A Message from Chief Olson

To the UCSB Community,

Thank you for your interest in the 2018 UCSB Annual Security Report. We publish this report to comply with important provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and to provide our community members with the information they need to take an active role in maintaining safety and security on campus. We encourage you to review this comprehensive report, which contains valuable and important information about security policies and procedures, Clery Act crime data, crime prevention and reporting, emergency response and evacuation, campus alerts, sexual violence response procedures, and other topics.

We strive to foster a secure and supportive environment at UCSB. Because safety and security on campus is a collaborative effort, we partner with many departments that have a critical role in promoting safety at UCSB, including the Title IX & Sexual Harassment Policy Compliance Office; Campus Advocacy, Resources & Education (CARE); Office of Student Life; Environmental Health & Safety; Office of Judicial Affairs; Housing, Dining & Auxiliary Enterprises; Intercollegiate Athletics; and many others. It has always been our goal to provide the highest quality of services to our community and we are honored to collaborate with the entire campus.

The men and women of the UCSB Police Department are committed to working with the entire campus community to make UCSB a safe place to live, work, and study.

Dustin Olson
Chief
UCSB Police Department
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1.0 Introduction

1.1 OVERVIEW OF THE CLERY ACT

Choosing a postsecondary institution is a major decision for students and their families. Deciding where to work and build a career is also a big decision and one that needs to be made based on an assessment of a number of factors. Campus safety and security is an important factor in determining whether or not to join a campus community. Access to campus safety and security information is also important for current students and employees at UCSB.

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

All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act and institutionalize its mandates. Among the various requirements, colleges and universities are required to prepare, publish, and distribute an annual report that discloses campus crime statistics and includes statements of safety and security policies and procedures. The notice of availability must be distributed to all current students and employees and made available to prospective students and employees.

In line with Clery Act mandates, members of the UCSB community have embraced a culture of reporting safety concerns. UCSB is committed to meeting the technical compliance requirements of the Clery Act, and also incorporating the spirit of the Clery Act: knowledge is power. The UCSB Clery Act Compliance Coordinator manages this program for UCSB, coordinating all aspects of Clery Act mandates and requirements.

This report, known as the Annual Security Report, contains specific UCSB Clery Act crime, arrest, and disciplinary referral statistics from the most recent three calendar years, as well as information about safety policies and practices intended to promote awareness about security and safety. This report is coordinated, prepared, and updated by the UCSB Police Department and Clery Act Compliance Coordinator, in conjunction with various campus partners. The 2018 Annual Security Report may be directly accessed by visiting www.police.ucsb.edu/asr. Copies of this Annual Security Report may be obtained from the UCSB Police Department during normal business hours (generally Monday through Friday, 8:00 a.m. to 5:00 p.m.). The UCSB Police Department is located on campus, in Public Safety Building #574 (Mesa Road).

Additionally, all Title IV institutions with on-campus student housing facilities are required to prepare and distribute an Annual Fire Safety Report (AFSR). The AFSR contains specific statements of fire safety policies and procedures as well as UCSB on-campus housing fire statistics for the most recent three calendar years. The AFSR is prepared by the UCSB’s Campus Fire Marshal, located in the Environmental Health & Safety (EH&S) Department. The 2018 AFSR may be directly accessed by visiting: www.ehs.ucsb.edu/firesafetyreport.

1.2 UC NONDISCRIMINATION & AFFIRMATIVE ACTION POLICY REGARDING ACADEMIC AND STAFF EMPLOYMENT

It is the policy of the University not to engage in discrimination against or harassment of any person employed or seeking employment with the University of California on the basis of race, color, national origin, religion, sex, gender, gender expression, gender identity, pregnancy, physical or mental disability, medical condition (can-
cer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. This policy applies to all employment practices, including recruitment, selection, promotion, transfer, merit increase, salary, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable state and federal laws and University policies.

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

1.3 NONDISCRIMINATION POLICY STATEMENT FOR UNIVERSITY OF CALIFORNIA PUBLICATIONS REGARDING STUDENT-RELATED MATTERS

The University of California, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. The University also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in University programs and activities.
## 1.4 IMPORTANT TELEPHONE NUMBERS

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<tr>
<td>UCSB Police Department Emergency Line</td>
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<tr>
<td>UCSB Police Department Non-Emergency Line</td>
<td>(805) 893-3446</td>
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<tr>
<td>Academic &amp; Staff Assistance Program (ASAP)</td>
<td>(805) 893-3318</td>
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<td>Alcohol &amp; Drug Program (ADP)</td>
<td>(805) 893-5013</td>
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<td>Campus Advocacy, Resources &amp; Education (CARE)</td>
<td>(805) 893-4613</td>
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<td>College of Creative Studies</td>
<td>(805) 893-4146</td>
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<td>College of Engineering</td>
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<td>College of Letters &amp; Sciences</td>
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<td>Community Service Officer (CSO) Escort Program</td>
<td>(805) 893-2000</td>
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<td>Counseling &amp; Psychological Services (CAPS)</td>
<td>(805) 893-4411</td>
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<td>Dean of Students Office</td>
<td>(805) 893-4568</td>
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<td>Disabled Students Program (DSP)</td>
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<td>Educational Opportunity Program (EOP)</td>
<td>(805) 893-4758</td>
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<td>Environmental Health &amp; Safety (EH&amp;S)</td>
<td>(805) 893-7534</td>
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<td>Environmental Health &amp; Safety (24-hour phone line)</td>
<td>(805) 893-3194</td>
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<td>Equal Opportunity and Discrimination Prevention</td>
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<td>Facilities Management Customer Service</td>
<td>(805) 893-8300</td>
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<td>Financial Aid and Scholarships</td>
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<td>Graduate Division</td>
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<td>Greek Affairs – Office of Student Life</td>
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<td>Housing, Dining &amp; Auxiliary Enterprises</td>
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<td>Human Resources – Employee Labor Relations</td>
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<td>Office of International Students and Scholars (OISS)</td>
<td>(805) 893-2929</td>
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<td>Office of Judicial Affairs (OJA)</td>
<td>(805) 893-5016</td>
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<td>Labor Relations</td>
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<td>Lost and Found (UCPD)</td>
<td>(805) 893-3843</td>
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<td>Office of the Ombuds</td>
<td>(805) 893-3285</td>
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<td>Parking &amp; Transportation Services</td>
<td>(805) 893-2346</td>
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<td>Poison Control Center</td>
<td>(800) 222-1222</td>
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<td>Police Department (UCPD) Dispatch</td>
<td>(805) 893-3446</td>
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<td>Office of the Registrar</td>
<td>(805) 893-3592</td>
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<td>Resource Center for Sexual &amp; Gender Diversity</td>
<td>(805) 893-5847</td>
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<td>Safety Escort Program – UCPD CSO</td>
<td>(805) 893-2000</td>
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<td>Standing Together to End Sexual Assault (STESA)</td>
<td>(805) 564-3696</td>
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<td>Student Health Service (SHS)</td>
<td>(805) 893-5361</td>
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<td>Student Health – Advice Nurse</td>
<td>(805) 893-7129</td>
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<td>Student Health – After Hours Advice Nurse</td>
<td>(800) 539-1387</td>
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<td>Student Health – Appointment Line</td>
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<td>Office of Student Life (OSL)</td>
<td>(805) 893-4569</td>
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<tr>
<td>Student Mental Health Coordination Services</td>
<td>(805) 893-3030</td>
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<tr>
<td>Title IX &amp; Sexual Harassment Policy Compliance Office</td>
<td>(805) 893-2701</td>
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<tr>
<td>Women, Gender &amp; Sexual Equity</td>
<td>(805) 893-3778</td>
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2.0 Preparation of the Annual Security Report and Annual Fire Safety Report

2.1 PURPOSE OF THE ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

Under the Clery Act, UCSB has immediate, ongoing, and annual reporting requirements. The Annual Security Report (ASR) and Annual Fire Safety Report (AFSR) are updated and published each year. This ASR contains safety- and security-related policy statements and procedures as well as crime statistics for the most recent three calendar years. The AFSR contains fire safety-related policy statements as well as on-campus student housing facilities' fire statistics for the most recent three calendar years. UCSB distributes the Annual Security Report and the Annual Fire Safety Report to all current students, staff, and faculty by October 1 of each year. UCSB also informs prospective students, staff, and faculty about the availability of these reports.

2.2 ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT NOTIFICATION AND DISTRIBUTION

The ASR and AFSR are distributed in compliance with the requirements of the Clery Act. Specifically, the UCSB Police Department (UCPD) distributes an individual notice about both reports to all currently enrolled students and all current employees by October 1 of each year. The notice generally includes a statement of the reports’ availability, a brief description of the information contained within the reports, a direct link to the reports, and information regarding where paper copies of the reports may be obtained upon request. Both reports are also made available to prospective students and employees, and distributed to prospective students and employees upon request.

The ASR and the AFSR are distributed as two separate report documents. The AFSR may be directly accessed by visiting: [www.ehs.ucsb.edu/firesafetyreport](http://www.ehs.ucsb.edu/firesafetyreport).

2.3 ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT PREPARATION PROCESS

The UCSB Clery Act Compliance Coordinator (Clery Coordinator) has primary responsibility for compiling the information contained within the ASR. The Clery Coordinator manages the collection, classification, and reconciliation of all UCSB Campus Security Authority (CSA) crime reports and UCPD Police reports to ensure accurate reporting of Clery-reportable crime statistics. Crime statistics are also requested from state and local law enforcement agencies in the areas where UCSB owns or controls property. Additionally, the Clery Coordinator works with Residential Student Conduct, the Office of Judicial Affairs, Human Resources, Academic Personnel, Intercollegiate Athletics, and the Reserve Officer Training Corps (ROTC) to collect and reconcile disciplinary referral statistics for Clery-reportable liquor, drug, and weapons law violations.

The UCSB Campus Fire Marshal has primary responsibility for compiling the information contained within the AFSR. The UCSB Campus Fire Marshal works closely with the UCSB Police Department to reconcile all reported fires within on-campus student housing facilities, and has the primary duty to investigate all reported fires for a Clery arson determination. For more information about the Annual Fire Safety Report please visit [www.ehs.ucsb.edu/fire/links-and-information](http://www.ehs.ucsb.edu/fire/links-and-information). The Annual Fire Safety Report may be directly accessed by visiting: [www.ehs.ucsb.edu/firesafetyreport](http://www.ehs.ucsb.edu/firesafetyreport).
3.0 UCSB Police Department and Other Agencies

3.1 UCSB POLICE DEPARTMENT MISSION

The mission of the UCSB Police Department (UCPD) is to protect and defend the rights guaranteed in the Constitution of the United States and the Constitution of the State of California, to enforce the criminal laws of the State of California in the spirit they were enacted, to protect life and property, to prevent crime, to apprehend suspected criminal violators, and to aid community members whenever possible. UCPD strives to accomplish these objectives with integrity and respect, and to support the UCSB community in order to advance the achievement of the University's academic, research, and public service mission.

UCPD operates a 911 Dispatch Center 24 hours a day, 365 days a year, and can receive calls from a cell phone, landline phone, blue light emergency phone, emergency call box, elevator phone, or TDD/TTY machine.

3.2 UCSB POLICE DEPARTMENT JURISDICTION, ENFORCEMENT AUTHORITY, AND ARREST AUTHORITY

Crime prevention and apprehension of those who commit crimes within the Department's jurisdiction is part of the mission of the UCSB Police Department. UCPD has the law enforcement primary jurisdiction over the University of California, Santa Barbara, and other properties affiliated with the Regents of the University of California.

UCSB Police Officers are duly sworn peace officers under Penal Code 830.2. UCPD adheres to the policies of the Commission on Police Officer Standards and Training (POST). The officers are armed and have the same authority to make arrests under the law as municipal officers or sheriff deputies. Officers receive the same training as municipal and county peace officers as well as additional training to meet the unique needs of the university campus community. Officers patrol the UCSB campus 24-hours a day, 365 days a year. They enforce applicable local, state, and federal laws and provide a full range of Police-related services, including immediate response to criminal, fire, and medical emergencies.

The UCSB Police Department employs UCSB students as Community Service Officers (CSOs). CSOs assist UCPD officers by acting as a liaison between the Police and the UCSB community. CSOs patrol the campus 365 days a year, reporting crimes in progress and emergency situations to Police, detecting safety hazards, and assisting in preventing the escalation of situations. CSOs provide personal safety escorts on campus and in the adjoining community of Isla Vista, and fulfill security needs for campus residence halls and special events. CSOs are not armed and do not have any sworn law enforcement authority, but are in constant contact with UCPD Dispatch and Officers via radio communication. CSOs receive 12 weeks of train-
ing in procedures for radio communication, recognizing safety and security hazards, public relations, emergency and fire response, and other aspects of community service.

