

# Campus Crime Statistics

## 2005 through 2007

Revised 10/10/2008

### California Polytechnic State University, San Luis Obispo

	On Campus <sup>4</sup>			Residence Community <sup>5</sup>			Public Property <sup>6</sup>			Non-Campus Property <sup>7</sup>		
	2005	2006	2007	2005	2006	2007	2005	2006	2007	2005	2006	2007
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses/Forcible <sup>1</sup>												
Rape	1	2	2	1	2	2	0	1	0	0	0	1
Sodomy	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/ object	0	1	1	0	1	1	0	0	0	0	0	0
Sexual Battery	1	1	2	0	1	2	0	0	0	0	0	0
Sex Offenses/Non-Forcible <sup>2</sup>												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	1	1	0	0	1	0	0	0	0	0	0
Aggravated Assault	2	0	0	0	0	0	0	0	1	0	1	0
Burglary	10	8	7	5	2	2	0	0	0	2	8	0
Vehicle Theft	11	13	6	0	0	0	0	0	0	2	1	0
Arson	0	1	5	0	0	3	0	0	0	0	0	0
<b>Total</b>	<b>25</b>	<b>27</b>	<b>24</b>	<b>6</b>	<b>6</b>	<b>11</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>10</b>	<b>1</b>

#### Special Category Arrests (Liquor, Drug and Weapons)

Liquor Law Violations <sup>3</sup>	10	2	2	2	0	1	4	1	8	11	7	5
Drug Law Violations	25	14	12	11	10	10	3	1	7	0	1	0
Weapons Possession	0	0	1	0	0	0	0	0	1	0	0	0
<b>Total</b>	<b>35</b>	<b>16</b>	<b>15</b>	<b>13</b>	<b>10</b>	<b>11</b>	<b>7</b>	<b>2</b>	<b>16</b>	<b>11</b>	<b>8</b>	<b>5</b>

#### Campus Disciplinary Action - Disciplinary referrals (non-arrests) from UPD, Housing and other University Officials \*

Liquor Law Violations	0	2	0	0	1	0	0	0	0	0	0	0
Drug Law Violations	2	0	0	1	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

\* These referrals may also include offenses referred to more than one entity responsible for campus disciplinary action and/or in which arrest(s) occurred and/or criminal prosecution was sought. These referrals reflect only violations of statutory law and do not include violations of Residence Hall or Campus policies.

**<sup>1</sup>Forcible:**

Includes rape and attempted rape, forcible fondling, forcible sodomy, and sexual assault with an object

**<sup>2</sup>Non-Forcible:**

Includes incest and statutory rape

**<sup>3</sup>Liquor Law Arrests:**

Includes vehicle code violations involving alcoholic beverages. Does not include the offenses of Driving Under the Influence or Public Intoxication – these violations are excluded by language of the Campus Security Act.

**<sup>4</sup>On Campus:**

For the purposes of this report '*On Campus*' offenses are defined as those offenses reported to the University Police Department and/or occurring in a university-owned or controlled building or on university-owned or controlled property within the boundaries of the university and used by the university in direct support of, or in a manner related to, the university's educational purposes.

**<sup>5</sup>Residence Community:**

For the purposes of this report '*Residence Community*' offenses are defined as those offenses occurring in Residence Halls or other residential facilities for students located on campus. These offenses are included in the number of '*On Campus*' offenses.

**<sup>6</sup>Public Property:**

For the purposes of this report, '*Public Property*' offenses are defined as those offenses occurring on public property, including thoroughfares, streets, sidewalks and parking facilities that are within the boundaries of the university, and/or offenses occurring in city or county jurisdiction (within the boundaries listed) and reported to the San Luis Obispo Police Department or the San Luis Obispo Sheriff's Department:

- California Boulevard: north of the intersection with Monte Vista
- Crandall Avenue: north of the intersection with Foothill Boulevard
- Private Road (between 1318 and 1320 Foothill Boulevard): north of the intersection with Foothill Boulevard
- Private Road (between 1328 and 1332 Foothill Boulevard): north of the intersection with Foothill Boulevard
- Longview Lane: Longview Lane, north of the intersection with Slack Street
- Slack Street: Slack Street east of the intersection with Longview Lane and west of the east side of the intersection with Grand Avenue
- Grand Avenue: north of the intersection with Hays Street
- Highland Drive: east of the intersection with North Chorro Street

