excluding campus legal counsel), or someone who is supervised by such a person.

Designation as a “Confidential Resource” for purposes of this *Policy* only exempts a person from reporting to the Title IX office but not from other mandatory reporting obligations under UC CANRA (Child Abuse and Neglect Reporting Act) Policy, the Clery Act as a Campus Security Authority (CSA), and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

2. **Complainant:** Any person who files a report of sexual violence or sexual harassment or other prohibited behavior or retaliation or any person who has been the alleged subject of such Prohibited Conduct or retaliation.
3. **Location:** “Location” is any University of California campus, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.
4. **Preponderance of Evidence:** A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.
5. **Respondent:** A person alleged to have engaged in Prohibited Conduct and about whom a report of sexual violence, sexual harassment, other prohibited behavior, or retaliation is made.
6. **Responsible Employee:** Any University employee who is not a Confidential Resource and who receives, in the course of employment, information that a student (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited behavior shall 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 any of them in their capacities as employees.

In addition, the following who, in the course of employment, receive a report of Prohibited Conduct from any other person affiliated with the University shall notify the Title IX Officer or designee:

- Campus Police
- Human Resource Administrators, Academic Personnel, and Title IX Professionals
- Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units (ORU)
- Faculty members

III. POLICY STATEMENT

A. **General**

The University of California is committed to creating and maintaining a community free of sexual violence and sexual harassment. Sexual violence and sexual harassment violate both law and University policy. Any member of the University community may report conduct that may constitute sexual violence, sexual harassment, retaliation, and other prohibited behavior (“Prohibited Conduct”). The University will respond promptly and equitably to such reports, and will take appropriate action to stop, prevent, and remedy the Prohibited Conduct, and when necessary, to discipline the Respondent.

In addition to sexual harassment, discrimination based on sex, gender, gender identity, gender expression, sex- or gender-stereotyping, and sexual orientation violates law and other University policies. Such discrimination may also contribute to the creation of a hostile work or academic environment based on sex and thus constitute or contribute to sexual harassment. Harassment that may not be sexual, but still contributes to a hostile work or academic environment, may also violate the University’s other non-discrimination policies.

B. Prohibited Conduct

This Sexual Violence and Sexual Harassment Policy (“*Policy*”) prohibits sexual violence, sexual harassment, retaliation and other prohibited behavior as defined in Section II.

C. Consensual Relationships

While romantic and sexual relationships between members of the University community may begin as consensual, instances of Prohibited Conduct may occur within such relationships. Accordingly, a report of Prohibited Conduct that occurs within the context of a consensual relationship will be treated as any other report.

Because consensual romantic and sexual relationships between members of the University community may give rise to conflicts of interest, such relationships between a student and faculty member or other employees or between employees are also subject to other University policies, such as [The Faculty Code of Conduct](#), APM-015.II.A.6 & 7 and local policies.

D. Protection of Complainants, Respondents, and Witnesses

1. **Immunity**: To encourage reporting, neither a Complainant nor witness in an investigation of sexual violence will be subject to disciplinary sanctions for a violation of the relevant University conduct policy at or near the time of the incident, unless the violation placed the health or safety of another at risk; involved plagiarism, cheating, or academic dishonesty; or was otherwise egregious.

Because alcohol, drugs, and other intoxicants are often involved, Complainants may be afraid to report Prohibited Conduct where they have also engaged in an activity that violated University policy or State law, such as a person under age 21 drinking alcohol. UC encourages the reporting of Prohibited Conduct and therefore generally does not hold Complainants and/or witnesses accountable for alcohol or drug-related student violations that may have occurred at the time of the Prohibited Conduct.

2. **Retaliation**: Retaliation against someone for reporting or participating in an investigation and related processes is prohibited. (See Section II.B. Prohibited Conduct in this *Policy*.)
3. **Privacy**: The University will protect the privacy of individuals involved in a report of Prohibited Conduct to the extent permitted by law and by University policy and procedures. However, it should be recognized that an investigation may involve interviews with a number of persons to inquire if they have relevant evidence, and extremely sensitive information may be gathered. While such information is considered confidential, University policy may also require the disclosure of certain information during or following an investigation.

E. Free Speech and Academic Freedom

The faculty and other academic appointees, staff, and students of the University of California enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. This *Policy* is intended to protect members of the University community from discrimination, not to regulate protected speech. This *Policy* shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.

The University also has a compelling interest in free inquiry and the collective search for knowledge and thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this *Policy* shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums (See APM-010 and 015.)

However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or State anti-discrimination laws.

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy

Executive Officers (the University President, Chancellor, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) and their designees, have the authority to develop procedures and supplementary information to support the implementation of this *Policy*. Responsible Officers (Vice Provost-Academic Personnel and Programs, the Vice President of Student Affairs and Vice President of Human Resources) will apply appropriate and consistent interpretations of this *Policy* that do not result in substantive changes to the *Policy*.

The Executive Officer, or their designee, at each location, must establish and implement local procedures consistent with this *Policy*. Exceptions to local procedures required by the *Policy* must be approved by the Executive Officer or designee.

B. Revisions to the Policy

The President approves this *Policy* and any revisions. The Responsible Officers may recommend revisions to the *Policy* consistent with approval authorities and applicable Bylaws, Standing Orders, and Policies of The Regents. The UC Provost and Executive Vice President of Academic Affairs, and the UC Executive Vice President – Chief Operating Officer shall ensure that the *Policy* is reviewed regularly and updated in a manner that is consistent with other University policies.

C. Approval of Actions

Actions within the *Policy* must be approved according to local procedures.

D. Compliance with the Policy

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting *Policy* compliance. The Senior Vice President – Chief Compliance and Audit Officer will periodically audit and monitor compliance with the *Policy*.

E. Additional Enforcement Information

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate reports of unlawful

harassment, and sexual violence in employment. The U.S. Department of Education Office for Civil Rights (OCR) investigates reports of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as fact finders and attempt to facilitate the voluntary resolution of disputes. For more information, contact the nearest office of the EEOC, DFEH or OCR.

F. Noncompliance with the Policy

Engaging in Prohibited Conduct, defined in this *Policy*, is governed by this *Policy* and the [Policy on Student Conduct and Discipline](#); Personnel Policies for Staff Members [61](#), [62](#), [63](#), [64](#), [65](#), & [67](#) pertaining to discipline and separation matters; [The Faculty Code of Conduct \(APM - 015\)](#) and [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#); [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM-150\)](#); and as applicable, collective bargaining agreements, and other policies. See Section VI and Appendices I & II. Non-compliance with this *Policy*, other than violations of Prohibited Conduct, may result in educational efforts or employment or educational consequences up to and including informal counseling, adverse performance evaluations, corrective actions, and termination.

V. REQUIRED PROCEDURES

A. Procedures for Reporting and Responding to Reports of Prohibited Conduct

This section provides an overview of the procedures the University uses to respond to reports of Prohibited Conduct. While the Title IX Officer has general responsibility for oversight of the reporting process and investigation of a report, other offices at each location will be involved and consulted as necessary.

1. Reporting

Any person may make a report, including anonymously, of Prohibited Conduct to the Title IX Officer, 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 forward 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.