UCSB occasionally hires contract security workers for athletic and entertainment events. Contract security personnel are not sworn law enforcement; they are trained to observe and report criminal and security issues to UCPD.

3.3 MEMORANDUM OF UNDERSTANDING AND WORKING RELATIONSHIPS WITH LOCAL LAW ENFORCEMENT

Relationships with Local Law Enforcement Agencies and Emergency Response Agencies

UCPD has cooperative working relationships with the surrounding law enforcement and emergency response agencies to share information and resources, and works closely with these agencies to respond to crime or other emergency situations. This collaboration leads to functional assessment for the needs of either Emergency Notifications or Timely Warnings. In addition, the department collaborates with local, state, and federal agencies, as necessary.

By mutual agreements with state and federal agencies, UCPD maintains access to the National Law Enforcement Telecommunications System (NLETS) and the California Law Enforcement Telecommunications System (CLETS). These computer databases are used for accessing criminal history data; nationwide police records; Department of Motor Vehicle information; as well as local, state, and federal law enforcement information.

Memorandum of Understanding with Santa Barbara Sheriff’s Office

The UCSB Police Department has adopted and signed a Memorandum of Understanding (MOU) with the Santa Barbara Sheriff’s Office (SBSO). The purpose of the MOU is to meet the statutory requirements established by AB 1433 (Gatto, 2014), specified in the California Education Codes 67383 and 67381. The MOU promotes collaboration in order to enhance reporting, investigation, and appropriate response to sexual assault and other covered crimes. The MOU also promotes compliance with numerous state and federal laws, including Education Codes 67380, 67381, and 67383; SB 967 (De Leon, 2014), specified in Education Code 67386; the federal Clery Act; Title IX of the Higher Education Amendments of 1972; and California Penal code and applicable state laws related to health and confidentiality/privacy. See Other Applicable Legal Statutes for more information about “Gatto” and “De Leon” bills.

The goals of the MOU include the following: (a) to ensure that felonies committed on institution property are promptly and effectively reported, investigated, and prosecuted; (b) to enhance communication and coop-
eration between UCPD and SBSO in providing services and assistance to members of the UCSB community who are victims or witnesses to crimes; (c) to enhance UCSB’s ability to alert the campus community about incidents or crimes that require the issuance of an Emergency Notification or Timely Warning.

**Operational responsibility:**

UCPD has operational responsibility for any crimes, including Part 1 violent crimes, hate crimes, and sexual assaults occurring on the University campus or University owned/operated properties and facilities. SBSO has operational responsibility for any crimes, including Part 1 violent crimes, hate crimes, and sexual assaults occurring within the unincorporated area of jurisdictional boundaries in the County of Santa Barbara. “Operational responsibility” refers to the law enforcement agency with responsibility for preventing crime, preserving peace and order, enforcing laws and ordinances, receiving citizens’ arrests, evaluating persons who may be subject to Welfare and Institutions Code section 5150, investigating and collecting evidence, investigating reportable traffic accidents, reporting and accounting criminal offenses, and providing such other police services as the statutes and standard operating procedures of the respective departments may require.

**Concurrent jurisdiction:**

SBSO has concurrent jurisdiction with University campus property and facilities, as well as municipalities within the County of Santa Barbara in which SBSO has jurisdictional authority and operational responsibilities. “Concurrent jurisdiction” is the statutory jurisdiction for performance of police officer functions. For example, if campus property is located within an unincorporated area, SBSO has concurrent jurisdiction with UCPD.

**Reporting obligations and information sharing:**

Pursuant to California Education Code 67380(a)(6)(A), 67381, and 67383(a), UCPD must forward reports received by a Campus Security Authority (CSA) of a Part 1 violent crime, sexual assault, or hate crime committed on or off campus, immediately or as soon as practicably possible to the appropriate local law enforcement agency. This includes reports victims make directly to CSAs as well as reports victims make to other University employees that are made by the victim for the purposes of notifying the institution or law enforcement. Per the MOU, UCPD promptly notifies SBSO of any Part 1 violent crime, sexual assault, or hate crime, committed on or off campus, that has been reported to UCPD. Per the MOU, SBSO promptly notifies UCPD of any Part 1 violent crime, sexual assault, or hate crime, committed within the SBSO jurisdiction, that involves a UCSB student or employee. UCPD and SBSO comply with applicable laws and guidance regarding anonymous and confidential reporting of sexual violence.

Per the MOU, SBSO promptly notifies UCPD of any Part 1 violent crime, sexual assault, or hate crime involving a student or employee to facilitate the issuance of Timely Warnings and Emergency Notifications. In addition to following these reporting procedures, UCPD and SBSO meet regularly to share data and analysis about crimes on and off campus.

**Coordination during ongoing investigations:**

UCPD and SBSO share relevant information and documentation during a campus or law enforcement investigation when survivors of sexual assault are UCSB students or employees. The MOU addresses victim confidentiality and privilege requirements.

**Isla Vista Foot Patrol**

Located at 6504 Trigo Road in Isla Vista, the Isla Vista Foot Patrol (IVFP) was initiated in 1970 in the interest of developing “community based policing” for the campus-adjacent community of Isla Vista. The IVFP is a division of the Santa Barbara Sheriff’s Office (SBSO) in which several UCPD Officers serve at any given time, on a rotating basis. During major events in Isla Vista, SBSO
and UCPD operate jointly to provide a unified command for the community. While SBSO maintains primary jurisdiction and responsibility for law enforcement in Isla Vista, UCPD provides law enforcement support for this highly diverse community.

### 3.4 CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS

UCPD does not routinely provide law enforcement services to off-campus residences of student organizations. Criminal activity at off-campus locations would normally be reported to the local law enforcement jurisdiction (i.e., Santa Barbara Sheriff’s Office). While UCPD relies on its close working relationships with local law enforcement agencies to receive information about incidents involving our students and student organizations, UCPD does not have a formal agreement with local law enforcement to monitor criminal activity in these off-campus locations.

If UCPD learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Judicial Affairs, Title IX, and campus support resources, as appropriate. The University requires all recognized student organizations to abide by federal, state, and local laws, and University regulations. The University may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to interfere with UCSB’s mission or adversely affect members of the UCSB community (as defined in the UCSB Student Conduct Policy at [www.sa.ucsb.edu/regulations/student-conduct-code/student-conduct-code](http://www.sa.ucsb.edu/regulations/student-conduct-code/student-conduct-code)).
4.0 Reporting Criminal Activity and Emergencies

4.1 ACCURATE AND PROMPT REPORTING OF CRIMINAL ACTIVITY

In order to make the UCSB campus as safe and secure as possible, all students, staff, faculty, other community members, and visitors are strongly encouraged to immediately report all criminal activity and all suspicious person(s), and/or suspicious activities, to the UCSB Police Department (UCPD) or appropriate Police agency (depending on location of crime). UCSB encourages accurate and prompt reporting of all crimes to Police when a victim requests help making a report or is unable to make a report without assistance.

Report crimes in progress and emergencies by dialing 911. Calls to 911 from campus will connect the caller to the UCSB Police Department Dispatch. Due to limitations of cell phone technology, 911 calls from cell phones can potentially be routed to other agencies, such as the Santa Barbara Sheriffs’ Office or California Highway Patrol. Callers should immediately identify their location to make sure they are connected to the correct agency. If necessary, they will be immediately transferred to the correct agency. For non-emergencies, call the UCSB Police Department (UCPD) at (805) 893-3446 (24-hour line). Reports can also be made in person at the UCPD Station, located on campus, at Public Safety Building #574 (on the corner of Stadium and Mesa Roads). See UCPD Station location on a map. If you have to ask yourself if you should contact Police, make the call!

UCPD has primary jurisdiction and responsibility for investigating crimes and providing Police protection services to the UCSB campus community. The immediate and accurate reporting of all criminal activity assists UCPD in assessing Clery crimes for a potential Timely Warning and for inclusion in the annual Clery crime statistics disclosure and the Daily Crime Log.

All crimes that occur off or away from campus should be reported to the local law enforcement agency with jurisdiction where that crime has occurred.

- For crimes that occur in Isla Vista, UCSB encourages immediate reporting of all incidents to the Santa Barbara Sheriff’s Isla Vista Foot Patrol (IVFP) Office at (805) 681-4179, 6504 Trigo Road, Isla Vista.

- For crimes that occur in Goleta, UCSB encourages immediate reporting of all incidents to the Santa Barbara Sheriff’s Office at (805) 681-4100, 4434 Calle Real, Goleta.

- For crimes that occur in Santa Barbara, UCSB encourages immediate reporting of all incidents to the Santa Barbara Police Department at (805) 897-2300, 215 E. Figueroa Street, Santa Barbara.

- If you are unsure of which agency you need to speak to, you may call any law enforcement agency and they will assist you with either providing information to assist you, or providing the contact information for the agency that has jurisdiction where the incident took place.

UCPD Dispatchers are available 24 hours a day, 7 days a week, at (805) 893-3446 to answer any calls. In response to a call for service, UCPD will take the required action, either dispatching an Officer or asking a victim to respond to the UCSB Police Department to file a report with a Police Officer. All reported crimes may become a matter of public record. UCSB Police Department reports may be forwarded to various departments, including but not limited to the CARE (Campus Advocacy, Resources & Education) Office, the Title IX Office, the Office of Judicial Affairs, and the Dean of Students. See Protecting Victim Confidentiality for more information about maintaining victim confidentiality.
UCPD’s Investigations Division will investigate a report when it is deemed appropriate. Additional information obtained during an investigation may be forwarded to other offices at UCSB when deemed necessary and determined on a case-by-case basis. If assistance is needed from the Santa Barbara Sheriff’s Office, the Santa Barbara Police Department, or another Police agency, the UCSB Police Department will contact the appropriate agencies for assistance. If a sexual assault, dating violence, domestic violence, or stalking should occur, staff initially on scene, including the UCPD responding Officers, will offer a victim/survivor written information on rights, options, and resources, regardless of whether the crime occurred on or off campus.

4.2 REPORTING EMERGENCIES

Police, fire, and medical emergencies on campus can be reported by dialing 911 from any telephone on campus. Most 911 calls made from cell phones on campus are routed to the UCSB Police Department. Typically, 911 calls made from GPS enabled cell phones will be routed to a local law enforcement agency that has jurisdiction in the area where the 911 call is being made from. All 911 calls received by outside law enforcement agencies can be immediately transferred to UCPD's Dispatch Center at the caller's request.

Emergencies can also be reported by using any one of the more than 100 blue light emergency call-boxes located throughout campus, or by using the emergency intercom system located in most building elevators.

For all non-campus emergencies, calls for emergency service should be directed to the local law enforcement agency that has jurisdiction in the area where the emergency is occurring or has occurred.

4.3 REPORTING NON-EMERGENCIES

Non-emergency incidents on campus can be reported to UCPD by dialing (805) 893-3446. All suspected on-campus crimes, regardless of their nature, should immediately be reported, as accurately as possible, to UCPD.

If a crime victim or any other person wants to report a non-emergency crime anonymously, UCPD has an online crime reporting form on the UCPD website: www.police.ucsb.edu/contact-us/report-crime. Reports of Clery Act crimes filed in this manner are classified, counted, and published in the Clery Act annual crime statistics report without revealing any personally identifying information about the victim. Online reporting should not be used for crimes in progress or emergencies; call 911 to immediately notify Police in those situations.

<table>
<thead>
<tr>
<th>Law Enforcement Contacts</th>
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</thead>
<tbody>
<tr>
<td>Serious threat to life or property</td>
<td>911</td>
</tr>
<tr>
<td>UCSB Police Department (UCPD)</td>
<td>(805) 893-3446</td>
</tr>
<tr>
<td>Isla Vista Foot Patrol</td>
<td>(805) 681-4179</td>
</tr>
<tr>
<td>Santa Barbara County Sheriff’s Office</td>
<td>(805) 681-4100</td>
</tr>
<tr>
<td>Santa Barbara City Police</td>
<td>(805) 897-2300</td>
</tr>
<tr>
<td>UCPD CSO Escort</td>
<td>(805) 893-2000</td>
</tr>
<tr>
<td>UCPD anonymous crime reporting</td>
<td>police.ucsb.edu/contact-us/report-crime</td>
</tr>
<tr>
<td>Clery Act crime reporting</td>
<td>police.ucsb.edu/csareport</td>
</tr>
</tbody>
</table>
4.4 VOLUNTARY CONFIDENTIAL REPORTING OPTIONS

In certain instances, a crime victim may be reluctant to file an official Police report, fearing the criminal process and/or loss of confidentiality. In such circumstances, UCSB still encourages crime victims to make a confidential report to UCPD. Anyone can make a voluntary confidential report to UCPD by filling out an online report form at www.police.ucsb.edu/contact-us/report-crime or by calling UCPD at (805) 893-3446. Additionally, confidential reports for inclusion in crime statistics reporting can be filed by submitting a CSA Report Form at www.police.ucsb.edu/csareport.