**<sup>7</sup>Non-campus Buildings or Property:** For the purposes of this report, '*Non-campus*' offenses buildings or property is defined as the properties located at the following addresses in city or county jurisdiction:

- 132 California Boulevard; Alpha Gamma Rho Fraternity
- 180 California Boulevard; Kappa Alpha Theta Sorority
- 244 California Boulevard; Delta Sigma Phi Fraternity
- 280 California Boulevard; Sigma Phi Epsilon Fraternity
- 720 – 726 Foothill Boulevard; Delta Upsilon Fraternity
- 1264 Foothill Boulevard; Alpha Omicron Pi Sorority
- 1290 Foothill Boulevard; Alpha Phi Sorority
- 1292 Foothill Boulevard; Lambda Chi Alpha Fraternity
- 1304 Foothill Boulevard; Sigma Nu Fraternity
- 1310 Foothill Boulevard; Pi Kappa Alpha Fraternity
- 1464 Foothill Boulevard; Alpha Chi Omega Sorority
- 615 Grand Avenue; Sigma Kappa Sorority
- 1326 Higuera Street; Gamma Phi Beta Sorority
- 526 Kentucky Street; Beta Theta Pi Fraternity
- 1230 Monte Vista; Phi Sigma Kappa Fraternity
- 1236 Monte Vista; Delta Sigma Phi Fraternity (Second House)
- 1700 Osos Street; Alpha Gamma Omega Fraternity
- 1716 Osos Street; Tau Kappa Epsilon Fraternity
- 570 Pacific Street; Delta Delta Delta Sorority
- 844 Upham Street; Kappa Chi Fraternity
- 299 Swanton Road; Swanton Pacific Ranch, Davenport, CA
- 7985 Santa Rosa Road; H.R. & E.J Hay 'Skytherm' House, Atascadero, CA
- 3275 Avila Beach Drive, Avila Beach, CA

**Note:** Crimes reported to 'other security authorities' are not always reported to, or verified as having occurred by the University Police Department or other law enforcement agencies having reporting jurisdiction over the locations addressed in this report. Statistics reported to contributors, other than the University Police Department, are not independently verified by the University. Statistics reported to contributors are requested by the University, but may not have been supplied by the contributing agency. Anonymous reports of offenses reported to professional counselors are not included in these statistics.

# Hate Crimes

## California Polytechnic State University, San Luis Obispo

2005 Offense Types	Race				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Murder & Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Nonforcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other crimes involving bodily injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

2006 Offense Types	Race				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Murder & Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Nonforcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other crimes involving bodily injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

2007 Offense Types	Race				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Murder & Nonnegligent Manslaughter	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Nonforcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other crimes involving bodily injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

OC = On Campus

RF = Residence Facility

NC = Non-Campus

PP = Public Property

## **'Clery Act' Required Policy Statements and Compliance Measures**

Daily Log Requirement: The University Police Department maintains a Student Right To Know Daily Log that is available for public review. This log contains a record of all crimes reported to the department, and provides the nature of the initial complaint, the date and time reported, and the general location of the incident, the disposition of the incident and displays the identification number(s) assigned to the incident. The log is available for review at the University Police Department from 7 AM to 10 PM, Monday through Thursday, and 7 AM to 5 PM on Friday.

Crime Reporting Procedures: All members of the campus community are encouraged to report crimes which occur on the campus to the University Police Department; ideally as soon as possible following discovery of the offense. A phone report of a crime is initially received at the campus 9-1-1 center by a Police Dispatcher. The dispatcher classifies and prioritizes each request for service following established criteria, and dispatches the appropriate resource.

Remain calm and speak clearly when talking to the Dispatcher. The Dispatcher will ask questions to gain as much information as possible. It's important for the Dispatcher to determine;

What happened?	Where it happened?
When it happened?	Is/was a weapon involved?
Is/was a vehicle involved?	What did the suspect look like?
Is the suspect still there?	Was anyone injured?