Timelines for Making Reports

While there is no time limit for reporting, reports of Prohibited Conduct should be brought forward as soon as possible; all incidents should be reported even if significant time has elapsed but prompt reporting will better enable the University to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate.

2. Initial Assessment of a Report

As soon as practicable after receiving a report, the Title IX Officer will make an initial assessment of the report to determine whether (i) the report, on its face, alleges an act of Prohibited Conduct as defined in Section II; and (ii) such conduct has a sufficient nexus with the University for it to intervene. The Title IX Officer may consult with appropriate academic officers for faculty and other academic appointees' complaints, with Student Affairs Offices for student complaints, and with Human Resources, or Employee and Labor Relations Offices for staff complaints.

a. Immediate Health and Safety: The Title IX Officer, in coordination with the Case Management Team (see Section V.B.5.), shall make an immediate assessment concerning the health and safety of the individual and the campus community, implement temporary remedies immediately necessary (including no contact orders), and provide to the Complainant a written explanation of rights and reporting options (including the right to make reports to the police), and available campus and community resources. Also see Location Responsibilities in Section V and Appendix III.

b. Jurisdiction over Reports of Prohibited Conduct

The University has jurisdiction over alleged violations of this *Policy* that occur on University property (such as offices and residence halls) or in connection with University activities, programs, or events. In addition, the University may exercise jurisdiction over conduct that occurs off-campus (i) but affects the learning or working environment; or (ii) that would violate other University Policies had it occurred on campus, (see [Section 101.00 of the Policy on Student Conduct and Discipline](#)).

3. Required Notifications

a. Individuals making reports shall be informed about:

- confidentiality of reports, including when reports cannot be kept confidential.
- the range of possible outcomes of the report, including Health and Safety measures, remedies, and disciplinary actions that may be taken against the Respondent, and information about the procedures leading to such outcomes.

b. If the report results in a Formal Investigation see Section V.4.b., after the conclusion of the investigation, the Complainant and Respondent will be simultaneously informed in writing of:

- the outcome of the investigation and its rationale;
- any available appeal rights and procedures; and
- how to obtain a copy of the Investigation Report, which may be redacted as necessary to protect privacy rights. (See APM-160 and other University policies governing privacy.)

c. If the matter results in a disciplinary proceeding, at the conclusion of that proceeding the Complainant and the Respondent will be simultaneously informed in writing of:

- the outcome of the disciplinary proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed, and the rationale for the results;
- any available appeal rights and procedures; and
- any subsequent change to the results and when results will become final.

The Complainant will be sent a notice documenting any individual remedies offered to the Complainant, and other steps taken to eliminate the effects of the violation. The Respondent will be informed of no contact orders affecting them, but should not be notified of other individual remedies offered or provided to the Complainant.

4. Overview of Resolution Processes

Reports of Prohibited Conduct may be addressed through Alternative Resolution, Formal Investigation or, a separate employee grievance or complaint process.

a. Alternative Resolution

After a preliminary assessment of the facts, and, if useful, in consultation with other offices depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, student employees, or students, the Title IX Officer may initiate an Alternative Resolution process, which may include:

- mediation (except in cases of sexual violence);
- separating the parties;
- providing for safety;
- referring the parties to counseling;
- referral for disciplinary action;
- a settlement agreement;
- conducting targeted preventive educational and training programs; and
- conducting a follow-up review to ensure that the resolution has been implemented effectively.

Alternative Resolution may be especially useful when: a report is made by a third party or anonymously; a Formal Investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious violations. The Complainant has the right to request a Formal Investigation at any time, but the Title IX Officer has final authority for determining whether to initiate a Formal Investigation. Both the Complainant and Respondent may be accompanied by an advisor throughout the process.

b. Formal Investigation

If Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may initiate a Formal Investigation (“investigation”) in coordination with other offices, depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, or students. A Complainant’s request for an investigation will be considered but is not determinative.

If the Complainant requests that no investigation occur, the Title IX Officer shall determine whether the allegations nonetheless require an investigation to mitigate a potential risk to the campus community. If proceeding with an investigation without the participation of a Complainant, the Title IX Officer shall attempt to maintain the identity of the Complainant confidential from the Respondent or inform the Complainant that such confidentiality cannot be maintained. If determining not to proceed with an investigation, the Title IX Officer shall inform the Complainant that the ability to provide remedies may be limited, but the Title IX Officer shall nonetheless afford such remedies as are consistent with maintaining confidentiality and the absence of an administrative finding.

When the Title IX Officer determines to conduct a Formal Investigation, the Complainant and Respondent will be provided with a written summary of the allegations, the procedures that will be followed, resources available to them, and a copy of the *Policy*.

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The investigation shall be completed promptly, typically within 60 business days of its initiation, unless extended by the Title IX Officer for good cause followed by written notice to the Complainant and Respondent of the reason for the extension and the projected new timeline. If the alleged conduct is also the subject of a criminal investigation, the Title IX Office will coordinate its investigation with the police but must nonetheless act promptly without delaying its investigation until the conclusion of the criminal investigation.

The investigation generally includes interviews with the Complainant, the Respondent, and witnesses, if available, and a review of documents as appropriate. Disclosure of facts to persons interviewed shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be advised to maintain confidentiality when essential to protect the integrity of the investigation.

The Complainant or Respondent may have an advisor present when personally interviewed and at any related meeting. Other support persons may be allowed under other policies. Other witnesses may have an advisor present at the discretion of the investigator or as required by University policy or collective bargaining agreement.

In cases where the investigation contemplates issues of academic merit or academic freedom, the investigator shall consult with the appropriate academic officer for relevant academic judgment.

c. Grievance/Complaint Procedures for Employees

Instead of, or in addition to, reporting to the Title IX Officer or other Responsible Employee, a University employee who believes they have been subjected to Prohibited Conduct 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*. After completion of the process under this *Policy*, the grievance or complaint may be reactivated but *only* as a means of appeal.

5. The Investigation Report

In the event that a Formal Investigation is conducted, the investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the Complainant and Respondent, a summary of the evidence, an explanation why any proffered evidence was not investigated, and findings of fact and an analysis of whether a violation has occurred. When both parties are students, the report will include a recommendation to the Student Conduct Officer regarding whether there are any policy violations. (See [Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework](#).) For all other matters the report will include an analysis and determination by the investigator of whether this *Policy* has been violated. The investigator will apply the preponderance of evidence standard.

6. Remedy

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- a. If the Report finds Prohibited Conduct in violation of this *Policy*, the University shall take prompt and effective steps reasonably calculated to stop the violation, prevent its recurrence, and, as appropriate, remedy its effects. For a list of available remedies, see Appendix III.
- b. To the extent that the remedy has not already been provided, the Title IX Officer, in consultation with appropriate administrators, will oversee the implementation of this remedy.

7. Discipline

- a. The Title IX Officer shall forward the Investigation Report (with attachments and any necessary redactions) to the appropriate administrator responsible for discipline. The specific procedures for imposing discipline depend upon the nature of the Respondent's relationship to the University (student, faculty, other academic appointee, staff, or third party). If there is a question about the Respondent's relationship to the University, the Title IX Officer should indicate which role predominated when the Respondent engaged in the Prohibited Conduct. When a Respondent is both a student and an employee (such as a Teaching Assistant or Graduate Student Researcher), the Respondent may be subject to both the sanctions applicable to students and to employees.
- b. Any member of the University community who is found to have engaged in Prohibited Conduct (Section II) may be subject to disciplinary action, up to and including dismissal in accordance with the applicable University disciplinary procedure (Appendix II: University Disciplinary Procedures) or other policy.