Confidential reports are important because they provide valuable information to help maintain a more accurate record of crimes occurring on campus and help determine where there is a pattern of crime. Voluntary confidential reports of Clery Act crimes also assist with the potential issuance of Timely Warnings to the campus community to warn of serious or continuing threats, when deemed necessary by UCPD. Additionally, crime reports filed in this manner are classified and disclosed in the annual crime statistics reporting without revealing any identifying information of the victim.

At the request of a victim of Sexual Violence, UCPD will not disclose a victim’s identifying information except to the prosecutor, parole officers of the Department of Corrections, hearing officers of the parole authority, probation officers of county probation departments, or other persons or public agencies where authorized or required by law. The purpose of a confidential report is to comply with a crime victim’s desire to keep the matter confidential while taking steps to ensure their safety and the safety of others.

For more information about the multiple ways that a victim/survivor’s personally identifying information is protected from disclosure, see Protecting Victim Confidentiality.

4.5 CAMPUS SECURITY AUTHORITIES

UCSB encourages the reporting of all criminal activity directly to the UCSB Police Department, but recognizes that some crime victims may be more inclined to report the incident to a staff member on campus than directly to Police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations who the Clery Act refers to as Campus Security Authorities (CSAs).

The Clery Act specifically includes four groups of individuals and organizations that are designated as CSAs: (1) a campus Police department or a campus security department of an institution; (2) any individual or individuals who have responsibility for campus security but who do not constitute a campus Police department or a campus security department, (3) any individual or organization to which students and employees are directed by the institution to report criminal offenses, and (4) an official of the institution who has significant responsibility for student and campus activities. An “official” is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

UCSB has designated the following departments and positions as primary CSAs.

<table>
<thead>
<tr>
<th>Office</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCSB Police Department</td>
<td>(805) 893-3446</td>
</tr>
<tr>
<td>UCSB Clery Act Compliance Coordinator</td>
<td>(805) 893-2324</td>
</tr>
<tr>
<td>Office of Judicial Affairs</td>
<td>(805) 893-5016</td>
</tr>
<tr>
<td>Residential Student Conduct</td>
<td>(805) 893-3281</td>
</tr>
<tr>
<td>Title IX &amp; Sexual Harassment</td>
<td>(805) 893-2701</td>
</tr>
<tr>
<td>Compliance Office</td>
<td></td>
</tr>
<tr>
<td>Employee Labor Relations - Human</td>
<td>(805) 893-4482</td>
</tr>
<tr>
<td>Resources</td>
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</tbody>
</table>
Many other staff members and departments on campus are also CSAs. Campus officials with significant responsibility for student and campus activities are CSAs. The list above are the offices students are encouraged to make crime reports to. These CSA reports are used to make an assessment about issuing a Timely Warning and inclusion in annual crime statistics reporting.

In addition to gathering Clery Act crime statistic information from Police reports generated by UCPD, Clery Act crime statistic data are gathered from all personnel identified as CSAs. CSAs are instructed that reports of Clery Act crimes must be made immediately, or as soon as possible, to the Clery Act Compliance Coordinator by completing an electronic CSA Report Form at www.police.ucsb.edu/csareport.

4.6 PROFESSIONAL AND PASTORAL COUNSELORS

UCSB encourages UCSB professional and pastoral counselors to inform any victim they are counseling about the voluntary confidential reporting procedures for Clery Act purposes, if and when they deem it appropriate. However, UCPD does not have a policy that includes procedures for encouraging pastoral and professional counselors to inform the persons they are counseling to make voluntary confidential reports.

With their client's permission or request, professional and pastoral counselors can make a CSA report or an online crime report to UCPD without including identifying information in the report.

4.7 DAILY CRIME LOG

The UCSB Police Department (UCPD) maintains a Daily Crime Log, which contains a record of all crimes reported to UCPD. The Daily Crime Log also includes any crimes reported within the primary patrol jurisdiction of UCPD (see attached patrol jurisdiction maps in the Appendix). All entries or additions to the Daily Crime Log are made within two business days of the report being received by UCPD, unless the disclosure of such crime is prohibited by law or would jeopardize the confidentiality of the victim.

The information in the Daily Crime Log includes the nature of the reported crime, the time and date the crime was reported to UCPD, the time and date the crime occurred (if known), the location of the crime (if known), and the current disposition of the case for the past 60 days (if known). A crime is considered “reported” when it is brought to the attention of a CSA (including UCPD Officers). All crimes in the Daily Crime Log are recorded by the date the crime was reported to UCPD.

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

UCPD's Daily Crime Log includes all crime incidents from the most recent 60-day period. The Daily Crime Log is open for public inspection at UCPD's Dispatch Center in the lobby of the UCPD Station (Public Safety Building #574) during normal business hours (generally Monday through Friday, 8:00 a.m. to 5:00 p.m.). Additionally, the Daily Crime Log will usually be accessible on UCPD's website at www.police.ucsb.edu/daily-crime-logs (or by clicking on the “Daily Crime Logs & Map” icon on the UCPD home page). Daily Crime Log information older than 60 days (up to 7 years) will be made available for public inspection within two business days of a request for such information.
5.0 Missing Student Policy

5.1 GENERAL POLICY ON MISSING PERSONS

It is the policy of UCSB, through the UCSB Police Department (UCPD), to accept all reports of missing persons without delay. UCPD does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until the facts reveal otherwise. UCPD gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person’s investigation.

Reporting a missing person can be accomplished by a report via telephone or in person, which initiates the investigation. A report is accepted regardless of where the person was last seen, where the person resides, or any other question of jurisdiction. If an individual is not immediately located, UCPD enters the missing person into the appropriate missing person network. UCPD may request assistance from the Santa Barbara Sheriff’s Office.

If a person has reason to believe that a member of the University community is missing, they should immediately notify UCPD at (805) 893-3446 or 911.

5.2 MISSING STUDENT NOTIFICATION POLICY AND PROCEDURE FOR CAMPUS RESIDENTS

In accordance with the Higher Education Opportunity Act, UCSB has a Missing Student Notification Policy and Procedure for students residing in on-campus student housing facilities. The policy was established jointly by UCPD; Housing, Dining & Auxiliary Enterprises; and the Dean of Students.

If any person has reason to believe that a student who resides in on-campus student housing is missing, they should immediately notify the UCSB Police Department (UCPD) at (805) 893-3446.

A student is considered missing after a reasonable investigation by in-residence staff fails to discover the location of the person reported missing from campus, or where a set of extenuating circumstances may suggest immediate concern. Such conditions may consist of but are not limited to: (a) medical or health related problems; (b) the student has not regularly attended classes and has not been seen elsewhere; (c) a UCSB official has made an inquiry of concern; (d) a parent, roommate, suitemate, or apartment-mate of the missing person has reported such a disappearance due to irregular contact with the student.

A student who has been missing for 24 hours is considered a missing student, but it may be determined that the student is missing prior to the full 24 hours. Any official missing student report must be referred immediately to UCPD. UCPD will generate a missing person report and initiate an investigation. If a student is missing from a location other than the UCSB campus, UCPD will notify the local agency in the appropriate jurisdiction within 24 hours of the determination that the student is missing.

UCSB will also notify the student’s designated emergency contact within 24 hours of the determination that the student is missing. In addition to registering an emergency contact, each student residing in an on-campus housing has the option to confidentially register an individual to be contacted by UCSB in the event the student is determined to be missing. Students residing in on-campus housing are offered the opportunity to register this Confidential Contact Person each time they complete registration (at least annually). The Confidential Contact Person is confidential information; only authorized campus officials and law enforcement officers, in furtherance of a missing person investigation, may have access to this information. This Confidential Contact Person, if designated, will be notified within 24 hours of the determination that the student is missing. If the student does not designate a Confidential Contact Person, their emergency contact person will be notified if the student is determined to be missing.
UCSB must notify the designated Confidential Contact Person as well as the custodial parents or guardians of students who are under 18 and not emancipated within 24 hours of the determination that they are missing. If the student is under the age of 18 and is not an emancipated individual, a UCSB official will notify the student’s parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying the Confidential Contact Person registered by the student.

Regardless of whether or not the student has identified a Confidential Contact Person, is above the age of 18, or is an emancipated minor, UCPD will inform the local law enforcement agency that has jurisdiction in the area the student is missing within 24 hours.

6.0 Crime Prevention and Security Awareness Programs

The prevention of crime is a top priority for UCSB. All members of the UCSB community are encouraged to take responsibility for their own safety and security, and when possible and safe to do so, assist others with their safety and security needs. While the UCSB Police Department may offer guidance and assistance regarding safety and security on campus, each individual must take primary responsibility for their own safety and security.

The UCSB Police Department (UCPD) supports proactive crime prevention strategies, working closely with community members and other departments on campus to help create and maintain a safe environment at UCSB. For students, crime prevention and security awareness programs begin with freshman orientation presentations. Throughout the year, UCPD gives various presentations and workshops regarding personal safety, self-defense, office safety/workplace violence, bicycle security, residential security, active shooter response, and crime prevention.

UCPD’s effort to educate the campus community about incidents of crime, the importance of reporting crime, and the prevention of crime is performed on a continuous and ongoing basis throughout each year. From the time a student attends freshman orientation to their graduation, students are presented with and offered a number of different safety and security programs and campaigns designed to create a safer campus.
6.1 CAMPUS SAFETY AND SECURITY EDUCATION, PROGRAMMING, AND OTHER EVENTS

Crime prevention is the anticipation, recognition, and appraisal of a crime risk and the initiation of action to remove or reduce it. UCPD provides support and services to, and collaborates with, campus community members to make UCSB a safer place to work, learn, and live.

Campus security procedures are discussed during new student orientation, when students learn about crime on campus and in surrounding neighborhoods. In addition to ongoing opportunities to attend crime prevention and safety awareness programming, UCPD offers crime prevention presentations when requested by various community groups, including students and employees of the University. During these presentations, the following information is typically provided: crime prevention tips; statistics on crime at UCSB; Emergency Notification and Timely Warning policies and procedures; and information regarding campus security procedures and practices, including encouraging participants to be responsible for their own security and for the security for others on campus.

Crime Prevention Programs

UCPD offers the following crime prevention programs to the UCSB community:

- **Citizen’s Police Academy:** This program is offered twice a year for students, staff, and faculty at UCSB. The goal of this program is to give the participants a general overview of law enforcement and the duties that come with being a Police Officer. Coupled with this overview are general crime prevention methodologies and best practices.

- **Coffee with the Cops Forum:** This program is a quarterly meeting for all UCSB student, staff, and faculty to participate in a discussion with campus Police. The forum is held in an informal setting designed to elicit an open dialogue about topics suggested by the attendees. The topics range from questions regarding crime to discussions of crime prevention and personal safety.

- **Pizza with the Police:** This program is another opportunity, also on a quarterly basis, for all UCSB students, staff, and faculty to participate in a discussion with campus Police. The forum is held in an informal setting designed to elicit an open dialogue about topics suggested by the attendees. The topics range from questions regarding crime to discussions of crime prevention and personal safety.

- **Isla Vista LUX, Bike Safety, and Free Lights Event:** IV Lux (Latin for light) is a positive and proactive approach to bicycle safety that employs an alternative method to writing hundreds of tickets to enforce bike safety compliance. Officers, students, and volunteers provide bicycle safety information and encourage riders to take and use the free bike lights being distributed by UCPD. By making Isla Vista brighter, bicyclists will be more visible during darkness, making the cycling environment safer and resulting in fewer injuries and less property damage. One thousand bike lights were distributed in 2017. This event is conducted annually, and is for all members of the UCSB community.

- **Rape Aggression Defense (R.A.D.):** The Rape Aggression Defense Basic Personal Defense System is a national program of realistic self-defense tactics and techniques. All courses are taught by nationally certified R.A.D. Instructors, and are offered to female students, staff, and faculty on a monthly basis. R.A.D. classes for men and nonbinary individuals are available by request.

- **Lighting and Safety Walk:** All members of the campus community are invited to join UCPD on this annual walk through campus to identify lighting and other safety concerns. Community members help identify the need for new lighting installation or lighting repairs, as well as landscaping issues that create blind
Crime Prevention Through Environmental Design (CPTED): CPTED is a multi-disciplinary approach to deterring criminal behavior through environmental design. CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts by affecting the built, social, and administrative environment. Sergeant Bowman of UCPD is trained in CPTED, a professional designation. He uses this design discipline when he provides crime prevention assessments (including office furniture layout improvements) as well as recommendations for security systems to staff and academic departments. These consultation meetings are conducted upon request, which is typically more than once a week. Sgt. Bowman also uses CPTED to provide the campus with recommendations during the planning process of new buildings and landscape design.