In the case of a reported crime, a University Police Officer will then respond, investigate and may complete a written report. He or she may completely investigate the incident, including the arrest of the responsible party, or may conduct an initial investigation and forward the case to detectives/investigators for further action. Criminal charges, if warranted, are either filed directly with the courts or through the District Attorney's Office.

Where to report any emergency: 9-1-1 is the on-campus emergency number to report any Police, Fire or Medical emergency, or to report any incident in progress involving real threat to life or property. Dialing 9-1-1 from any phone on campus, activating any Code Blue 'Blue Light' emergency phone, or activating any elevator emergency phone on campus will reach the Police Dispatcher at the University Police Department.

Confidential Reports of Crimes: Persons who wish to make voluntary, confidential reports of crime may do so by calling Crimestoppers at 805-549-STOP (549-7867).

Where to Report to Enable Timely Warnings: Timely Warnings alert the campus community of Clery Act crimes that are reported to campus security authorities or local police agencies and which are considered by the University to represent a serious and continuing threat to students and employees. The most expedient reporting point is generally the Police Dispatcher. The dispatcher may be reached by calling 756-2281 to report non-emergency incidents, or by calling 9-1-1 from any campus phone to report an incident in progress or other emergency. The decision to issue a Timely Warning will be made by the Chief of Police or his/her designee, generally following consultation with other campus authorities.

Access to Campus Facilities and Residence Halls: Campus facilities are provided primarily for the education-related needs of enrolled students. Use and allocation of University Facilities is governed by section 240 of the Campus Administrative Policy, et al. Persons without a lawful purpose may be removed from the campus per Penal Code section 626.6. Access to campus residence halls is restricted to hall residents and guests, and is regulated by University Housing. For more information, please call University Housing at 756-1226, or visit the website: [www.housing.calpoly.edu](http://www.housing.calpoly.edu).

Security Considerations Used In Maintenance: The University takes appropriate precautions to provide security during maintenance of facilities. Routine maintenance of facilities is primarily by

full-time University employees. Maintenance and custodial employees in the residence halls are closely supervised, work routine business hours, and do not enter private rooms without direction. Contractors in the residence halls work either in empty buildings or directly under supervision of University employees. General contractors on campus are responsible for security to the facilities in which they are working. Specific direction and a university liaison are provided for each contractor/project.

On-campus residents should report any residence facilities maintenance needs, such as inoperative door or window locks, burnt-out lights, broken windows and torn window screens promptly to their residence hall desk. University Housing staff will coordinate all requests to facilitate timely repair.

All members of the campus community are encouraged to report maintenance needs such as burnt-out street or parking lot lights, landscaping that needs trimming for safety reasons, or any other deficiency directly to the campus Work Control Center at 756-5555. Facility Services staff, including custodial workers, landscapers and members of the building trades participate in a cooperative relationship with the campus community to promote and maintain a safe campus environment.

Enforcement and Arrest Authority of Campus Law Enforcement Officers: Officers of the Cal Poly State University Police Department are California Peace Officers per Penal Code Section 830.2. They possess the same authority and powers, including the authority to arrest, as do Police Officers and Deputy Sheriffs in other areas of the state. Officers are responsible for reporting and investigating crimes, issuing traffic citations and responding to medical and fire emergencies, traffic accidents, as well as other incidents that require police assistance.

Working Relationship with Other Law Enforcement Agencies: The University Police Department enjoys an excellent rapport and effective relationship with allied law enforcement agencies. By agreement, should a major crime occur on campus that exhausts the resources of the University Police, the San Luis Obispo Sheriff's Department shall be asked to assist with their resources. All other crimes are routinely investigated by members of the University Police Department.

Crime Prevention Presentations Available: The University Police Department offers crime prevention and awareness presentations to campus organizations, departments, clubs and groups upon request throughout the academic year. In partnership with University Housing, similar presentations are mandatory for all on-campus resident students, and are held annually during the fall quarter. Presentations available to all incoming students and their parents are also part of Week of Welcome and other orientation activities.

These sessions typically address topics including personal safety awareness, rape and sexual assault prevention, protection of personal property, and the role of each community member in the development of an overall sense of safety.