B. Location Responsibilities

Each location must do the following:

1. Designate and provide adequate resources and independence to a Title IX Officer. The responsibilities of the Title IX Officer include, but may not be limited to, the following duties:
 - a. Coordinate compliance with Title IX, including investigations, reports and remedies.
 - b. Coordinate with other responsible units to ensure that local sexual violence and sexual harassment prevention education and training programs are offered and provided, as required by the *Policy*.
 - c. Provide educational materials to promote compliance with the *Policy* and familiarity with local reporting procedures.
 - d. Provide training for University employees who are responsible for reporting or responding to reports of Prohibited Conduct.
 - e. Provide prompt and equitable response to reports of Prohibited Conduct according to the *Policy*.
 - f. Maintain records of reports of Prohibited Conduct at the location, as well as any actions taken in response to reports, including records of investigations, resolutions, and disciplinary action, in accordance with University records management policies.
 - g. Identify and address any patterns or systemic problems that arise during the review of Prohibited Conduct reports.

- h. Post on the sexual violence website the names and contact information of the Title IX Officer and of additional designated, trained, sexual harassment or sexual violence advisors.
2. Designate persons who can offer confidential consultations, without reporting the incident to the Title IX Officer, to any member of the University community seeking information, or advice about making a report of Prohibited Conduct. Each location will post information about how and where to contact confidential resources on its web site.

Individuals who consult with such confidential resources will be advised that their discussions in these settings are *not* considered actual reports of Prohibited Conduct and that without additional action by the individual, these discussions will not result in any formal action by the University to resolve their concerns.

3. Establish an independent, confidential Advocacy Office for addressing sexual assault, dating violence, domestic violence, and stalking called *CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct*.
4. Provide a “Respondent Services Coordinator” that facilitates fair and equitable services for the Respondent.
5. Establish a response team model consisting of two teams:
 - a. A Case Management Team (CMT) which maintains consistent coordination of reported sexual violence cases, ensures all cases are addressed promptly and equitably, and ensures the response is trauma-informed; and
 - b. A Coordinated Community Review Team (CCRT) responsible for a campus collaborative approach to preventing and addressing sexual violence. The CCRT serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention and response to sexual violence.

Note: The requirements of #3, 4, and 5 above are for locations with students only. However, ANR, UCOP, and LBNL should coordinate delivery of these services with associated campuses or affiliated organizations.

6. Provide mandatory annual training and education, about Prohibited Conduct and how such conduct can be reported, to all students, faculty, other academic appointees, and staff in accordance with applicable State and federal law, and University policies.

Offer primary prevention programs and awareness campaigns to the University community to promote ongoing awareness of sexual violence, including preventing dating violence, domestic violence, sexual assault, and stalking. These campaigns will include, but are not limited to, education about the definition of consent, consensual relationships, options for bystander intervention, trauma-informed approaches, and risk reduction awareness information. These programs are to promote behaviors that foster healthy and respectful relationships while also

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encouraging a safe environment for bystanders to intervene in a potential case of dating violence, domestic violence, sexual assault, or stalking.

7. Follow University established and approved processes for investigation, adjudication, and sanctioning.
8. Provide comprehensive, regular training with a trauma-informed perspective for individuals 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.
9. Publicize a location-specific process for reporting incidents of Prohibited Conduct.
10. Provide written explanation of rights and available options as outlined in this *Policy* including:
 - a. How and to whom to report alleged violations.
 - b. Options for reporting to and/or notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement authorities, if the Complainant so chooses; and the right to decline to notify such authorities.
 - c. The rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar orders issued by criminal or civil courts, as well as the University's responsibilities to comply with such orders.
 - d. The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
 - e. Counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, and other services available within both the University and the community.
 - f. Options for, and available assistance to change academic, living, transportation, and working situations, if the Complainant requests and if such options are reasonably available—regardless of whether the Complainant chooses to report the crime to campus police or local law enforcement.
 - g. Applicable procedures for institutional disciplinary action.
11. Distribute and post this *Policy*. Each location is required to distribute this *Policy* to students, faculty, other academic appointees and staff, by such means as websites, student information boards, student handbook, faculty handbook and staff websites and information boards and during training and student orientation.

VI. RELATED INFORMATION

- A. [University of California Standards of Ethical Conduct](#)
- B. [University of California Statement of Ethical Values](#)

Academic Personnel Manual

- A. [Academic Personnel Manual \(APM\) Section 015](#), The Faculty Code of Conduct
- B. [Academic Personnel Manual \(APM\) Section 016, University Policy on Faculty Conduct and the Administration of Discipline](#)
- C. [Academic Personnel Manual \(APM\) Section 035, Affirmative Action and Nondiscrimination in Employment](#)
- D. [Academic Personnel Manual \(APM\) Section 140](#), Non-Senate Academic Appointees/Grievances
- E. [Academic Personnel Manual \(APM\) Section 150](#), Non-Senate Academic Appointees/Corrective Action and Dismissal
- F. [Academic Personnel Manual \(APM\) Section 160](#), Academic Personnel Records/Maintenance of, Access to, and Opportunity to Request Amendment of

Presidential Policies and Guidelines

- A. [Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters](#)
- B. [Personnel Policies for Staff Members 12 \(Nondiscrimination in Employment\)](#)
- C. [Business and Finance Bulletin RMP-2: Records Retention and Disposition: Principles, Processes, and Guidelines](#)
- D. [Policy on Student Conduct and Discipline](#)
- E. [Student-Related Policy Applying to Nondiscrimination on the Basis of Sex](#)
- F. [University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment](#)
- G. [UC Business and Finance Bulletin RMP-8, Legal Requirements on Privacy of and Access to Information](#)
- H. [University of California Policies Applying to Campus Activities, Organizations, and Students](#)
- I. [University of California Non-Discrimination Policy](#)

Federal and State Regulations

- A. [Government Code 12950.1](#)
- B. [Violence Against Women Reauthorization Act \(VAWA\) of 2013](#)

VII. FREQUENTLY ASKED QUESTIONS

1. **Who can be considered an advisor as described in this Policy?**

An advisor includes any individual except a potential witness who provides the Complainant or Respondent with support, guidance, or advice (including attorneys). The institution cannot limit the choice of an advisor, but may restrict the extent to which the advisor can participate in the proceedings as long as the restrictions apply equally to Complainants and Respondents.

2. **What is a “result” or “outcome” of a disciplinary proceeding?**

A result or outcome includes a written description of any initial, temporary, and final decision made by any authorized person, which aims to resolve a disciplinary matter. The result must disclose any **sanctions** imposed and **the rationale for the result and the sanctions**.

3. **How is “nudity” defined for the purposes of this Policy?**

“Nudity” means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person.