Security Awareness Programs

UCPD offers the following security awareness programs to the UCSB community:

- Hostile Intruder Training for Students, Staff, and Faculty: UCPD offers hostile intruder training (formerly active shooter training) for students, staff, and faculty. This includes viewing a video demonstrating best practices followed by a lecture with questions and answers. The participants return to their individual work space where they are visited by an officer who assesses their work space from a security perspective, including evacuation routes and sheltering-in-place location suggestions. By the end of the meeting, the department and
staff members have a personalized plan of action on how to react to a variety of threatening situations. This training is offered on an ongoing basis; approximately 100 training sessions were offered in 2017.

- **Incoming Student Orientation Talk:** In collaboration with the Orientation Office, UCPD provides all incoming freshmen and transfer students an overview of campus safety, information about crime in the local area, and risk reduction strategies. Over 40 talks are offered fall quarter and additional talks are offered to incoming freshmen, transfer, and international students at the start of other quarters.

- **Incoming Parent Orientation Talk:** In collaboration with the Orientation Office, UCPD offers a program for parents of incoming students that includes an overview of campus safety, information about crime in the local area, and risk reduction strategies. Over 20 talks are offered during the summer.

- **Freshman Summer Start Program (FSSP) Talk:** FSSP is an opportunity for admitted UCSB freshmen to get a head start on coursework and make a successful academic and social transition to UCSB during summer quarter. UCPD presents to all FSSP attendees. Topics include how to be safe on campus and in Isla Vista, how to avoid being the victim of various crimes, and how to avoid being cited or arrested.

- **Bike and Skateboard Safety Training:** UCPD offers a one-hour presentation on bicycle and skateboard safety for those who have received a bike or skateboard citation and are eligible for the class. Upon completion of this class, a fine of over $197.00 is reduced to a $35.00 administrative fee.

- **KCSB Inside Isla Vista:** This weekly, thirty-minute radio show features community leaders interviewed on current topics affecting the UCSB and Isla Vista communities. UCPD’s Lt. Mark Signa is a regular contributor to the program, providing law enforcement’s perspective on a variety of topics.

- **The Gaucho Guardian Newsletter:** This annual online publication shares the good work of UCPD, updates on current events, topical articles, and tips for how community members can better protect themselves and their belongings.

- **Isla Vista Safe Committee:** UCPD is a proud member of the Isla Vista Safe Committee. This leadership coalition focuses on creating strategic policies to promote safety and security, civic responsibility, and community well-being in Isla Vista.

- **Day of the Child:** Day of the Child is an annual event that provides a fun and safe environment for the children of Isla Vista to play in the park and have a great day. Lunch and snacks are provided so the children have plenty of energy to play in the bounce houses, make crafts, get their faces painted, climb on fire trucks, and go through Police cars. UCPD and its partners provide entertainment and lunch for about 450 community members each year.

- **Meet Your Neighbor Day:** Meet Your Neighbor Day is an annual event to bring people of the UCSB and Isla Vista communities together. Entertainment and food is provided for about one thousand attendees. UCPD Officers make pancakes in the morning and participate in soccer games and other events with community members in the afternoon. The event provides an opportunity for people to interact with UCPD Officers in a social setting.

- **Halloween and Deltopia Talks:** Isla Vista has two unsanctioned events each year that have the potential to bring large numbers of out-of-town people into our community. Law enforcement numbers are greatly increased during these events. Students have requested informational talks leading up to these events so they can learn how not to be victims and how not to be cited or arrested for alcohol violations. These talks allow UCPD to connect with thousands of students each year.
UC Isla Vista (UCIV) Staff Training: UCIV is a public volunteer program that acts as a mediator between Police Officers and the community. Volunteers provide information about resources available to the community as well as help those in need. Volunteers distribute water at Associated Students water stations throughout IV, connect those in need to medical services, and escort residents to their homes or to the Pardall Center Safe Space. UCPD is part of the annual training for the UCIV volunteers (mostly students), informing them about various laws and how they are enforced, and about how they can maintain their own safety while they are helping others in the community.

Library Safety & Security Council: UCSB Library safety representatives and operational staff meet with UCPD Officers once a month to ensure that policies, procedures, and best practices are in place for the largest building on campus that has more than 2 million people a year pass through its doors. Primary topics at the monthly council meetings include personal safety as well as best practices for safeguarding personal property and UC property.

Campus Climate Committee (CCC): The CCC, a group of students, staff, and faculty who meet monthly, promotes an inclusive and respectful campus community at UCSB through proactive education, dialogue, and responsive action to climate or bias-related incidents as well as to concerns about local, national, and international events. The goals of the CCC are to bring together individuals who are committed to working toward an inclusive campus, to track bias incidents in order to raise awareness and address needs, to design proactive educational efforts to address bias, and to develop strategies for timely and meaningful responses to campus climate concerns. UCPD is a founding member of this committee because we are wholly committed to maintaining an inclusive campus.

Lieutenant’s Office Hours: Lt. Mark Signa’s weekly office hours are a time for all members of the UCSB community to come and enjoy free coffee and snacks, and to engage in conversations of their choosing with UCPD. Holding them weekly at the same location and time gives people the opportunity to return regularly, creating meaningful connections. Lt. Signa welcomes all questions and conversations (fun, serious, challenging, etc.)!

Safety Brochures and Videos: UCPD has developed safety videos and brochures for students, faculty, and staff on topics such as self-defense and personal safety, residential security, active shooter situations, and burglary and theft prevention. These materials are available at the UCPD Station as well as the UCPD website, and are used and distributed at all UCPD presentations and events.

In addition to the regular and ongoing crime prevention and safety awareness programming above, UCPD provides consultation and crime prevention assessments to staff/academic departments and student groups upon request. UCPD can assist in developing department-specific emergency plans for evacuations, bomb threats, and criminal incidents, or can provide crime-prevention and physical-security systems recommendations for the planning process of new buildings and landscape design.

For more information about crime prevention, or to schedule a presentation regarding crime prevention, stalking, hostile intruder, or active shooter safety, please contact Community Relations Sergeant Matt Bowman at (805) 893-2303 or matt.bowman@police.ucsb.edu. UCPD offers training and lectures customized for your group or department. More information can be found at www.police.ucsb.edu/resources/crime-prevention.

6.2 CAMPUS RESIDENTS

Campus community members are reminded that crime can happen anywhere, at any time, to anyone, and that the UCSB campus is not a crime-free zone. Students, staff, and faculty must take their own personal safety very
seriously. Since the UCSB campus is open 24 hours a day, and visitation to campus housing facilities is mostly unrestricted, campus residents are advised to:

- Keep rooms and apartment doors locked at all times;
- Ask strangers to wait in the common areas and restrict access to private areas;
- Keep valuables out of plain sight;
- Not leave personal property in common areas; and
- Report suspicious activity immediately to UCPD at (805) 893-3446.

6.3 COMMUNITY SERVICE OFFICER SAFETY ESCORT PROGRAM

The UCSB Police Department Community Service Officer (CSO) Safety Escort Program is a free service to members of the UCSB community. The objective of this safety escort program is to provide a safe alternative to walking alone at night. Safety escorts will offer immediate (or as soon as possible) or pre-arranged safety escorts on campus and in Isla Vista. Safety escort staff are trained in radio communication and dispatch procedures. They are equipped with two-way radios that allow them to keep in constant contact with the UCPD Dispatch Center. Safety escorts may be requested for free by dialing (805) 893-2000.

Safety escorts on campus can be identified by their blue jacket bearing “CSO” in reflective lettering, a UCPD CSO identification badge, a radio, and a flashlight. If identification is not visible when the safety escort arrives, please feel free to request that the safety escort staff present their official identification to you prior to beginning the safety escort service.

Safety escorts are available 24 hours a day, 7 days a week. CSOs are responsible for providing safety escort service 7 days a week, most hours of the day. Service requests outside of CSO working hours are provided by UCPD Police Officers. More information regarding CSO safety escorts can be located on the UCSB Police Department webpage at: www.police.ucsb.edu/cso/safety-escorts.
If you have any questions about CSO safety escort services or would like to request brochures or additional information, please contact the CSO Coordinator at (805) 893-3928.

6.4 RESPONSIBILITIES OF THE UNIVERSITY COMMUNITY

A safe and secure environment is essential to carrying out the mission of the University. Preventing harm depends on community members identifying and communicating hazardous conditions and behaviors of concern. Safety is a collaborative effort! Additionally, early identification of safety and security concerns allows for effective planning, mitigation, response, and recovery.

Members of the University community must assume responsibility for their own safety and the security of their personal property. The following precautions provide guidance:

- Report all crimes and suspicious activities to UCPD immediately.
- If you see or smell any evidence of fire, smoke, gas, or other hazardous conditions, call 911 immediately. Even fires that have been extinguished should be reported.
- Be aware of your surroundings. If possible, don’t walk alone during late-night hours. Walk in groups whenever you can—there is always safety in numbers. Stay in well-lit areas as much as possible.
- Never take personal safety for granted. Trust your instincts. If something or someone makes you uneasy, avoid the person or leave.
- Let a family member or friend know your destination and your estimated time of arrival or return. That way Police can be notified as quickly as possible if there is a problem.
- Carry only small amounts of cash. Never leave valuables (wallets, purses, books, phones, etc.) unattended or in plain sight.
- Carry your keys at all times and do not lend them to anyone.
- Always lock the door to your residence hall room (or home), whether or not you are inside. Be certain that your door is locked when you go to sleep and keep windows closed and locked when you are not at home.
- Many doors on campus are protected by access readers. Doors should not be held open for strangers. Don’t let people into residence halls or other protected locations unless you know them, they are your guest, or they are authorized to enter. Never prop open a door.
- Report any safety-related problems and maintenance concerns immediately to the appropriate authority.
- Inventory your personal property and insure it appropriately with personal insurance coverage. Engrave serial numbers or owner’s recognized numbers, such as a driver’s license number, on items of value.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- In the event of a fire alarm sounding, follow all building evacuation procedures.
- In the event of a crime, save any evidence. Do not remove any evidence until officers are able to respond and investigate.
- Do not hesitate to approach UCPD Officers with suggestions, questions, or concerns. Get to know them! If we build a collective sense of stewardship for each other and the University, together we can make a difference.
7.0 Emergency Management

UCSB’s Emergency Operations Plan (EOP) establishes policies, procedures, and an organizational structure for the mitigation, preparedness, response, and recovery of emergency events impacting UCSB. In addition to the EOP, each department has a Department Emergency Action Plan (DEAP). University departments are responsible for developing departmental emergency plans, policies, procedures, contingency plans, and continuity of operations plans for their staff and areas of responsibility.

UCSB conducts emergency response exercises each year, including table top exercises, field exercises, and quarterly tests of UCSB emergency communication systems. These tests are designed to evaluate department emergency plans and capabilities of the institution, and educate the campus community on the systems they may encounter.

The Emergency Management & Continuity website (www.emergency.ucsb.edu) contains extensive information related to campus safety and emergency response. For more information, please contact the UCSB Campus Emergency Manager at (805) 450-1437.

7.1 EMERGENCY MANAGEMENT RESPONSE AND EVACUATION PROCEDURES

UCSB emergency response personnel have received training in the principles of the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and the Incident Command System (ICS) in responding to critical incidents on the UCSB campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually UCSB Police Department, Santa Barbara County Fire Department, and UCSB Facilities & Safety Services (i.e., Facilities Management, Environmental Health & Safety, and Emergency Management & Continuity). These entities work together to manage the incident. Depending on the nature of the incident, affected UCSB departments and other local, state, or federal agencies may also be involved through the provision of mutual aid.

General information about the emergency response and evacuation procedures for UCSB is published in this Annual Security Report as part of the institution’s Clery Act compliance efforts. Information about emergency response and evacuation procedures is also available on the UCSB Emergency Management & Continuity website (www.emergency.ucsb.edu).
UCSB Emergency Operations Plan

The purpose of the Emergency Operations Plan (EOP) is to establish policies, procedures, and an organizational structure for the mitigation, preparedness, response, and recovery of emergency events impacting UCSB. The EOP is available at [www.emergency.ucsb.edu/files/docs/UCSB_EOP_2016.pdf](http://www.emergency.ucsb.edu/files/docs/UCSB_EOP_2016.pdf).

UCSB’s EOP incorporates the components of the Standardized Emergency Management System (SEMS), as described by California Government Code 8607(a), and the federal National Incident Management System (NIMS), as described in Department of Homeland Security document titled “National Incident Management System,” dated March 1, 2004. SEMS and NIMS require the use of standard protocols and the use of common terminology and a command structure known as the Incident Command System (ICS). The required components of SEMS and NIMS are reflected within the EOP.