Alcohol and Other Drug Philosophy: Cal Poly is dedicated to providing the best academic and professional experience that can be offered to its students, faculty and staff. The use of illegal drugs and the abuse of alcohol are known to be at cross-purposes to this mission and are not tolerated on campus. Cal Poly is fully committed to achieving an Alcohol and Other Drug (AOD) free environment for its students and employees.

As an institution, Cal Poly acknowledges the serious issues concerning the use of illegal drugs and the abuse of alcohol; factors which have clear links to a myriad of negative effects in a person's life. These effects can range from poor academic performances to serious legal consequences for violations of law while under the influence. A direct correlation exists between alcohol and other drug usage and crime. Simply put, the more you drink or use drugs, the more likely you are to be involved in a crime of violence; either as a victim or as a perpetrator, both with potentially tragic and life-changing consequences.

Cal Poly encourages persons of legal drinking age to consider carefully the options open to them when they are making decisions regarding if and how much alcohol will be a part of their lives off campus. Many substance free events are offered on campus throughout the year, and members of the university community are encouraged to get involved. Education and support for those who have questions or problems related to AOD are available and strongly encouraged. Academic, personal and professional success is Cal Poly's goal for all of its students, faculty, and staff. This goal cannot be achieved if AODs are allowed to hinder each person's natural abilities.

Use of alcohol at Cal Poly is strictly controlled, limited to those persons 21 years of age or older, and must be in compliance with California State Law. In all cases, the possession, transportation, and/or consumption of alcohol by individuals under 21 years of age is strictly prohibited.

Standards of Conduct: Cal Poly employees and students are expected to comply with campus rules and regulations at all times, including student-sponsored social activities, professional meetings attended by employees, and school-sponsored off campus activities.

Cal Poly expressly prohibits the manufacture, use, sale, purchase, transfer, or possession of dangerous drugs or narcotics, as those terms are used in California statutes, except when lawfully prescribed for medical or dental care, or when lawfully permitted for purposes of research, instruction or analysis. This includes marijuana, cocaine, heroin, and morphine, as well as barbiturates and amphetamines. In addition, campus regulations prohibit students or employees from being under the influence of any legal or illegal drug while on campus, with the exception of legally prescribed medications which do not adversely affect the student's or employee's work ability, job performance, or the safety of that individual or others.

Persons who are engaged in work on a Federal contract or grant shall abide by the above standards of conduct as a condition of employment, and shall notify the University of any criminal drug statute violations occurring in the workplace or while on University business no later than 5 days after conviction. Cal Poly is required within 10 days of receiving such notice of conviction to initiate appropriate corrective action (see Disciplinary Actions).

Description of Health Risks: Alcohol and other drug use poses serious health risks for the individual and for the safety of others. The effects of psychoactive drugs such as marijuana, cocaine, amphetamines, barbiturates, or hallucinogens on the body and psyche are dangerous, and some damage is irreversible. Common effects associated with drug use are distortions of time perception, increased heart rate, dilation of blood vessels, loss of short-term memory, inability to study or concentrate, insomnia, hyperactivity, depression, and even death.

Although alcohol is a legal drug in our culture, its harmful potential is great. Alcohol is a drug that slows down bodily functions such as heart rate, pulse, and respiration. Alcohol can seriously impair judgment, motor skills, and coordination.

Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, HIV infection and other sexually transmitted diseases and psychological depression. In addition, any amount of alcohol consumed by a pregnant woman may be harmful to the fetus causing Fetal Alcohol Syndrome.

Alcohol and Other Drug Treatment Programs: The University recognizes that alcohol and drug dependencies are treatable conditions. Employees and students who suffer from a substance abuse problem are encouraged to get help immediately. Employee health insurance plans often defray part of the cost of rehabilitation programs. Cal Poly may also accommodate employees by allowing the use of sick leave or unpaid time off to participate in such programs. Employees may also be required to participate in drug-free awareness programs or training. Students who feel they are in need of assistance are encouraged to see a counselor in Counseling Services (Health

Center, Building 27, 756-2511), or P.U.L.S.E. in the Health Center (756-6181). Staff members are encouraged to contact the Employee Assistance Program Office (800-234-5465).