4. **Why might Sexual Contact constitute sexual violence in some cases but sexual harassment in others?**

Sexual contact encompasses a broad spectrum of conduct, some of which constitutes sexual assault, but some of which is treated as sexual harassment. One example of sexual contact that could be considered as sexual assault is when a Respondent is accused of groping the Complainant's breast under the Complainant's clothing and without consent. By contrast, an allegation that the Respondent patted the Complainant's buttocks over the Complainant's clothing could be considered under the sexual harassment definition. While the example of groping might be resolved through a Formal Investigation, the patting example would generally be handled through Alternative Resolution. The Title IX Officer will review all sexual contact allegations to determine the best procedure for resolving the report based on the totality of the circumstances.

5. **Does Sexual Assault also include “rape” and “sexual battery” as those terms are used in the criminal law context?**

Yes. The types of conduct prohibited by this Policy include “rape” and “sexual battery” as defined in the Penal Code. This Policy also prohibits additional types of nonconsensual sexual contact. For additional assistance with any questions about whether a specific type of conduct violates this Policy, or the law, please contact your local CARE Advocate, UC Police, or Title IX Officer.

6. **If an incident of sexual harassment or sexual violence is reported to the Title IX Officer by a third party who was not the subject of the alleged conduct, must that party be notified of the outcome of an investigation or disciplinary proceeding?**

No. The disclosure of the outcome should be given to the Respondent and the individual who was the subject of the alleged conduct.

7. Once the outcome of an investigation or disciplinary proceeding under this *Policy* is disclosed to the Complainant, can the Complainant be asked to keep this information confidential?

The Complainant can be advised of the confidential and sensitive nature of personnel and student disciplinary matters that arise under this *Policy*, and in appropriate circumstances, such as in connection with a settlement of a matter, may be asked not to further disclose it.

8. Does the University need to conduct a Title IX investigation if a criminal investigation is taking place?

A criminal investigation is intended to determine whether an individual violated criminal law; and, if at the conclusion of the investigation, the individual is tried and found guilty, the individual may be imprisoned or subject to criminal penalties. The University has a duty under Title IX to resolve complaints promptly and equitably and to provide a safe and nondiscriminatory environment for all students, free from sexual harassment and sexual violence. Because the purposes and the standards for pursuing and completing criminal investigations are different from those used for Title IX investigations, the termination of a criminal investigation without an arrest or conviction does not affect the location's Title IX obligations. Even if a criminal investigation is ongoing, the University must still conduct its own Title IX investigation. The University should notify Complainants of the right to file a criminal complaint and should not dissuade a Complainant from doing so either during or after the location's internal Title IX investigation. Title IX does not require a location to report alleged incidents of sexual violence to law enforcement, but the University has reporting obligations under federal, State, or local laws, such as the Clery Act and the California Child Abuse and Neglect Reporting Act (CANRA), and may report alleged incidents of sexual violence to law enforcement pursuant to memoranda of understandings between the University and the police.

9. How should the University proceed when campus or local law enforcement agencies (“police”) are conducting a criminal investigation while the University is conducting a parallel Title IX investigation?

If the alleged conduct by the Respondent is also the subject of a criminal investigation, the Title IX Office will coordinate its investigation with the police. The fact-finding portion of a Title IX investigation may be delayed temporarily while the police are gathering evidence. During this delay in the Title IX investigation, appropriate interim measures may be put in place to protect the Complainant. The length of time for evidence gathering by criminal investigators will vary depending on the specific circumstances of each case.

10. Is the University required to investigate information regarding sexual violence incidents shared by survivors during public awareness events, such as “Take Back the Night”?

Responsible employees are not required to report incidents that they become aware of while attending a public awareness event, such as “Take Back the Night” and statements made about incidents during such events will not require an investigation unless the survivor initiates a complaint.

11. Why is the University mandating annual training and education in the areas of sexual violence and sexual harassment?

One of the seven recommendations from the President’s Task Force on Preventing and Responding to Sexual Violence and Sexual Assault was to develop a comprehensive training and education plan for students, faculty, other academic appointees, and staff in order to encourage behavioral change to help reduce violence, build a culture of trust, and increase the safety of all populations on campus. In addition, there have been changes to this Policy, as well as local procedures, for responding to complaints of Prohibited Conduct that all members of our community need to be aware of. Based on the advice and experience of prevention education staff on each campus, the Task Force recommended training at regular intervals. The University intends to implement annual training and education for a five-year period, then evaluate its effectiveness and whether the training interval should be adjusted.

VIII. REVISION HISTORY

Future revisions to this policy will be circulated under standard procedures for Presidential Policies; in the case of this policy, the review will include circulation under the standard Academic Personnel Manual (APM) process, with final authority resting with the President.

June 17, 2015 – The policy was updated on an Interim basis effective until December 31, 2015. The interim issuance brings the policy into compliance with federal and state regulations, while the Policy undergoes full review and vetting. Once the review process is complete, the policy will be reissued at the start of 2016.

February 25, 2014 - This policy was reformatted into the standard University of California policy template effective.

As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:

- University of California Policy on Sexual Harassment, dated February 10, 2006
- University of California Procedures for Responding to Reports of Sexual Harassment, dated December 14, 2004
- University of California Policy on Sexual Harassment and Complaint Resolution Procedures, dated April 23, 1992
- University of California Policy on Sexual Harassment and complaint Resolution Procedures, dated March 10, 1986

APPENDIX I: Applicable Complaint Resolution and Grievance Policies

Academic Personnel:

Members of the Academic Senate

[Senate Bylaw 335](#)

Non-Senate Academic Appointees

[APM - 140](#)

Exclusively Represented Academic Appointees

Applicable collective bargaining agreement

Students:

[Policies Applying to Campus Activities, Organizations and Students, Section 110.00](#)

Staff Personnel:

Senior Managers

[PPSM II-70](#)

Managers and Senior Professionals,
Salary Grades VIII and IX

[PPSM 71](#)

Managers and Senior Professionals,
Salary Grades I – VII

[PPSM 70](#)

Professional and Support Staff

[PPSM 70](#)

Exclusively Represented Staff Personnel

[Applicable collective bargaining agreement](#)

Lawrence Berkeley National Laboratory Employees

[Applicable Laboratory policy](#)

All members of the University community:

The [University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities \(Whistleblower Policy\)](#) governs the reporting and investigation of violations of state or federal laws or regulations, including sexual harassment.

All University employees and applicants for employment:

The University's Whistleblower Protection Policy provides a complaint resolution process for employees and applicants for employment who have been subjected to retaliation as a result of having made a protected disclosure under the Whistleblower Policy or refused to obey an illegal order.