UCSB Campus Evacuation Guidelines

An evacuation is defined as the emptying of an occupied area and the transference of its occupants to a safe location. Should it become necessary to evacuate a building, an area, or the entire campus, the UCSB campus has procedures in place. All members of the UCSB campus community should familiarize themselves with the blue Emergency Information Flip Charts posted prominently throughout the campus. The Flip Charts provide general guidance regarding response actions for many emergency situations including, but not limited to, evacuations. The Flip Charts are available in English and Spanish.

In addition, floor plans with emergency procedures and evacuation routes are posted, in accordance with Title 19 of the California Code of Regulations, near stairway and elevator landings and inside public entrances to the buildings. The following information is a distillation of these procedures.

Campus-wide evacuations:

In a major emergency, the decision to implement evacuation procedures generally rests with the members of the UCSB EOC Executive Policy Group. In situations requiring immediate action, public safety responders (i.e., Police and Fire) can also order an evacuation. When evaluating possible evacuation options, consideration will be given to the specific threat that exists (e.g., bomb, fire, storm, earthquake, explosion, hazardous materials incident), its context (e.g., time of day, likelihood), and the recommendation of public safety officials. After a major disaster many people may choose to leave campus to check on their family members and homes. Ideally, individuals should first check in with their Departmental Safety Representative, so that they are not assumed to be trapped or missing, and they can be informed about emergency information.

A critical element of any evacuation is transportation. The dense urban population, high number of resident students, and use of transportation alternatives at UCSB must be taken into account when planning the steps necessary to evacuate all campus occupants, whether they arrived by public transit, single-occupant auto, carpool, vanpool, or bicycle.

The procedures for a campus-wide evacuation will vary depending on the nature of the event. The UCSB Police Department, Santa Barbara County Fire, and/or the UCSB Emergency Operations Center will take the lead in coordinating and conducting the evacuation, depending on the nature of the event. In all cases when the decision has been made to evacuate, the campus will likely be evacuated in stages, beginning with the areas that are in the immediate vicinity of the threat. Other areas may then be evacuated, depending on the nature of the threat. This graduated evacuation is preferable to a total, immediate evacuation as it triages the populations most in danger, minimizes the likelihood of gridlock and congestion, and provides for ingress of emergency vehicles and personnel. In all cases, evacuees would be directed away from the vicinity of the threat.
Localized events, such as a single building fire or a chemical release, would require evacuation of the immediate area. Fire or Police personnel in this case would direct the evacuation. During an evacuation, Parking Services and Police personnel will direct traffic at major intersections to maintain a smooth flow of vehicles. If residence halls cannot be occupied after a disaster, students will be directed to emergency shelters.

**Building evacuations:**

Emergency procedures and State law require that everyone exit a building when a fire alarm is activated. Evacuation procedures should be followed according to your department’s plan. Departmental Safety Representatives (DSRs) will try to make sure that all members of their department/unit (and any related students or visitors) are proceeding to the Emergency Assembly Point for their building. The DSR, without re-entering the building, will then assure as best they can that the building is secured and that all personnel are accounted for.

When evacuating a building, the following steps should be observed:

- Proceed toward the nearest safe exit.
- Do not use elevators for evacuation because they may be damaged and unreliable.
- After exiting the building go directly to your building Emergency Assembly Point. If that area is no longer safe, determine the safest place away from imminent danger. View ehs.ucsb.edu/eap for the most recent list of Emergency Assembly Points.
- Wait for instructions from emergency personnel.
- DO NOT return to your building until notified by emergency personnel.

**Evacuation of persons with impaired mobility:**

When an elevator is not available or safe for use during an emergency, the following procedures have been developed for those unable to use the stairs in multi-story buildings:

- Designated personnel should escort individuals with impaired mobility to a refuge such as an enclosed stairwell landing that leads to an exterior exit at the ground level.
- Someone should remain with the individual while another person notifies arriving emergency personnel of the location of the person who needs assistance.
- The instructions of emergency responders should be followed, and no attempt should be made to move the individual to another building level unless there is imminent danger in the refuge.
- Individuals who are alone and unable to utilize the stairs should call 911 and report the location of their planned refuge.
- Anyone unable to reach a stairwell (for instance due to smoke), should close all doors into their area, call 911, and wait for emergency personnel to arrive.

**Roles and Responsibilities**

Responsibilities for emergency planning and response reside at all levels. The success of this effort is dependent upon good management planning and upon all employees becoming familiar with the information that applies to them prior to an actual emergency.

Every UCSB employee can potentially play a role in the Incident Command System (ICS). Perhaps the most critical aspect of the ICS is communication; accurate reports from the scene of an incident are essential to providing adequate emergency services. Similarly, the campus
community must receive up-to-date instructions concerning disaster response procedures and news of the evolving incidents. Command posts, staffed by Incident Commanders at the scene of each major situation, will provide a standardized process for site incident command of emergency operations in the field. Command posts will also provide a location to meet and coordinate with arriving resources, and will establish and maintain communications with the EOC.

Role of students:

All students should familiarize themselves with the emergency procedures and evacuation routes in buildings they live in or use frequently. Students must be prepared to assess situations quickly but thoroughly and use common sense in determining a course of action. They should evacuate to assembly areas in an orderly manner when an alarm sounds or when directed to do so by emergency personnel.

Role of faculty and staff:

All members of the faculty and staff should read and understand their Department Emergency Action Plans and familiarize themselves with their emergency procedures and evacuation routes. Employees must be prepared to assess situations quickly but thoroughly and use common sense in determining a course of action. They should follow Emergency Plan procedures to report fire or other emergencies that require immediate attention, establish contact with their Department Safety Representative, and evacuate the building to pre-designated areas in an orderly manner. Faculty members are seen as leaders by students and should be prepared to direct their students to assembly areas in the event of an emergency.

Role of Department Safety Representatives:

Department Safety Representatives (DSRs), designated by the Department Head, are responsible for coordinating the department’s emergency planning activities and for implementation of a Departmental Emergency Action Plan. In the event of an emergency, the DSR is responsible for assisting with the safe evacuation of their department, and assessing injuries and damage to department personnel and property. They also serve as the primary contact to the campus Emergency Operations Center (EOC). The DSR collects and reports information on the department’s status and also receives information and direction from the EOC. They disseminate information back to their department, providing direction and information on available resources. At least one DSR per major campus building has an 800 MHz radio that can be used if needed to communicate information to and from the EOC in an emergency event.

Persons with Access or Functional Needs

As part of the campus Emergency Preparedness Program, we encourage members of the campus community with access and functional needs to evaluate their individual situation and determine the level of assistance they may require during an emergency. A person with one or more of the following concerns is encouraged to follow the recommendations of the Emergency Assistance Program:

- Limitations that interfere with walking or using stairs;
- Reduced stamina, fatigue, or tire easily;
- Emotional, cognitive, thinking, or learning difficulties;
- Vision or hearing loss;
- Temporary limitations (surgery, accidents, pregnancy); or
- Use of technology or medications that could interfere with response times.

The Emergency Response Program for Access and Functional Needs provides an opportunity for faculty, staff, and students to create an emergency response action plan, identify a support team for special evacuation situations, download an Emergency Assistance Response ID Card, and enroll in an automated emergency notification and response system.
If you have access and/or functional needs that could impact your ability to promptly respond and evacuate a building or facility during an emergency, please review planning and resource information in the Emergency Assistance Program sheet and visit the Emergency Response Program for Access and Functional Needs page at: www.emergency.ucsb.edu/emergency-response-procedures/persons-disabilities/emergency-response-program-access-and-functional.

Additional Emergency Management Resources

- Sign-Up for UCSB Alert Emergency Notifications: alert.ucsb.edu
- UCSB Emergency Information Flip Chart (Spanish): www.ehs.ucsb.edu/files/docs/ep/UCSB_flipchart_Spanish_091613.pdf
- Emergency Assembly Points: www.ehs.ucsb.edu/files/docs/fp/eap.pdf
- Emergency Contact Numbers: www.emergency.ucsb.edu/contacts
- Emergency Assistance Program: www.emergency.ucsb.edu/files/docs/UCSB_Emergency_Assistance_Program.pdf
- UCSB Housing Safety & Security: www.housing.ucsb.edu/residence-halls/safety
7.2 EMERGENCY PROCEDURES

Emergencies can occur without warning at any time. Being prepared to handle unexpected emergency events is an individual as well as an organizational responsibility. The following are emergency procedures outlined in the UCSB Emergency Information Flip Chart, which can be accessed at www.ehs.ucsb.edu/files/docs/ep/UCSB_flip-chart_English_091613.pdf.

Active Shooter

- If you are directly involved in an active shooter situation, focus on your own survival, be alert, try to figure out what’s happening, and decide your best course of action. Can you safely escape? If you can, GET OUT. Trust your instincts and leave quickly.

- If escape is not immediately possible, your second option is to HIDE OUT. If possible, take actions to KEEP OUT the assailant. Find a room that locks, barricade the door, and be silent. Another option is to TAKE COVER. Get behind something, or several things, that would help stop or deflect a bullet.

- If you cannot get out, hide out, or take cover, and if you determine that you are in direct peril, then you need to take steps to protect yourself. If there’s a group of you, make a plan, spread out, and act as a team.

- When it is safe to do so, call 911 and tell the Police who you are, where you are calling from, and what the problem/danger is. Give a brief description of the suspect(s) and, if known, their last direction of travel or place last seen.

- When the Police arrive, remain calm, show them your hands, and follow their directions. For specific Active Shooter safety training, please contact the UCSB Police Department at (805) 893-3446.

- If you have a concern about someone on campus whose behavior is potentially violent, contact a member of the Threat Management Team (www.tmt.ucsb.edu).

- If you know that the person of concern is a student, see the Distressed Students Response Protocol (www.sa.ucsb.edu/responding-to-distressed-students/protocol).

Bomb Threats

Bomb threats usually come by telephone and generally are made by individuals who want to create an atmosphere of general anxiety or panic. All bomb threats should be taken seriously. By telephone:

- Take the caller seriously, but remain calm.

- Ask a lot of questions.

- Take notes on everything said and on your observations about background noise, voice characteristics, etc.

- If possible, get someone to call Police while you continue talking to the caller.

- Call Police at 911 immediately after the call.

- Notify your supervisor/department head.

- Campus Police will determine if evacuation is necessary. If you do evacuate, move to your building Emergency Assembly Point.
Chemical Incident

Exposure to personnel:

- If it is safe to do so, remove contaminated victim(s) from area.
- Call 911 for immediate medical attention or if chemical release threatens others. In extreme circumstances, activate the fire alarm and evacuate the building.
- Remove contaminated clothing and use emergency eyewash/shower.
- Administer first aid as appropriate.
- Notify EH&S at (805) 893-3194 (24-hour phone line).
- Provide information, including Material Safety Data Sheets (MSDS) ehs.ucsb.edu/msds to emergency responders.

Contamination of equipment/facilities:

- If a spill/release is an immediate threat to anyone’s health, call 911.
- Restrict access to avoid exposure or spread of contamination.
- Do cleanup only if you feel it is safe to do so, you are familiar with the material, and you are properly trained and equipped. Some lab buildings have communal spill cleanup supply closets. Inquire locally or consult EH&S.
- If needed, request cleanup assistance from EH&S at (805) 893-3194 (24-hour phone line). After business hours, a message will refer you to another phone number.
- If material is radioactive or biological, see the tab “Radioactive Incident” or “Exposure to Infectious Materials.”

Bag the waste and use a UCSB Hazardous Waste label. Store waste in a fume hood if material is volatile. Call EH&S at (805) 893-7705 for pick up.

Release to the environment (air, water, soil):

- If safe to do so, stop the release. Notify EH&S at (805) 893-3194 (24-hour phone line).
- Follow procedures above for contamination of equipment/facilities.

Civil Disturbance or Demonstration

Most campus demonstrations will be peaceful and business should continue as usual.

- Avoid provoking or obstructing the demonstrators.
- Avoid the area of disturbance.
- If a class or lecture is disrupted, the offending person(s) should be requested to leave. If they refuse, call Police at 911.
- Continue with your normal routine. Stay away from doors or windows if the disturbance is outside.

Crime-in-Progress/Violence

- Do not put yourself at risk.
- Do not interfere with persons committing the crime or creating the disturbance.
- If you are the victim of, are involved in, or witness any on-campus violation of the law such as assault, robbery, theft, or overt sexual behavior, call Police at 911 immediately with the following information:
Earthquake

Before:

- Attach all bookcases, cabinets, compressed gas cylinders and other furnishings to a wall or to the floor.
- Store all heavy items below head level.
- Restrain chemicals on open shelves with seismic retaining strips (see Administrative Services Policy 5445, Seismic Hazard Reduction at www.policy.ucsb.edu/policies/ucsb-manuals-resources for more information).