The following is a partial list of local organizations that provide AOD treatment services. A more complete list of local, county, and out-of-area organizations may be obtained from Human Resources & Employment Equity (Admin. Building, Room 110, 756-2236), Counseling Services or P.U.L.S.E.. The services listed below are provided for informational purposes only, and no specific endorsement is implied.

Campus Resources: Among its many services, P.U.L.S.E. serves as a clearinghouse for information and referral resources regarding AOD services, both on campus and in the community. Located in the Health Center and staffed by students and professionals, P.U.L.S.E. is available to students, faculty, and staff and provides information on support groups dealing with AOD topics. Peer Health Teams offer information and educational workshops presented by students who are trained in the area of AOD use, sexuality, nutrition, and wellness. This program is located on the lower level of the Health Center. A wide range of written material on the areas covered by Peer Health Teams is available as well as one-on-one consultations with Team members. To learn more or to schedule a workshop, call 756-6181.

Health and Counseling Services provides short-term counseling and referral for students in the area of AOD issues. Health and Counseling Services is located in the Health Center (Building 27).

Recreational Sports offers many opportunities to get involved in substance-free healthy fun! Choices range from informal drop-in activities such as swimming, weight lifting, and tennis to structured activities such as intramural team sports, aerobics, fun runs and special events. Visit the Recreation Center (Building 43, South Perimeter and Via Carta), view the Recreation Center website: [http://www.asi.calpoly.edu/rec\\_center\\_facility](http://www.asi.calpoly.edu/rec_center_facility), or call 756-1366.

Associated Students, Inc. (ASI) and University Union (UU) offer frequent and varied entertainment options which do not rely on AOD to be fun. Activities include the UU Games Area (bowling, billiards, and video games), concerts, movies, and live entertainment throughout the year. Call 756-1112 for more information.

#### Community Resources:

##### Alcoholics Anonymous:

Morro Bay/Cambria 772-8714/927-0347  
North County 238-3311/466-8175  
San Luis Obispo 541-3211  
South County 481-6605

Al-Anon (support for friends and family of people with AOD problems): 543-7924

Narcotics Anonymous 549-7730

##### Tax-Supported Agencies:

SLO Co Drug & Alcohol Services 549-4296  
Cambria Connection 927-1654  
North County Connection 461-6084  
Mariposa Center 473-7082

Disciplinary Action: Reasonable efforts will be taken to rehabilitate employees. Corrective efforts prior to formal disciplinary action may include, but are not limited to, oral warning, written warning

and/or reprimand, reassignment, suspension with pay, special evaluation, denial of merit salary adjustment, or rejection during probation.

If an employee continues to use alcohol or other drugs in violation of campus policy, formal employee disciplinary action may be taken. In the California State University such action is defined as a demotion, suspension without pay, and dismissal. All disciplinary action requires the involvement of the California State University General Counsel's Office for the preparation of legal notices. All employees subject to disciplinary action are entitled to "Skelly Review" on campus prior to discipline being imposed. All applicable collective bargaining agreement provisions will be followed.

Student disciplinary procedures effective on the California State University campuses are described in Executive Order No. 148, pursuant to Section 41301, Title 5, California Code of Regulations. Violation of campus regulations concerning possession, sale, use or distribution of dangerous drugs or alcohol subjects students to expulsion, suspension, probation, withdrawal of financial aid, or other sanctions. It is a campus policy to pursue, via the campus judicial process, all violations of AOD abuse. Information concerning student disciplinary procedures can be found in the University Catalog. Questions may be directed to the Office of Student Rights and Responsibilities, Student Services Center, Building 124, Room 127, 756-2794.

Where to Obtain Information About Registered Sex Offenders Who May Be Present On Campus:

Convicted sex offenders are required by law to register with the law enforcement agency having jurisdiction where the offender lives. Convicted sex offenders are also required to register with the University Police Department if they are residing on the University campus, enrolled as a student of the University, employed by the University (either full-time or part time, including paid employees or volunteers), or working or carrying on a vocation at the University (e.g. contractors) for more than fourteen days or for an aggregate period exceeding thirty days in a calendar year.