APPENDIX II: University Disciplinary Procedures

The following are the University's disciplinary procedures:

- A. [The Faculty Code of Conduct \(APM - 015\)](#) (as approved by the Assembly of the Academic Senate and by The Regents) Establishes the ethical and professional standards which University faculty are expected to observe. Because the forms of unacceptable behavior listed in *The Faculty Code of Conduct* also apply to sexual violence or sexual harassment, a violation of the University's *Policy on Sexual Harassment and Sexual Violence* may constitute a violation of the *Faculty Code of Conduct*. The [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#), as approved by the Assembly of the Academic Senate and by The Regents, outlines sanctions and disciplinary procedures for faculty.
- B. Provisions of the policy on [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM - 150\)](#) (non-exclusively represented academic appointees) and collective bargaining agreements (exclusively represented academic appointees) allow for corrective action or dismissal for conduct which violates University policy.
- C. [Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Framework](#) of the *Policies Applying to Campus Activities, Organizations, and Students* sets forth the University's procedures for resolving complaints of sexual violence and sexual harassment where the parties are both students, including the discipline of students found in violation of University Policy. See also, the [Policy on Student Conduct and Discipline](#).
- D. Provisions of the [Personnel Policies for Staff Members](#), and the Lawrence Berkeley National Laboratory personnel policies (applicable to non-exclusively represented staff employees), and collective bargaining agreements (applicable to exclusively represented staff employees) prohibit conduct that violates University policy for sexual violence or sexual harassment and provide for disciplinary action for violating University policy.
 - [PPSM-62: Corrective Action](#)
 - [PPSM-63: Investigatory Leave](#)
 - [PPSM-64: Termination of Career Employees – Professional and Support Staff](#)
 - [PPSM-65: Termination of Career Employees - Managers & Senior Professionals, Salary Grades I through VII](#)
 - [PPSM-67: Termination of Career Employees – Managers & Senior Professionals, Salary Grades VIII and IX](#)
 - [PPSM II-64: Termination of Appointment](#)

Sexual Violence and Sexual Harassment

APPENDIX III – Interim Measures and Remedies

Remedies include:

- i. *Campus Services Generally*: academic support including tutoring, counseling, disability services, health and mental health services, family planning services, survivor advocacy, housing assistance, legal assistance, information about the right to report a crime to campus or local law enforcement, and written materials prepared by the Title IX Officer pursuant to V.B of the *Policy*.
- ii. *Campus Services Modified For Students*:
 - If a campus service is not generally available or a fee is imposed, access may be arranged or fees waived when appropriate.
 - Comprehensive, holistic survivor services including additional medical, counseling and academic support services.
 - Any other accommodations or interim measures that are reasonably available once a Complainant has requested them.
- iii. *Additional Educational Remedies for Students*:
 - Change advisors, class sections and similar schedule adjustments.
 - Arrange extra time to complete academic requirements of a class or program, to re-take a class or withdraw from a class and to do without an academic or financial penalty if the University delayed such accommodations after it reasonably should have known of the violation.
 - Review any disciplinary actions taken against the Complainant subsequent to the alleged violation to determine whether there is a causal connection between the violation and the Complainant's misconduct.
- iv. *Remedies Available to Employees, Including Student Employees*:
 - Change to a different workstation, schedule, work location, unit, department, or position for which the employee is qualified provided that, in the case of a Complainant the change is voluntary and equitable.
- v. *Training and Education of the Respondent*: The Respondent may be required to undergo training, including sexual harassment prevention training, anger management training, and periodic refresher classes.
- vi. *No Contact Remedies*:
 - Complainant and Respondent Options:
 - a) The Title IX Officer will ensure the Complainant and Respondent have been notified of options to avoid contact and assist the Complainant and Respondent to change academic and extracurricular activities or living, transportation, dining, and working situations as appropriate,
 - b) Assist the Complainant and Respondent to apply for no contact orders; and,

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- c) When appropriate, arrange for effective escort services to ensure that the Complainant and Respondent can move safely between classes and activities.
 - Respondent's Restrictions (some of which may be recommended by Title IX Officer, all of which may be implemented by agreement, and the more serious of which may be imposed only pursuant to Discipline):
 - a) 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;
 - b) Moving the Respondent to a different residence hall;
 - c) Forbidding the Respondent to participate in specific athletic or extracurricular events or social clubs (including fraternities or sororities);
 - d) Requiring that the Respondent observe no contact orders from the Complainant for a period of time (up to the Complainant's graduation or other departure from the campus) via scheduling or class changes;
 - e) Prohibiting the Respondent from attending classes for a period of time, or transferring the Respondent to another campus; and
 - f) If a Respondent presents an ongoing safety risk, excluding the Respondent from campus.
- vii. Other Remedies devised by the Title IX Officer or Other Administrator.**

APPENDIX B



UC Davis Policy and Procedure Manual

Chapter 400, Campus Climate

Section 20, Sexual Violence and Sexual Harassment

Date: 4/1/16

Supersedes: reinstates policy deleted on 1/4/16

Responsible Department: Office of the Provost and Executive Vice Chancellor

Source Document: UC Policy on Sexual Violence and Sexual Harassment

I. Purpose

- A. This section provides guidance to those who believe they have been subject to sexual violence or sexual harassment, or have been accused of sexual violence or sexual harassment, as defined by the [UC Policy on Sexual Violence and Sexual Harassment](#), and describes the University's actions to address those complaints through administrative channels.
- B. This policy supplements the UC Policy on Sexual Violence and Sexual Harassment. To the extent this policy is inconsistent with the UC Policy on Sexual Violence and Sexual Harassment, the UC policy controls.

II. Policy

- A. The University is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of sexual violence and sexual harassment.
- B. When allegations of sexual violence or sexual harassment are brought to the University's attention, those allegations are promptly reviewed and addressed under the UC Policy on Sexual Violence and Sexual Harassment.
- C. This policy applies to allegations that occur:
 - 1. on University properties;
 - 2. in connection with University programs; or
 - 3. off-campus or outside of University programs when the alleged conduct affects the complainant's employment or access to University educational programs, or that would violate other policies had it occurred on campus.
- D. Violations of this policy will be handled following the appropriate adjudication and disciplinary procedures (see VIII.A, below).
- E. No provision of this policy is interpreted to prohibit conduct that is legitimately related to:
 - 1. course content, teaching methods, scholarship, or public commentary of an individual faculty member; or
 - 2. the educational, political, artistic, or literary expression of students in classrooms or public forums.
- F. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or State anti-discrimination laws.

III. Prohibited Conduct

- A. The following conduct is prohibited by this policy:
 - 1. Sexual harassment

2. Sexual violence
 - a. Sexual assault, including penetration and other sexual contact
 - b. Relationship violence, including domestic violence and dating violence
 - c. Stalking
 3. Invasion of sexual privacy
 - a. Viewing, allowing others to view, recording or photographing nudity or sexual acts without consent where the individual(s) viewed, recorded or photographed has a reasonable expectation of privacy
 - b. Extorting something of value from a person by using recordings or photographs of that person's nudity or sexual activity
 4. Exposing one's genitals in a public place for the purpose of sexual gratification
 5. Sexual intercourse with a person under the age of 18
 6. Failure to comply with a no-contact order, a suspension of any length, or any order of exclusion issued under the UC Policy on Sexual Violence and Sexual Harassment.
 7. Retaliation
- B. Specific definitions of prohibited activities are provided in the [UC Policy on Sexual Violence and Sexual Harassment](#).

IV. Consent and Incapacitation

- A. An affirmative, conscious, voluntary agreement by each participant to engage in sexual activity is required in order to gain consent.
- B. Consent is revocable and can be withdrawn at any time during the activity.
 1. Affirmative consent must be ongoing throughout the sexual activity.
 2. The existence of a dating relationship or past sexual relations between the parties alone is not an indicator of consent.
 3. A subsequent dating relationship or sexual relations alone is not an indicator of consent for prior conduct.
- C. Consent is not possible when the complainant is incapacitated.
- D. The respondent's belief that the complainant consented is not a valid excuse where:
 1. the respondent's belief arose from the respondent's own intoxication or recklessness,
 2. the respondent did not take reasonable steps to ascertain whether the complainant affirmatively consented, or
 3. the respondent knew or should have known the complainant was incapacitated.
- E. Additional information regarding the definitions of consent and incapacitation is available in the [UC Policy on Sexual Violence and Sexual Harassment](#).