Outside:

- Get to an open area away from trees, buildings, and power lines.

Vehicle:

- Pull to the side of the road away from underpasses, bridges, and buildings.

Inside:

- Stay away from windows and get under a desk or table.
- Duck, cover, and hold.
- In a hallway, sit against the wall and protect your head with your arms.
- In an auditorium, duck between the rows of seats and protect your head.
- Wait inside until the shaking stops, then evacuate the building and go to your building Emergency Assembly Point.
- Do not use elevators for evacuation.
- Designated personnel should assist individuals with mobility disabilities to a safe location, e.g., an enclosed stairwell landing with a ground level exit to the exterior or, if obstructed, an office space with a door.
- Report to your Department Safety Representative (DSR). The DSR will complete a department status report and transmit it to the campus Emergency Operations Center (EOC).
- Do not re-enter the building until authorized to do so by emergency response personnel.

Evacuations

See the UCSB Campus Evacuation Guidelines for evacuation procedures.

Exposure to Infectious Materials

If you are exposed to blood or other potentially infectious materials:
Immediately wash area(s) with soap and water and use an emergency eyewash or shower for 15 minutes.

Obtain medical help.

Notify your supervisor.

Notify EH&S at (805) 893-3194 (24-hour phone line).

Document the incident by filling out an Incident Report Form located at www.ehs.ucsb.edu/workcomp.

Fire

Know the location of fire extinguishers in your area and know how to use them. Fire extinguisher training is available for departments by request at (805) 893-7751.

For a minor fire that appears to be controllable, activate the building fire alarm system at the nearest manual fire alarm pull box. Immediately call 911, then use the appropriate fire extinguisher to control the flames. Get help if necessary.

For a larger fire that is not easily controllable, close all doors to confine the fire and reduce oxygen. Activate the building fire alarm system at the nearest manual fire alarm pull box, then immediately call 911. Give all information requested (your name, exact location, size and progress of the fire, etc.).

Notify your supervisor or instructor, then evacuate the building by quickly walking to the nearest exit, alerting people as you go, and assisting those with disabilities as necessary. Do not use elevators for evacuation.

Once outside, move to a clear area at least 50 feet away from the affected building. Keep the walkways and vehicle access clear for emergency vehicles. Utilize the designated building Emergency Assembly Point if it is free of smoke, and wait for instructions.

DO NOT RETURN TO THE AFFECTED BUILDING UNTIL TOLD IT IS SAFE BY A CAMPUS FIRE OFFICIAL.

Report all fires, regardless of size to Campus Dispatch at (805) 893-3446.

Report any fire extinguisher that has been discharged, has lost pressure, or is out-of-date to Facilities Management at (805) 893-8300.

Medical Emergency

All personnel:

Call 911 if the condition requires immediate medical attention.

If poisoning is suspected, contact the Poison Control Center at 1-800-222-1222.
Staff and faculty work-related injuries:

- It is important that all work-related injuries be reported immediately. During regular business hours, contact Workers’ Compensation at (805) 893-4440 to report injuries and to obtain an authorization for initial medical treatment. If a work-related injury occurs outside of normal work hours, contact the Workers’ Compensation office at (805) 893-4440 within one business day.

- If an employee is hospitalized for 24 hours or more (other than for observation), or has an injury that results in a partial or full loss of limb (amputation) or loss of life, contact EH&S at (805) 893-3194 (24-hour phone line) immediately. The campus must report these injuries to OSHA within 8 hours of the event.

Student injuries:

- Undergraduates and graduate students (not staff/faculty) can be seen at Student Health Services (SHS) at (805) 893-3371. If the victim needs immediate medical assistance, call 911.

- There is no charge for having the paramedics come out and evaluate the victim. If the victim needs to be transported to Student Health Services or a hospital emergency room, there is a charge.

Power Outages in Labs

Prepare for a power outage:

- Be sure the contact information on your lab door placard is up-to-date. Ideally, contacts should be knowledgeable about all of the lab’s sensitive operations.

- Put essential equipment on emergency power circuits, if available.

- Hazardous processes that operate unattended should be programmed to shut down safely during a power failure and not restart automatically when power returns.

- Identify an emergency source of dry ice for items that must be kept cold. Do not use dry ice in small enclosed and occupied areas because hazardous concentrations of CO2 can accumulate. Unopened refrigerators/freezers will maintain temperature for several hours.

During power outage:

- Shut down experiments that involve hazardous materials or equipment that automatically restart when power is available.
- Make sure that experiments are stable. Cap all chemical containers that are safe to cap, then close fume hood sashes.

- Check equipment on emergency power. In some cases, it may take 20 to 30 seconds for the emergency power to activate after a power failure.

- Disconnect unattended equipment and turn off unnecessary equipment.

- When power returns, reset/restart/check equipment. Check the airflow of your fume hood. Often, hoods will not automatically restart.

**Radioactive Contamination/Spills**

- Call EH&S at (805) 893-3194 (24-hour phone line) for assistance. If medical attention is required also call 911.
  - State that assistance is needed from EH&S Radiation Safety related to a radiation emergency.
  - State your name, phone number, location of the radiation emergency, and the nature of the emergency (personnel contamination, area contamination, etc.).

- Decontamination of personnel and areas must be performed by people who are properly trained and who are wearing appropriate protective clothing. This includes disposable gloves, a lab coat, long pants, and fully enclosed shoes (e.g., no shorts or sandals). Persons performing decontamination need to have radiation-monitoring equipment appropriate for the radiation emitted by the radionuclide involved in the spill.

- If a person has been contaminated with radioactive material:
  - Immediately remove all contaminated items of clothing. Place contaminated items in a bag.

  - Wash contaminated skin with cold water and a mild soap.

- Containing the Spill/Room Evacuation:
  - Notify people in the immediate area that a spill has occurred.
  - Confine/isolate the spill with absorbent paper or another suitable material.
  - If deemed appropriate, or if directed by EH&S, evacuate all people from the immediate area of the spill to a nearby location where they can be surveyed for contamination.
  - Close all doors to the contaminated room and post signs indicating the hazardous condition.
  - Limit the movement of contaminated people to reduce the spread of contamination.

**Severe Weather**

**If at work:**

- Monitor media reports, especially 91.9 FM (KCSB) and 1610 AM (audible within 3 miles of campus).

- Check campus email for pertinent messages.

- Check UCSB home page at [www.ucsb.edu](http://www.ucsb.edu).

- Determine if roads are safe before leaving.

**If at home:**

- Assess conditions prior to leaving home.

- Monitor media reports, especially 91.9 FM (KCSB) and 1610 AM (audible within 3 miles of campus).

- Check UCSB home page at [www.ucsb.edu](http://www.ucsb.edu).
Do not take risks in order to return to campus.

Contact your department for information.

**Shelter-In-Place**

Shelter-in-place means to seek immediate shelter inside a building. This action may be taken during a release of hazardous materials to the outside air, a tsunami, or other emergency. For shelter-in-place due to violence in progress, see the Crime in Progress or Active Shooter.

If you are ever advised to shelter-in-place:

- Isolate yourself as much as possible from the external environment.
- Shut all doors and windows.
- Seal cracks around doors and windows as best as possible.
- Notify Police of your status at 911.
- Monitor all available communications.

**Suspicious Package/Mail**

If you receive or discover a suspicious package, letter, or object, do not touch, tamper with, or move it.

Report it immediately to Police at 911.

Characteristics of suspicious letters/packages:

- **Origin** - Postmark does not match the city of the return address, name of sender is unusual or unknown, or no return address is provided.

- **Postage** - Excessive or inadequate postage.

- **Balance** - The letter is lopsided; unusually thick; has an unusual amount of tape; has an irregular shape, soft spots, or bulges; or the letter or package seems heavy for its size.

- **Contents** - Stiffness or springiness of contents; protruding wires or components; oily outer wrapping or envelope; feels like it contains powdery substance; is buzzing, ticking, or makes a sloshing sound.
- **Smell** - Particularly almond or other suspicious odors.

- **Writing** - Handwriting of sender is not familiar or indicates a foreign style not normally received by recipient, or cut-and-paste or rub-on-block letters are used. Common words, names, or titles are misspelled, or special instructions like “fragile,” “confidential,” or “do not delay” are present.

### Tsunami

- If you feel a strong earthquake, keep calm and quickly move to higher ground away from the coast. Most of the UCSB campus should not be affected by tsunamis, except for the beach and lagoon areas.

- A strong earthquake can generate a tsunami within minutes. However, most tsunamis are formed by earthquakes that have occurred hundreds or even thousands of miles away. These earthquakes are not felt locally and thus provide no advanced warning to residents. “Tsunami waves” can travel through the water at speeds of up to 500 mph and are sometimes preceded by a noticeable rise or fall of coastal waters.

- Do not use Hwy 217 to evacuate during a tsunami warning due to its low elevation.

### Utility Failure

#### Gas:

- If you smell gas, and if personal safety allows, turn off the source and evacuate the immediate area.

- The human nose is extremely sensitive to the odorant placed into natural gas, so it is detectable far below any fire/explosion levels. Therefore, for low-level smells, immediately contact 911.

- If gas odor is strong, evacuate the building using the fire alarm pull station and call 911. Evacuate to your building Emergency Assembly Point.

- Do not turn on/off any electrical equipment or light switches.

#### Electrical outage:

- Unplug sensitive equipment if not connected to a surge protector.

- Disconnect hazardous equipment according to your local plan.

- Check elevators for trapped individuals and call 911.
Stay away from downed power lines.

Emergency exit lighting may only stay on for a short time.

During an extended power outage, you may have to leave the building and go to your building Emergency Assembly Point.

In order to maximize the emergency generator run time and efficiency, please turn off power to non-essential areas (departmental kitchen, copier room, etc.) and equipment (coffee machines, etc.).

Plumbing/Flooding:

If personal safety allows, shut off electrical equipment and evacuate area. Do not enter area where live electrical circuits are in contact with water.

Do not drink water from any campus system after an earthquake or a flood.

Report plumbing breaks to Facilities Management at (805) 893-8300, or after business hours to Police at (805) 893-3446.

Heating and ventilation:

Report air conditioning or heating problems to Facilities Management at (805) 893-8300, or after business hours to Police at (805) 893-3446.

7.3 METHODS OF EMERGENCY COMMUNICATIONS

In the event of a large-scale emergency, urgent crisis, or other dangerous situation on the UCSB campus, the following communication methods can be used to deliver emergency messages to the campus community, gather information, and direct emergency responders. Each of these communication methods is tested on a quarterly basis.

UCSB Alert System: This is a web-based interface that broadcasts SMS and email messages to registered recipients. Current students are automatically enrolled. The UCSB Alert System is used to send Emergency Notifications and Timely Warnings to the campus community. Members of the UCSB community are encouraged to take responsibility for regularly checking and updating their notification information in the UCSB Alert System at alert.ucsb.edu/#/login.

Emer list-serv and Umail list-serv: These are campus e-mail distribution lists for all staff, faculty, and students at UCSB. They can be used to broadcast information and instructions relevant to the threat or emergency situation.

Outdoor Warning Speakers: Outdoor Warning Speakers are positioned at various locations on campus. The speakers send an audible voice warning to people located in an outdoor location on the main campus. The Police Department can operate the speakers from Police Dispatch or from the Emergency Operations Center (EOC).

Campus Radio Station 91.9 FM (KCSB): During an emergency event, the UCSB EOC can provide timely information to KCSB, and the on-air KCSB DJ can provide that information to the UCSB community.

Campus Emergency Information Line: UCSB has a toll free telephone number (1-888-488-UCSB), hosted out of state, that contains recorded emergency information. Messages are recorded as needed by the EOC Public Information Officer.

UCSB Emergency Resources Website: This is an informational website about the UCSB Emergency Management & Continuity services program. The UCSB Emergency Status website is managed by the Office of Emergency Management & Continuity.

UCSB Campus Website: The main campus website www.ucsb.edu can be used to quickly provide infor-
mation and updates during a critical incident on the UCSB campus website.

- **Patrol Cars:** UCSB Police Department patrol cars are equipped with public address (PA) systems and can be strategically placed throughout the campus to facilitate communication through the PA system.

- **Low Power Radio:** An on-campus radio station (1610 AM), operated by Parking Services, is capable of broadcasting recorded notices and alerts.

- **KCSB MSAT System:** “Radio Ready” is a service provided by Santa Barbara County’s Office of Emergency Management. When other means of communication are down, the county will use its satellite phone to provide UCSB’s KCSB radio station with important information to transmit over the air.