In addition, Megan's Law makes information on "serious" and "high-risk" sex offenders in their local community available to adults and organizations. The information available regarding a registered sex offender includes:

- name and known aliases;
- age and sex;
- physical description, including scars, marks and tattoos;
- photograph, if available;
- crimes resulting in registration;
- county of residence;
- zip code (based on last registration).

The University Police Department does not maintain a public database of registrants at Cal Poly. Information regarding registered sex offenders on campus may be obtained by viewing the Megan's Law web site: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). An offender's campus involvement will be listed as a secondary registration location.

Legal Sanctions: All criminal cases will be forwarded to the University Police Department for investigation. When appropriate, cases may be referred to the District Attorney's Office or the San Luis Obispo Superior Court for criminal prosecution.

Substance Use and Abuse Advisory Committee: As part of its commitment to ensuring an AOD free environment, the University has established a Substance Use and Abuse Advisory Committee comprised of campus and community members. The committee is charged with a biennial review of the campus AOD abuse program to determine its effectiveness and implement needed changes.

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that, as a condition of receiving funds or financial assistance under any Federal program, Cal Poly must create and maintain a drug-free environment and implement a program to prevent the unlawful possession, use, or distribution of drugs, and the abuse of alcohol by its students and employees.

Questions concerning this policy may be directed to the Office of Student Affairs (students), 756-1521, or Human Resources & Employment Equity (employees), 756-2236.

Crimes at Related Off-Campus Locations/Organizations: Crimes reported as occurring at locations outside the physical boundaries of the University are generally investigated by the agency having enforcement jurisdiction over the location. Statistics for non-campus buildings or property are requested by the University, and are published when available. Other Police agencies are not required to provide the requested information.

Campus Sexual Assault Policies: Cal Poly State University, as an institution, recognizes the serious issues concerning sexual assault on members of the campus community. It is University policy that, with the consent of the survivor, all reported instances of sexual assault will be investigated and appropriate disciplinary, criminal and/or legal action taken. (Survivor refers to the survivor of a sexual assault, whether male or female. Survivor is used rather than victim to denote the positive, potentially healing strength of the individual who was assaulted.)

Cal Poly remains committed to empowering the survivors of sexual assault by providing ample supportive services, and encouraging their exercise of choice of action. Cal Poly will endeavor to support all survivors of sexual assault, regardless of their decisions to seek criminal prosecution of offender(s) or disciplinary action on campus. If requested by the survivor, University personnel will assist the survivor in notifying the appropriate law enforcement authorities.

Cal Poly is bound by the State statute to uphold the right to confidentiality of any survivor who contacts the University to report an incident of sexual assault. The University will not take any action without the survivor's consent, prior knowledge, and/or permission.

Any violation of the California Code of Regulations, Title 5, Section 41301, by a student or recognized student organization, and any violation of faculty or other employee codes of conduct concerning sexual assault will be investigated for possible disciplinary and/or legal action. The procedures to be followed in handling complaints and disciplinary actions that may be taken against individuals or organizations are included in this policy.

Legal Precedence, Definition and Classification of Sexual Assault: Effective January 1, 1991, Assembly Bill 3098 (Chapter 423, Statutes of 1990) added language to the Donahue Higher Education Act requiring postsecondary institutions in California to adopt specific procedures and protocols to provide treatment and information to survivors of sexual assault on campus or in campus-affiliated locations.

California Penal Code Sections 220, 243.4, 261, 264.1, 286, 288 and 289 define sexual assault as any sexual act or attempted sexual act in which a person is threatened, coerced, or forced to comply against his or her will, or he or she is incapable of giving consent or is unconscious of the nature of the act. Additional descriptions of sexual assault (excerpted from the California Penal Code) are defined as:

Sexual battery is any unwanted touching of intimate body parts.

Rape is forced sexual intercourse that is perpetrated against the will of the survivor or when she/he is unable to or incapable of giving consent (e.g., unconscious, asleep, or under the influence of alcohol or drugs) and may involve physical violence, coercion, or the threat of harm to the individual;

Rape is complete at the point of penetration no matter how slight that penetration.

Acquaintance rape involves rape by a non-stranger which could include a friend, acquaintance, family member, neighbor, or co-worker;

Date Rape involves rape by someone with whom the survivor has been or is a voluntary companion.