V. Options for Consultations and Reporting

- A. Confidential consultations

1. Individuals seeking confidential assistance or support related to prohibited activities may consult with the following departments:
 - a. Center for Advocacy Resources and Education (CARE) (530-752-3299); <http://care.ucdavis.edu>.
 - b. Academic and Staff Assistance Program (ASAP) (530-752-2727; 916-734-2727).
 - c. Student Health and Counseling Services (SHCS) (530-752-0871).
 - d. Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual Resource Center (LGBTQIARC) (530-752-2452).
 - e. Ombuds Office (530-219-6750).
 - f. Women's Resources and Research Center (WRRC) (530-752-3372).
 2. Disclosures to these departments will not automatically lead to an investigation or other University response unless the individual chooses to make an official report as described below.
- B. Official reporting to the University
1. Individuals who wish to report behavior that may be considered prohibited conduct under this Policy, including third-party or anonymous reports, may report the behavior to the following:
 - a. The Sexual Harassment Officer (SHO) (Davis campus, 530-752-9255; UCDHS, 916-734-8104).
 - b. The Title IX Officer (530-752-9466).
 - c. Any responsible employee (identified in VI.C, below).
 2. Responsible employees who are made aware of any behavior that may be considered prohibited conduct must report the behavior to the SHO, the Title IX Officer, or their offices.
 3. Reporting prohibited conduct to the University will not automatically lead to a criminal report or criminal investigation; individuals who wish to pursue a criminal investigation into sexual assault, dating violence, domestic violence, or stalking must report the incident to the appropriate police department.
 4. Additional information regarding reporting and University response to complaints is available at <http://sexualviolence.ucdavis.edu>.

VI. Roles and Responsibilities

- A. Title IX Officer
1. Develops and implements procedures for prompt and effective responses to reports of sexual violence and sexual harassment.
 2. Oversees a prompt and equitable response to reports of prohibited conduct.
 3. Initiates formal investigations into prohibited conduct.
 4. With the SHOs, identifies and addresses any patterns or systemic problems that arise during the review of complaints of prohibited conduct.
 5. Ensures the University offers prevention education and awareness programs to all incoming students and new employees, and ongoing training to the University community.

6. Ensures all individuals conducting formal investigations or hearings on sexual violence issues receive annual training related to sexual violence.

B. SHOs

1. Plan and manage sexual violence and sexual harassment prevention education and training programs to ensure:
 - a. Wide dissemination of this policy to the University community.
 - b. Educational and training materials to promote compliance with the policy and familiarity with campus reporting procedures.
 - c. Coordination of training required by state law and University policy.
2. Receive reports of prohibited conduct and ensure that timelines, procedures, rights, and remedies are met.
3. Coordinate and implement the alternative resolution process.
4. Ensure that individuals making reports receive notifications as required by V.A.3 of the [UC Policy on Sexual Violence and Sexual Harassment](#).
5. In accordance with University records retention policies, maintain records of reports of prohibited activities and actions taken in response to reports, including records of investigations, alternative resolutions, and disciplinary action as appropriate.
6. Maintain accurate contact information for the SHOs and Sexual Harassment Advisors on the website.

C. Responsible Employees

1. Individuals are identified as Responsible Employees as follows:
 - a. With regard to student complaints of prohibited conduct, all University employees (including student employees) who are not confidential resources as identified in section V.A. and who in the course of employment receive information that a student has been subjected to prohibited conduct are Responsible Employees.
 - b. With regard to all other reports of prohibited conduct, the following are identified as Responsible Employees:
 - 1) Campus Police
 - 2) Human Resource Administrators, Academic Personnel and Title IX Professionals
 - 3) Managers and supervisors including Deans, Department Chairs, Directors of Organized Research Units and other academic appointees with managerial responsibilities.
 - 4) Faculty members.
2. Responsible Employees are responsible for all of the following:
 - a. Supporting and contributing to a work or educational environment free from all forms of harassment or discrimination
 - b. Immediately consulting with the SHO or Title IX Officer following notice of prohibited conduct.
 - c. In consultation with the SHO or Title IX Officer, implementing appropriate interim actions.

- d. Participating in training as required by University policy and state law.
 3. Responsible employees who fail to forward reports of prohibited conduct may be subject to corrective action, including potential disciplinary action.
- D. Title IX Investigators
1. Act as neutral fact-finders in conducting a full, fair, and thorough investigation into prohibited conduct as charged by the Title IX Compliance Officer.
 2. Complete investigations in a timely manner.
 3. Request extension when needed for good cause, in order to complete a full, fair, and thorough investigation.
 4. Participate in annual training on sexual violence.
- E. CARE
1. Provides support services to complainants, including but not limited to:
 - a. Confidential crisis intervention.
 - b. Accompanying the complainant to forensic medical examinations.
 - c. Accompanying the complainant to investigation interviews and hearings.
 - d. Assisting the complainant with securing no-contact orders or restraining orders.
 - e. Providing referrals to other campus and community services.
 2. Coordinates with Harassment Discrimination Assistance Prevention Program to provide training and prevention programs.
- F. Respondent Service Coordinator
1. Facilitates fair and equitable services for the respondent.
 2. Provides information regarding the University's administrative processes to the respondent.
 3. Makes referrals to appropriate campus and community resources.
- G. Sexual Harassment Advisors
1. Serve as additional resources to the campus for advising on matters of sexual harassment.
 2. Respond to questions about this policy.
 3. Provide copies of the policy on request.
 4. Provide information about complaint resolution options.
 5. Notify the SHO of reports of prohibited conduct.
- H. Case Management Teams
1. Sexual Violence Case Management Team (SVCMT)
 - a. The SVCMT meets at least biweekly to coordinate timely responses to allegations of sexual violence and student-student sexual harassment, and to monitor such allegations through the resolution process.

- b. Members of the SVCMT include the Title IX Officer, the SHO from the Davis campus, and representatives from, CARE, the Office of Student Support and Judicial Affairs, the UC Davis Police Department and Campus Counsel.
 2. Sexual Harassment Case Management Team (SHCMT)
 - a. The SHCMT meets regularly to coordinate timely responses to allegations of sexual harassment and to monitor such allegations through the resolution process.
 - b. Members of the SHCMT include the Title IX Officer; the SHOs; and representatives from Human Resources, Academic Affairs, the Office of Student Support and Judicial Affairs, and other members as required.
- I. Campus Community Review Team (CCRT)
 1. The CCRT meets at least quarterly and serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention and response to sexual violence.
 2. The CCRT is composed of campus and community stakeholders involved in sexual violence response and prevention efforts.