- **East Gate Entry Digital Sign:** A digital sign is permanently posted near Henley Gate, the main entrance to campus. Transportation & Parking Services manages the digital sign, which can be used to deliver emergency instructions or updates.

- **Portable Digital Signs:** Transportation & Parking Services has four additional portable digital signs that can be posted in visible locations around campus to deliver emergency instructions or updates.

### 7.4 Testing Emergency Response and Evacuation Procedures

UCSB tests its emergency response and evacuation procedures on an annual basis, in compliance with the Clery Act. A “test” for Clery Act purposes includes regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities. A test may be announced or unannounced. Activations to real-time incidents are not considered part of the testing process.

UCSB Emergency Management & Continuity designs at least one scheduled exercise (i.e., test involving coordination of efforts) and drill (i.e., activity that tests procedural operation) each year to test emergency response and evacuation on a campus-wide scale (i.e., all campus buildings, not necessarily all at once). The test is designed to address UCSB’s plan for evacuating all of the buildings on campus and reviewing the plans for the evacuation of each building. This test is announced to the campus community each year in conjunction with publication to the UCSB campus community of emergency response and
evacuation procedures. The test contains follow-through activities managed by the Campus Emergency Manager in the form of an After Action Report and gathering feedback from participants. Furthermore, this test is designed for assessment of emergency plans and capabilities at UCSB with defined and measurable goals. The test is designed such that once it is completed and an assessment has been done, the Emergency Management & Continuity Program, in conjunction with other campus partners, can determine whether the test met its goals.

UCSB's Emergency Management & Continuity, in conjunction with other campus partners, performs various other tests, including drills and exercises, throughout each calendar year. The Fire Marshal conducts fire drills for campus residence halls, dining halls, administrative buildings, and academic buildings annually, and for the campus child care centers and Student Health building monthly. The Fire Marshal also conducts training sessions on fire safety systems, evacuation procedures, and fire extinguisher operating for residence hall staff each year. These training opportunities are provided to other staff and departments by request.

Each test is documented and kept in Emergency Management & Continuity records, with the following information documented: (a) a description of the test, (b) the date the test was held, (c) the time the test started and ended, and (d) whether the test was announced or unannounced. For more information contact the Campus Emergency Manager at (805) 450-1437 or james.caesar@ehs.ucsb.edu.

8.0 Emergency Notifications

The Clery Act requires all colleges and universities to have an Emergency Notification policy and procedures in place in accordance with Clery Act emergency notification criteria. Emergency Notifications must be issued to the campus community (or segments of the campus community) upon confirmation of a significant emergency or dangerous situation occurring on campus, involving an immediate threat to the health or safety of students and employees. As described below, the UCSB Police Department (UCPD) has developed a comprehensive emergency notification policy that sets forth university guidelines in issuing an Emergency Notification.

8.1 UCSB ALERT SYSTEM REGISTRATION

All students, staff, and faculty are encouraged to sign-up to receive Emergency Notifications by text message. Emergency Notification messages are typically sent by email and text. Emails are sent to all UCSB email addresses (i.e., students and employees). Text messages are sent to the cell phones of those students and employees who have registered their phone numbers and opted-in to receive such notifications. To add a device or make changes, log in to UCSB Alert located at alert.ucsb.edu. Click “Use my network credential” and log in using your UCSBNetID and password. Click “My Profile” and add or update phone numbers and email addresses.

8.2 EMERGENCY NOTIFICATIONS POLICY AND PROCEDURES

UCPD is available 24 hours a day, 7 days a week. UCPD’s Dispatch Center can be reached by calling (805) 893-3446, or 911 in an emergency. All members of the campus community are encouraged to notify UCPD of any significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Emergencies should be reported to UCPD by dialing 911 as soon as possible. If the situation is determined to pose a threat to the community, UCPD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

When an Emergency Notification is issued to the UCSB campus community, notification will be made in accordance with provisions set forth in the Clery Act and associated federal regulations, guidance handbook, and
industry best practices. UCPD has primary authority and responsibility for issuing Emergency Notifications and will do so in accordance with the UCPD policy in effect at the time of each notification made. Each determination to issue an Emergency Notification will be based on the best professional judgment of on-duty personnel at UCPD, as set forth in departmental policy.

8.3 DECISION TO ISSUE AN EMERGENCY NOTIFICATION

It is the primary responsibility of the Watch Commander, Administrative Lieutenant, Patrol Lieutenant, Assistant Chief of Police, or Chief of Police to make an Emergency Notification issuance decision for the UCSB community.

An Emergency Notification message will be issued to the UCSB campus community immediately upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees. “Confirmation” means that an official(s) has verified that a legitimate emergency or dangerous situation exists. This does not mean that all the pertinent details are known or even available at the time that an emergency or dangerous situation is confirmed. An “immediate threat” means an imminent or impending threat.

The types of incidents that may present an immediate threat to the UCSB community may include, but are not limited to, emergency or dangerous situations involving an: in-progress serious or violent crime, earthquake, active shooter, hostage/barricade situation, riot/civil unrest, bomb threat, suspicious package with confirmation of a device, tornado, fire/explosion, homicide or suspicious death, structural damage to a UCSB owned or controlled facility, biological threat, significant flooding, gas leak, hazardous materials spill (e.g., chemical, biological, radiological, nuclear), armed intruder, and/or illness outbreak. Other types of emergencies or dangerous situations will be analyzed on a case-by-case basis.

When a significant emergency or dangerous situation that involves criminal activity or public safety has been reported to UCPD, the UCPD Watch Commander on duty has primary responsibility to confirm that a reported emergency or dangerous situation is legitimate and poses an immediate threat to the health or safety of students and employees on the UCSB campus. In addition to the Watch Commander on duty, the Administrative Lieutenant, Patrol Lieutenant, Assistant Chief of Police, or Chief of Police may also confirm that a significant emergency or dangerous situation exists.

While notification to the UCPD Management Team regarding issuing an Emergency Notification is suggested (i.e., notification to the Administrative Lieutenant, Patrol Lieutenant, Assistant Chief of Police, and Chief of Police), such notification to the Management Team is not necessary when time is of the essence. The Watch Commander on duty may make the determination to issue an Emergency Notification as soon as feasibly possible, upon confirmation of a significant emergency or dangerous situation. Notification to the UCPD Management Team shall be made as soon as practical after the issuing of an Emergency Notification.
Confirming significant emergencies or dangerous situations not directly related to criminal activity or public safety situations may involve input and consultation from additional UCSB departments and personnel, as well as other local, state, and federal agencies. Significant emergencies or dangerous situations involving a disease or illness outbreak at UCSB may be confirmed by members of the UCSB Public Health Advisory Committee, UCSB Student Health Service, UCSB Campus Emergency Manager, Santa Barbara County Health Care Agency, and/or UCSB Environmental Health & Safety (EH&S).

Significant emergencies or dangerous situations involving weather at UCSB may be confirmed by the UCSB Campus Emergency Manager, the Santa Barbara County Office of Emergency Management, sources from the National Oceanic and Atmospheric Administration (NOAA), and/or the National Weather Service (NWS). Significant emergencies or dangerous situations involving hazardous materials at UCSB may be confirmed by UCSB EH&S, UCSB Facilities Management, the UCSB Campus Emergency Manager, the UCSB Police Department Watch Commander on duty, and/or personnel from Santa Barbara County Fire Department.

8.4 ISSUING EMERGENCY NOTIFICATIONS

Once the decision has been made to issue an Emergency Notification, the Watch Commander, Police Dispatcher, or a member of the UCPD Management Team (Administrative Lieutenant, Patrol Lieutenant, Assistant Chief of Police, and/or Chief of Police) may draft the Emergency Notification and initiate sending out the message. In the event of an extreme circumstance/emergency situation, if any of the above mentioned is unable to draft and initiate sending out the Emergency Notification, it becomes the responsibility of the on-duty supervisor or other sworn personnel to draft and issue the Emergency Notification.

While the Clery Act allows for flexibility in alerting only the segment of the campus population that is determined to be at risk, UCSB Emergency Notifications, by default, notify the entire UCSB community by email and text messaging. In certain cases, when only a segment of the population is at risk, an Emergency Notification may be sent to the impacted segment of the population rather than the entire campus community. Personnel with Emergency Notification decision-making authority are responsible for determining which segment of the population will be notified of the emergency situation. UCPD will continue to monitor and assess the situation to determine if additional segments of the community should be issued the Emergency Notification. These decisions are made on a case-by-case basis.

The following items may be included in the message, if available: (a) Title: “Emergency Notification,” (b) type of emergency or dangerous situation that poses an immediate threat to the UCSB community, (c) time and location of the incident, (d) guidance on specific action to take (e.g., shelter-in-place, evacuate), and (e) suspect description information, only if relevant and necessary. In accordance with federal law, no name of or personally identifying information about the crime victim is allowed. Depending the situation, other information may be included in the Emergency Notification message. To streamline the process and avoid delays, UCPD has developed standardized script templates, based on various types of emergency or dangerous situations, to serve as a reference guide for on-duty UCPD staff to issue Emergency Notifications to the campus community via the UCSB Alert system. Additional updates for each Emergency Notification will be issued when, and if, new information becomes available, until an Emergency Notification closure message is issued. An Emergency Notification closure message will be issued when the emergency or dangerous situation no longer poses an immediate threat, is under control, and/or the guidance provided in the Emergency Notification is no longer required.

Emergency Notifications will typically be disseminated by email and text, using the UCSB Alert system. Specifically, the system sends an email message to all campus email addresses as well as a cell phone text message to all students, staff, and faculty who have opted-in to receive such text messages. In certain circumstances, as determined...
by the Emergency Notification issuer, notifications may be sent by email, text, and voice mail, using the UCSB Alert system. Additional methods of emergency communication may also be used, as determined on a case-by-case basis by the UCPD Management Team. Other methods and systems include: a public speaker address system, UCSB’s public information line (1-888-488-UCSB/8272), UCPD website (www.police.ucsb.edu), campus voice-mail, E-list (an emergency list of campus emails), UCSB campus website, and radio stations. In certain cases, information may be disseminated to the larger community by posting on the UCSB webpage, issuing a public information release, or using alternative distribution methods, determined on a case-by-case basis.

9.0 Timely Warnings

In order to help safeguard the UCSB community, to increase crime awareness, and to meet the Clery Act Timely Warning requirements, a UCSB campus community Timely Warning will be issued for a Clery Act-reportable crime that meets the standard for issuance set forth below. For the purposes of this section, a “Clery Act-reportable crime” is a Clery Act crime that occurred in Clery Act geography, and was reported to the UCSB Police Department (UCPD). Issuance of a Timely Warning is not required based on the same circumstances, factors, and criteria as an Emergency Notification. If UCPD implements the procedures for an Emergency Notification, it may not issue a Timely Warning for the same incident/situation. This decision will be made by the UCPD Management Team on a case-by-case basis.

9.1 TIMELY WARNINGS POLICY AND PROCEDURES

All members of the campus community are encouraged to notify UCPD of any Clery Act crime, which includes homicide/non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, hate crimes, dating violence, domestic violence, and stalking. Crimes can be reported to UCPD by dialing 911 (for all emergencies) or calling UCPD Dispatch at (805) 893-3446 (for all non-emergencies).

UCPD has the primary responsibility for issuing Timely Warnings on behalf of the UCSB campus. UCPD will notify students and employees about certain crimes in a manner that is timely, withholds the names of victims as confidential, and aids in the prevention of similar crimes. Although the Clery Act does not define the word “timely,” because the intent of a warning regarding a criminal incident(s) is to allow people to take precautions for their personal safety, a Timely Warning for a Clery Act-reportable crime that rises to the level of requiring the issuance of a Timely Warning should be issued as soon as pertinent information about the crime is available. Therefore, even if not all of the facts surrounding a criminal incident(s) are available, UCPD may issue a Timely Warning for any Clery Act-reportable crime that meets the criteria set forth below.