Gang rape is rape by more than one person;

Acquaintance gang rape involves rape by more than one person, at least one of whom is known to the survivor;

### **Sexual Assault Policy Implementation**

The Sexual Assault Free Environment Resource Program (SAFER): Cal Poly's SAFER Program seeks to promote education regarding community standards of behavior, decrease the incidence of sexual assault, increase the likelihood that these crimes will be reported when they occur, and provide immediate and comprehensive response options to those in need.

The SAFER Program is a University resource available to student survivors of sexual assault. SAFER staff will, with the survivor's consent, provide needed emotional, personal, and academic support, describe appropriate procedures, explain the options available to the survivor, and make necessary referrals to campus and/or community resources.

Information regarding the SAFER program, sexual assault prevention and other resources may be found by viewing the SAFER website: <http://www.studentlife.calpoly.edu/sfr/>, or by calling SAFER at 805-756-2282.

Procedures for Reporting Sexual Assault: If a sex offense occurs, the survivor is encouraged to contact a law enforcement agency as soon as possible after the assault from a safe location. In cases of sexual assault, the preservation of physical evidence is important to facilitate the identity and successful prosecution of the offender. The survivor should not change clothes, bathe, shower or douche following the attack. Sexual Assault Response Team (S.A.R.T.) personnel are trained to collect, process and preserve physical evidence of sexual assault, and are committed in their assistance to the survivor.

Regardless of the reporting or on-campus procedures, the survivor may also decide to file civil or criminal charges with the appropriate law enforcement agency, including the University Police Department or the law enforcement agency having jurisdiction where the assault occurred.

Student Survivors: The campus individual initially contacted by the survivor will, with the survivor's consent, immediately contact the SAFER Program at 756-2282 to provide an advisor for the survivor. A SAFER staff member will assess the survivor's immediate needs and provide support and referral as appropriate. This assistance may include: counseling, facilitating academic or living accommodations, information concerning rape trauma syndrome; information on the collection of medical evidence and available Health Service examination to test for injuries, sexually transmitted diseases, and/or pregnancy; filing a police report; and Sexual Assault Response and Prevention Center, and Victim Witness Program services. Reporting the incident with the appropriate law enforcement agency is recommended. However, if a survivor decides not to do so, support will continue to be provided to ensure that the survivor's needs are met, if requested by the survivor.

University Employee Survivors: Any incident on campus in which the survivor is an employee of the University should be reported to the University Police Department. The University Police

Department will notify the Director of Human Resources & Employment Equity who may initiate an administrative investigation of the incident. The University reserves the right to continue an investigation and take appropriate disciplinary action when the assailant is a campus employee. Upon the conclusion of the investigation, appropriate disciplinary action may be taken. Although criminal investigation is the priority, simultaneous administrative and criminal investigations may occur.

University Response to Reported Cases of Sexual Assault: The following offices may be involved in the University's response to reported instances of sexual assault:

Office of Student Affairs

The Vice President for Student Affairs or designee will respond to requests for information from the press, concerned citizens, parents, and the community when students are involved. The Director of Human Resources & Employment Equity will respond to requests where University personnel are involved. In all instances, the confidentiality of the survivor will be guaranteed to the extent permitted by applicable law.

Health and Counseling Services

Health and Counseling Services will maintain at least one licensed counselor trained to work with sexual assault survivors. With the consent of the survivor, Health and Counseling Services will provide appropriate medical assistance and make medical referrals.

Health and Counseling Services operating policy offers employee guidelines regarding the reporting of crimes. Generally, practitioners and counselors in Health and Counseling Services are not required to report crimes under the Clery Act. However, practitioners and counselors are encouraged to make reports to the University Police Department whenever they become aware of a violent crime, including sexual assault, on campus or on off-campus property that is University-related. It is not necessary to have actually observed injuries in the victim. Such off-campus properties would include fraternity and sorority houses, rooms rented for university-related functions, and private off-campus residence halls. When in doubt, report the suspected crime to the University Police Department. The University Police Department will ultimately decide whether or not a specific event is reportable under the Clery Act. These reports do not require the student victim's name. The University Police Department will identify the information needed for this report.