VII. Further Information

- A. The Harassment & Discrimination Assistance and Prevention Program provides information and assistance to the Davis campus (530-752-9255; <http://hdapp.ucdavis.edu>); the Office of Equal Opportunity, Sexual Harassment, Mediation and Support Services provides information and assistance to UCDHS (916-734-5335; <http://www.ucdmc.ucdavis.edu/hr/hrdepts/DiscResources/SHresources>).
- B. CARE is a confidential resource that provides information and assistance regarding sexual violence and sexual harassment to students, staff, faculty, and other University affiliates (530-752-3299; <http://care.ucdavis.edu>).
- C. The following agencies may serve as neutral fact finders to facilitate the voluntary resolution of disputes between parties. Contact information for the nearest office is available on the agencies' websites.
 1. The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing investigate complaints of discrimination, including unlawful sexual harassment in employment.
 2. The U.S. Department of Education Office for Civil Rights investigates complaints of discrimination, including unlawful sexual harassment of students in educational programs or activities.

VIII. References and Related Resources

- A. Disciplinary procedures:
 1. Policies Applying to Campus Activities, Organizations, and Students, Section 100.00, Policy on Student Conduct and Discipline.
 2. UC Davis Administration of Student Discipline (<http://sja.ucdavis.edu/files/asd.pdf>).
 3. Academic Personnel Manual (<http://manuals.ucdavis.edu/APM/apm-toc.htm>):

- a. Section 016, University Policy on Faculty Conduct and the Administration of Discipline and UCD 016, Procedures for Faculty Discipline.
- b. Section 150, Non-Senate Academic Appointees, Corrective Action and Dismissal.
4. Personnel Policies for Staff Members, Policy and UCD Procedure 62, Corrective Action (<http://manuals.ucdavis.edu/spp/spp-toc.htm>).
5. UC Collective Bargaining Agreements (http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_agreements.html).
- B. Office of the President (<http://policy.ucop.edu/>):
 1. University of California Policy on Sexual Violence and Sexual Harassment.
 2. Policies Applying to Campus Activities, Organizations, and Students, Section 110.00, Policy on Student Grievance Procedures.
- C. Title VII of the Civil Rights Act of 1964, 42 US Code 2000e et seq (<http://www.eeoc.gov/laws/statutes/titlevii.cfm>).
- D. EEOC Guidelines on Discrimination Because of Sex, 29 CFR 1604.11 (<http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>).
- E. Title IX, Educational Amendments of 1972, 20 US Code 1681 and 1687 (<http://uscode.house.gov/search/criteria.shtml>).
- F. Title IX Regulations, 34 CFR Part 106 (<http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>).
- G. California Fair Employment and Housing Act, Government Code 12900 et seq (<http://www.leginfo.ca.gov/calaw.html>).
- H. UC Davis Policy and Procedure Manual (<http://manuals.ucdavis.edu/PPM/about.htm>):
 1. Section 280-05, Procedures for Student Complaints of Prohibited Discrimination or Arbitrary Treatment.
 2. Section 320-20, Privacy of and Access to Information.
 3. Section 380-15, Staff Complaints of Discrimination.
 4. Section 380-17, Improper Governmental Activities/Whistleblower Protection.
 5. Section 400-10, Freedom of Expression.
- I. Academic Personnel Manual (<http://manuals.ucdavis.edu/APM/apm-toc.htm>):
 1. Section 010, Academic Freedom.
 2. Section 015, Faculty Code of Conduct and UCD-015, Procedures for Faculty Misconduct Allegations.
 3. Section 035, Affirmative Action and Nondiscrimination in Employment.
 4. Section 140 and UCD-140, Non-Senate Academic Appointees/Grievances.
- J. Academic Senate Bylaw 335 and Davis Division Bylaw 87 (http://academicsenate.ucdavis.edu/bylaws_and_regulations/index.html).
- K. Personnel Policies for Staff Members (<http://manuals.ucdavis.edu/spp/spp-toc.htm>):

1. Policy and UCD Procedure 12, Nondiscrimination.
 2. Policy and UCD Procedure 70, Complaint Resolution.
- L. Resident Medical Staff Personnel Policy and Procedure:
1. Policy 200, Nondiscrimination.
 2. Policy 440, Grievances.
- M. UC Davis Principles of Community (<http://occr.ucdavis.edu/poc/>).

APPENDIX C



Sexual Violence Support Services and Reporting Options

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. The University prohibits sexual violence, including sexual assault, dating violence, domestic violence and stalking; such behavior violates University policy and may also violate the law.

UC Davis takes all complaints of sexual violence very seriously. The safety and well-being of our students, faculty, and staff are among the University's highest priorities. Anyone who has been affected by sexual violence, whether on or off campus, is encouraged to utilize the support services listed here.

You have the right to choose whether you want to report an incident of sexual violence to the University, to local law enforcement agencies, to either or to both. You also have the right not to file a report. This handout provides a brief description of reporting options and the resources available for support regardless of whether you choose to report the incident.

Notice of Non-discrimination

UC Davis does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, pregnancy, disability, medical condition, ancestry, marital status, age, citizenship or veteran status in its programs and activities. Questions may be directed to Chief Compliance Officer Wendi Delmendo, wjdelmendo@ucdavis.edu or (530) 752-6550. For information about the Department of Education Office for Civil Rights, visit <http://wdcrocolp01.ed.gov/CFAPPS/OCR/contactus.cfm>.

SEXUAL VIOLENCE SUPPORT SERVICES AND REPORTING OPTIONS

Support Services Available On and Off-Campus

Confidential campus resources:

- **CARE** (Center for Advocacy, Resources and Education)
530-752-3299 care.ucdavis.edu
CARE is the advocate office for sexual and gender-based violence and sexual misconduct. CARE provides free, confidential crisis intervention, advocacy and accompaniment services to any survivor of sexual assault, intimate partner violence or stalking. The CARE unit serves in an advocacy role for your interests and needs, and will discuss options and procedures regarding academic and financial aid assistance, housing, safety, transportation, employment, and medical and counseling needs. Services are available to any UC Davis student, staff or faculty.
- **Counseling Services**
(530) 752-2349
shcs.ucdavis.edu/services/counseling.html
Counseling Services offers free, confidential short-term individual counseling to all registered UC Davis students.
- **ASAP** (Academic & Staff Assistance Program)
530-752-2727
www.hr.ucdavis.edu/worklife-wellness/ASAP
ASAP offers free, confidential assessment, intervention, consultation and referral services to all UC Davis faculty, staff and their immediate families.
- **WRRC** (Women's Resources and Research Center)
530-752-3372 wrrc.ucdavis.edu
The WRRC spaces, programs, and services are open to all. The WRRC offers confidential support and referrals on a wide range of topics, including sexual assault and dating violence.
- **LGBTQIA** (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual Resource Center)
530-752-2452 lgbtqia.ucdavis.edu
The LGBTQIA Resource Center provides an open, safe, inclusive and confidential space and community for all individuals.

- **Office of the Ombuds**
530-219-6750 ombuds.ucdavis.edu
The UC Davis Ombuds Office is a confidential, independent, impartial, and informal problem-solving and conflict management resource for all members of the UC Davis campus community.
- **Family Protection and Legal Assistance Clinic**
530-752-6942
law.ucdavis.edu/clinics/family-protection-clinic.html
The Family Protection and Legal Assistance Clinic provides free legal representation to victims of domestic violence seeking restraining orders in Yolo and Sacramento County.
- **ASUCD Legal Services**
530-752-1990 asucd.ucdavis.edu/units/legal-services
ASUCD legal services provide each UC Davis undergraduate student a free fifteen minute consultation with an attorney.