The SAFER program, provided through the Women's Center by Student Life and Leadership, will provide sexual assault prevention training and acquaintance rape prevention programs including annual presentations to:

- Residence Hall students
- Residence Hall Advisors and Coordinators of Student Development
- Inter-fraternity and Panhellenic Councils
- Week-of-Welcome Counselors and participants
- Other groups as appropriate.

The SAFER Program will also compile and make available to the campus community brochures, films, videos and other resource material on sexual assault.

Human Resources

Human Resources will provide appropriate resource referrals and employment-related services to employee survivors of sexual assault on a case-by-case basis. Human Resources may initiate appropriate disciplinary action in cases where the assailant is an on-campus employee.

### University Police

The University Police Department will maintain a staff investigator trained in sexual assault investigations who will be assigned to investigate cases of sexual assault. This investigation may result in a request to the district attorney's office for criminal prosecution. The University Police Department will also provide sexual assault prevention training to the campus community and summary statistical information on sexual assaults to the Vice President for Student Affairs.

### **Disciplinary Sanctions**

Student(s) or Student Organization(s): The Coordinator, Office of Student Rights and Responsibilities or designee will be responsible for any administrative action taken by the University against a student assailant including hearing procedures and possible disciplinary sanctions. The University recognizes its responsibility to all parties involved. Upon filing of a written complaint by the survivor and the completion of the University Police Department's investigation, any alleged assailant(s) or organization(s) will be contacted by the Coordinator, Office of Student Rights and Responsibilities. All actions taken will be according to Chancellor's Executive Order No. 628, and Title 5, Sections 41301 and 41302, of the California Code of Regulations (student discipline) and Cal Poly State University policies (organization discipline).

Consistent with the requirement of Assembly Concurrent Resolution 46 (Hayden) and Assembly Bill 3098 (Roybal and Allard), survivors of sexual assault may have: the right to have a person of the survivor's choice accompany her/him throughout the disciplinary hearing; the right not to have past sexual history introduced as part of the testimony except for specific purposes described in law; and the right to relocation of one or both parties where the best interests of all will be served, if reasonably available.

At Cal Poly, any student who is the subject of a disciplinary hearing has the right to have an advisor present during the hearing, but their advisor cannot be an attorney.

### Specific Campus Disciplinary Sanctions – Students and Student Organizations:

1. A student may be suspended on an interim basis from the University by the University President prior to any hearing processes when there is reasonable cause to believe such an immediate suspension is required in order to protect personal safety and to ensure the maintenance of order. (Article VII, Executive Order 628).
2. A student may be expelled, suspended, placed on probation, or any combination of other sanctions if found guilty of sexual assault or complicity in sexual assault. The type and number of sanctions applied will be determined on a case-by-case basis.
3. Organizations found to condone, promote, or be involved in activities relating to sexual assault may have their University recognition withdrawn and/or other sanctions imposed.

Both the survivor and the student charged shall be notified of the outcome of a campus disciplinary proceeding.

University Employee(s): Employees may be warned, reprimanded, and/or disciplined. A disciplinary action of suspension without pay, demotion, or dismissal from employment may be imposed on an employee. Any disciplinary action will occur according to established California State University procedures.

Others: In instances where the accused is not a student, staff or faculty member of Cal Poly, the University lacks authority to take disciplinary action. The survivor is encouraged to report the incident to the police agency of jurisdiction.

General Information: Survivors of sexual assault are encouraged to contact the SAFER Program at 756-2282, or the Women's Center at 756-2600. Additional resources include:

Counseling Services	756-2511
Health Services	756-1211
University Police	756-2281
San Luis Obispo Police	781-7317
San Luis Obispo Sheriff's Department	781-4550
Sexual Assault Recovery and Prevention Center	545-8888
Atascadero Police	461-5051
Paso Robles Police	237-6464
Morro Bay Police	772-6225
Pismo Beach Police	773-2208
Grover Beach Police	473-4511
Arroyo Grande Police	473-5100
San Luis Obispo HOTLINE	549-8989
Sexual Assault Response Team (S.A.R.T.)	781-4800

Questions concerning this policy may be directed to the SAFER Program Information Line at 756-2282 for students, or Human Resources at 756-2236 for employees.