Additional campus resources (non-confidential)

- **HDAPP** (Harassment & Discrimination Assistance and Prevention Program)
530-752-9255 hdapp.ucdavis.edu
HDAPP assists individuals and campus units with resolving sexual harassment, sexual violence and discrimination complaints. HDAPP can help you understand what your options are and connect you with other support services and resources. You may consult with HDAPP anonymously if you choose. However, if you provide identifying information about yourself or the person who engaged in the sexual harassment or sexual violence, the University may have an obligation to take action.
- **Student Judicial Affairs**
530-752-1128 sja.ucdavis.edu
The Office of Student Judicial Affairs serves the campus by enforcing student conduct standards and by upholding student rights and responding to student grievances.

- **Title IX Officer: Wendi Delmendo**
530-752-9466 wjdelmendo@ucdavis.edu
In situations where the sexual violence affects the victim's educational program or employment, victims have the right to make a report to the University's Title IX Officer.

Off-campus confidential resources:

- **Empower Yolo**
530-662-1133 or 916-371-1907 empoweryolo.org
Empower Yolo provides confidential crisis intervention, advocacy and accompaniment services to survivors of violence in Yolo County.
- **Women Escaping a Violent Environment, (WEAVE)**
916-920-2952 or 866-920-2952 (toll free)
www.weaveinc.org
WEAVE is the primary provider of crisis intervention services for survivors of domestic violence and sexual assault in Sacramento County.
- **My Sister's House**
916-428-3271 www.my-sisters-house.org
My Sister's House provides culturally specific domestic/dating violence services to the Asian/Pacific Islander community.

Non-citizens who experience sexual violence may need specialized assistance with concerns related to their immigration status. These resources may be able to help:

- **Services for International Students and Scholars**
530-752-0864 siss.ucdavis.edu (non-confidential)
- **Center for International Education**
530-757-8686
cie.ucdavis.edu/general-information/center-international-education-visa-information (non-confidential)
- **California Rural Legal Assistance Foundation, Inc.**
916-446-7904 www.crlaf.org (confidential)
- **Catholic Charities of Sacramento, Inc. – Centro Guadalupe Immigration Program**
916-443-5367
www.catholiccharitiessacramento.org (non-confidential)
- **Opening Doors, Inc.**
916-492-2591 www.openingdoorsinc.org (non-confidential)

Reporting Sexual Violence to the University

You can report an incident of sexual harassment or sexual violence to the University by contacting the Harassment & Discrimination Assistance and Prevention Program (HDAPP) at 530-752-2255. If you would like a victim advocate to accompany you when making a report, you may also contact the Center for Advocacy, Resources and Education (CARE) at 530-752-3299.

Formal University Investigation

Most allegations of sexual violence that are reported to the University are investigated. If an investigation is warranted, the University's Title IX Officer will appoint a University investigator. Both you and the accused individual will be notified of the investigation, and each of you will have the same rights during it, including, but not limited to, the right to: (1) be accompanied by an adviser of your choice at any investigatory interview, and (2) be simultaneously informed in writing of the outcome of the investigation.

The University investigator will separately meet with you, the accused individual, and other potential witnesses, to gather information. When the fact-gathering portion of the investigation is complete, the investigator will prepare and submit a report addressing whether or not University policy was violated. If there is a finding of a policy violation, the University will consider disciplinary action against the accused. If the investigation report finds no violation of University policy, the matter will be closed. If necessary, measures will continue to be taken to ensure that you feel safe.

If the investigator concludes that the University's policy was violated, disciplinary action is considered according to the procedures described in the appropriate policy (see Appendix II of the UC Sexual Harassment and Sexual Violence Policy, <http://policy.ucop.edu/doc/4000385>). The investigation report may be used as evidence in disciplinary hearings. The University will simultaneously inform both you and the accused (1) of the procedures and deadlines associated with any disciplinary proceeding; (2) the outcome of the proceeding; (3) the procedures and deadlines for appealing the outcome, if applicable, (4) any change to the outcome of the disciplinary action before the action becomes final, and (5) when the action becomes final.

Reporting to Law Enforcement

You may report an incident to law enforcement at any time. In the event of an emergency where you need immediate

assistance, dial 9-1-1 to be connected with the nearest police department. If there is no emergency, you can file a police report in the jurisdiction where the assault occurred. You can reach the UC Davis Police Department at 530-754-2677 (campus) or (916) 734-3841 (UCD Medical Center), or the City of Davis Police Department at 530-747-5400. A victim advocate from CARE can assist you with filing a police report with any jurisdiction.

Interim Protections

Whether you choose to report the incident or not, you are encouraged to contact CARE where all intervention services are confidential, free, and available to any UC Davis student, staff, or faculty. A victim advocate can discuss protective measures you may want to consider, which may include the following:

- Obtaining orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts. These orders would be honored both on and off-campus and the victim advocate could assist with making any necessary accommodations to enforce an order.
- Creating a plan to limit or prevent contact between you and the other person. This may include making changes to class, work situations, transportation, or housing arrangements for you or the accused, regardless of whether the crime is reported to campus police or local law enforcement.
- Taking steps to increase your sense of safety and security while you continue with your classes, work and other activities.

Depending upon the circumstances of the case, the University may consider other interim measures. If the accused is a student and if the circumstances warrant it, the University may decide that an interim suspension is necessary.

Confidentiality

The University will protect the privacy of everyone involved in a report of sexual harassment and sexual violence to the greatest degree possible under the law and University policy. Certain University officials – supervisors, faculty, coaches and other officials -- have an obligation to report incidents of sexual harassment and sexual violence, even if the person making the report requests that no action be taken. If you prefer to seek assistance that will not lead to a report, consider talking with one of the University's confidential resources before making an official complaint. Confidential resources for the campus include CARE, Counseling Services, ASAP, WRRC, LGBTQIA, and the Ombuds Office.

Timing and Preservation of Evidence

If you decide you would like to report an incident, you are encouraged to file a report as soon as possible. Delays in reporting may make gathering evidence more difficult which may in turn affect criminal prosecutions and University investigations. Regardless of whether the incident is reported to the police, it is important to seek immediate medical attention, even if there is no evidence of serious injury. A medical examination is important to check for sexually transmitted diseases or other infection/injuries, and for pregnancy. A CARE advocate can help you find an appropriate medical provider.

You are encouraged to preserve all physical evidence if you are a victim of sexual assault (i.e. do not bathe, douche, change clothing, clean the bed/linen/area where assault occurred). If the sexual assault happened within 72 hours, you may choose to have an evidentiary exam in order to collect evidence of the assault. The CARE victim advocate can help you to arrange this exam even if you have not decided whether you want to report the incident.

Victims/survivors of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to University investigators or police.

Additional Information

The following resources provide more information on sexual harassment and sexual violence:

- Website for information on sexual assault, domestic violence, dating violence and stalking, <http://sexualviolence.ucdavis.edu>
- Website for Center for Advocacy Resources and Education (CARE), <http://care.ucdavis.edu>
- Website for Harassment and Discrimination Assistance and Prevention Program (HDAPP), <http://hdapp.ucdavis.edu>
- The UCD sexual harassment and sexual violence policy PPM 400-20, <http://manuals.ucdavis.edu/ppm/400/400-20.pdf>