9.2 DECISION TO ISSUE A TIMELY WARNING

A Timely Warning will typically be issued for any Clery Act-reportable crime where such crime is reported to UCPD or to a Campus Security Authority (who in turn reports such crime in a timely manner to UCPD) and the crime is considered by UCPD to represent a serious or continuing threat to students and employees at the time of the report. The decision to issue a Timely Warning is made on a case-by-case basis, depending on the facts surrounding a Clery Act-reportable crime, and taking into account factors such as: the nature of the crime, the continuing danger to the campus community, the possible risk of compromising law enforcement efforts, whether a suspect has been apprehended and/or arrested, whether there has been a pattern or series of similar crime(s), and the potential risk of others becoming a victim of similar crimes. The decision-making authority to issue a Timely Warning is granted to UCPD’s Chief of Police, Assistant Chief of Police, Administrative Lieutenant, Patrol Lieutenant, and Clery Act Coordinator.
The decision to issue a Timely Warning, and when to issue it, also takes into consideration the following circumstances. If UCPD or other law enforcement agency apprehends the suspect(s) of a Clery Act-reportable crime and the serious or ongoing threat to students and employees of the UCSB community has been mitigated by the apprehension or arrest of such suspect(s), or if it is otherwise determined by a member of UCPD with Timely Warning decision-making authority that a serious or on-going threat does not exist, a Timely Warning may not be issued. If UCPD was not notified of the Clery Act-reportable crime in a manner that would allow UCPD to issue a “timely” warning for the UCSB community, a Timely Warning may not be issued. This determination will be made on a case-by-case basis for each Clery Act-reportable crime. A general guideline for making this determination will take into consideration that a report of a Clery Act-reportable crime filed more than 10 days after the date of the alleged incident may not allow UCPD to issue a “timely” warning to the UCSB community. However, this 10-day general guideline does not prevent a Timely Warning from being issued if other Timely Warning decision-making factors warrant issuing a Timely Warning. This decision will be made on a case-by-case basis by a member of the UCSB Police Department with Timely Warning decision-making authority. If it is determined by the Chief of Police, Assistant Chief of Police, Administrative Lieutenant, or Patrol Lieutenant that issuing a Timely Warning will jeopardize a criminal investigation, certain information may be withheld from the Timely Warning or the issuance of a Timely Warning will be delayed until the criminal investigation is no longer likely to be jeopardized from the release of that information. Consideration will be given to notifying a crime victim(s) before a Timely Warning is issued to the campus community.

Under the Clery Act, the issuance of a Timely Warning is not required for Clery Act crimes that are reported to a pastoral counselor or professional counselor who is practicing within the scope of his/her license, or such person who is otherwise determined to be exempt from reporting under the Clery Act.

9.3 ISSUING TIMELY WARNINGS

During normal business hours (generally Monday - Friday, 8:00 A.M. - 5:00 P.M.), any member of UCPD who receives a report of a Clery Act crime that occurred on UCSB Campus Clery Act geography must bring said crime to the attention of one of the designated individuals who has Timely Warning decision-making authority (listed above in Section 9.2) as soon as feasibly possible. After normal business hours, on weekends, and during holidays, any member of the Department who receives a report of a Clery Act crime that occurred on UCSB Campus Clery Act geography must bring said crime to the attention of the Watch Commander on duty. The Watch Commander must contact the On-Call Lieutenant to provide notification of the reported Clery Act crime as soon as feasibly possible. If the On-Call Lieutenant is unavailable or cannot be reached after normal business hours, the following UCSB Police Department personnel must be contacted.
(in order) as soon as feasibly possible: Lieutenant (Administrative or Patrol) not currently on-call, Assistant Chief of Police, Chief of Police, Clery Act Coordinator.

Once a decision has been made to issue a Timely Warning, the On-Call Lieutenant or Clery Act Coordinator will draft and initiate issuing the message. If these individuals are unavailable, another member of the UCPD Management Team will draft the Timely Warning.

The following items may be included in a Timely Warning, if available, unless issuing any of this information would risk compromising law enforcement efforts: (1) description of the incident (type of crime, date occurred, time occurred, and general location), (2) physical description of the suspect, if relevant and deemed necessary, (3) possible connections to previously reported incidents, (4) information about the victim if relevant (limited to UCSB affiliation, if injuries were sustained, and gender; no crime victim name or individually identifying information for or about the crime victim is allowed per federal law), (5) information and tips that will promote safety and potentially aid in the prevention of similar crimes (i.e., crime prevention and safety tips), (6) date and time the Timely Warning was issued, and (7) UCPD contact information.

Timely Warnings will typically be sent by email, using the UCSB Alert system. In certain circumstances, as determined by the Timely Warning issuer, notifications may be sent by both email and text, using the UCSB Alert system. Individuals who have access to the UCSB Alert system for issuing Timely Warnings include UCPD Dispatch, Administrative Lieutenant, Patrol Lieutenant, Assistant Chief of Police, Chief of Police, and Clery Act Coordinator.

Additional methods of distributing Timely Warnings may include: (1) physical postings in impacted areas (e.g., in residential areas by residential life/student housing staff), (2) physical postings in general/common areas of campus buildings, and (3) electronic postings on the UCPD webpage at [www.police.ucsb.edu](http://www.police.ucsb.edu). It is the general policy of UCPD to post Timely Warnings on the UCPD webpage during the calendar year in which the Timely Warning is issued. Past Timely Warnings will be archived on the UCPD webpage under the calendar year in which they were reported, unless otherwise determined by members of the UCPD Management Team.
10.0 Sexual Violence Prevention and Response

UCSB 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 UCSB prohibits acts of sexual assault, dating violence, domestic violence, and stalking that violate law and/or University policy.

For purposes of this Annual Security Report, the term “Sexual Violence” includes incidents of sexual assault, dating violence, domestic violence, and stalking. The terms “Respondent” and “Complainant” are used in this document when referring to administrative proceedings, the UC Sexual Violence and Sexual Harassment (UC SVSH) Policy, the UCSB Local Procedures for Reported Student Violations of the UC SVSH Policy, the UCSB Local Procedures for Reported Staff & Non-Faculty Academic Personnel Violations of the UC SVSH Policy, and the UCSB Local Procedures for Reported Senate & Non-Senate Faculty Violations of the UC SVSH Policy. The terms “Suspect” and “Victim” are used in this document when referring to criminal proceedings.

In compliance with state and federal laws, UCSB has adopted policies and procedures to prevent and respond to incidents of Sexual Violence involving members of our community. The University will respond promptly and effectively to reports of Sexual Violence and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy. Additionally, UCSB provides educational programs dedicated to preventing Sexual Violence.

On an annual basis, UCSB distributes written notification to students and employees that reaffirms the University’s commitment to the UC SVSH Policy. In this written notice, the Chancellor (or his designee) provides contact information for campus support resources and a link to UCSB’s Title IX Resource Guide: Campus and Community Resources for Individuals Impacted by Sexual Violence, Sexual Harassment, or Other Prohibited Behavior. This resource guide is also distributed during all training sessions provided to students and employees by the Title IX Office.

The UC SVSH Policy and UCSB Local Procedures are available online at sexualviolence.ucsb.edu/policies. Additionally, written information about complainants’ rights, options, and resources as well as policies, procedures, education and training, risk reduction, and information about reporting options are available at sexualviolence.ucsb.edu.

UCSB’s Title IX Officer, Ariana Alvarez, is responsible for the University’s compliance with Title IX and administrative investigations of Sexual Violence. Contact information for the Title IX Office is: (805) 893-2701, oeosh.ucsb.edu/titleix.
10.1 Definitions of VAWA Crimes

The following are Violence Against Women Act (VAWA) crime definitions per the Clery Act and UC Policy. See Local Jurisdiction Definitions of VAWA Crimes for California Penal Code crime definitions.

VAWA Definitions per the Clery Act

Domestic violence:

A felony or misdemeanor crime of violence committed

- by a current or former spouse or intimate partner of the victim,
- by a person with whom the victim shares a child in common,
- by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating violence:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

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

Stalking:

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person’s safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual assault:

An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape as used in the FBI’s Uniform Crime Reporting program (UCR). Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed
against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition of Rape now includes “Sodomy” and “Sexual Assault with an Object” crime definitions.

- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

**VAWA Crime Definitions per UC Policy**

**Relationship violence:**

- 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.

- 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.

**Sexual assault:**

- 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 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 charged as Sexual Violence or sexual harassment.

**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); or 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.

**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.

**Other prohibited behavior:**

- **Invasions of Sexual Privacy**
  - Without a person’s consent, watching or enabling others to watch that person’s nudity or sexual acts in a place where that person has a reasonable expectation of privacy;
  - Without a person’s consent, making 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
  - Using depictions of nudity or sexual activity to extort something of value from a person.

- **Sexual intercourse with a person under the age of 18.**

- **Exposing one’s genitals in a public place for the purpose of sexual gratification.**

- **Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under the UC SVSH Policy or the UCSB Local Procedures.**

**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:

- The Respondent’s belief arose from the Respondent’s own intoxication or recklessness;

- 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

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

(UC Policy’s definition of consent is used to determine if UCSB Policy on Sexual Assault has been violated.)

Retaliation:

Any adverse action or impact taken against a person based on their report or other disclosure of Sexual Violence, their participation in the investigation, reporting, remedial, or disciplinary processes provided for in the UC SVSH Policy, or their opposition to Prohibited Conduct. Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of Sexual Violence or participation in the investigation, report, remedial, or disciplinary processes provided for in this Policy.

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

10.2 EDUCATIONAL PROGRAMS AND CAMPAIGNS TO PROMOTE THE AWARENESS AND PREVENTION OF SEXUAL VIOLENCE

UCSB is committed to the prevention of Sexual Violence (sexual assault, dating violence, domestic violence, and stalking) through regular and ongoing education and awareness programs. All UCSB students and employees are provided with programming, initiatives, strategies, and campaigns intended to prevent and end Sexual Violence, and to train individuals on how to best respond to disclosures. These programs are designed for the UCSB community and culture, and many ongoing training modules are tailored for specific audiences in high-risk groups and student leadership groups. These programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and utilize evidence-based and research-informed approaches to prevention education.

Incoming students and new employees receive primary prevention and awareness education as part of their transition to campus. Returning students and current employees receive ongoing training and related programs throughout the year. UCSB’s education and prevention programs reflect comprehensive, intentional, and integrated programming, initiatives, strategies, and cam-
paigns intended to end sexual assault, domestic violence, dating violence, and stalking. These programs are also designed to consider environmental risk and protective factors as they affect individuals, relationships, institutions, communities, and society.

UCSB’s Campus Advocacy, Resources & Education (CARE) and Title IX Offices are primarily responsible for the implementation of Sexual Violence educational programs and campaigns. CARE and Title IX often collaborate with other departments (e.g., Orientation, Graduate Division, Alcohol and Drug Program, Office of Student Life, Student Health) to provide training for students and employees.

**Sexual Violence Prevention and Response Education**

Prevention education is consistent with the CDC-endorsed social-ecological model, addressing factors at individual, relationship, community, and societal levels. The model is based on lessons learned from effective prevention strategies and an understanding of complex sociocultural dynamics. Additionally, prevention programs span the range of primary, secondary, and tertiary levels throughout the year.

Primary prevention education focuses on preventing violence before it begins by providing key messages to the entire campus community. Secondary prevention education focuses on preventing violence before it occurs and targets “high-risk” communities that experience higher rates of Sexual Violence. Tertiary prevention focuses on providing survivor resources and advocacy. Ongoing prevention and awareness campaigns include programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing Sexual Violence. These campaigns use a range of strategies to reach and educate audiences throughout UCSB about Sexual Violence and how it can be prevented. Concepts covered in these initiatives include defining sexual assault, dating/domestic violence, and stalking; developing an understanding of communicating consent; building bystander intervention and risk reduction skills; and identifying and challenging social norms that normalize violence.

Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Sexual Violence. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction consists of options designed to decrease perpetration and bystander inaction and increase empowerment for victims in an effort to promote safety and help individuals and communities address conditions that facilitate violence. Although risk reduction is an element of educational programming at UCSB, the University focuses on educating campus community members about the role each person plays in creating culture change and preventing violence, rather than focusing on risk reduction by potential victims/survivors.

UCSB staff and faculty are provided with education and training focused on increasing their understanding of Sexual Violence, reporting responsibilities, trauma, campus resources, and how to respond to disclosures of prohibited behavior, as well as information regarding UCSB’s investigative and disciplinary procedures for reports of Sexual Violence. Staff and faculty are also taught trauma-informed ways to support someone who discloses to them, connect a survivor with confidential advocacy services, and fulfill their mandatory reporting obligations.

**University of California Curriculum**

The University of California (UC) system-wide curriculum, tailored to each audience, educates our community about Sexual Violence, how to prevent it, the role of intervention, and available local resources. Primary and ongoing education for students and employees includes the following information:
A clear statement that UCSB identifies sexual assault, dating violence, domestic violence, and stalking as prohibited conduct, as those terms are defined by the Clery Act.

Definitions of sexual assault, dating violence, domestic violence, and stalking, as defined in the local jurisdiction and in the UC Sexual Violence and Sexual Harassment Policy, as well as examples of behaviors that constitute such offenses.

Definition of consent in reference to sexual activity, as that term is defined in the local jurisdiction and in the UC Sexual Violence and Sexual Harassment Policy.

Social norms, including the attitudes and beliefs that normalize violence.

Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is risk of sexual assault, dating violence, domestic violence, or stalking against a person other than the bystander.

Information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

How to respond to Sexual Violence using methods that acknowledge the impact of violence and trauma on survivors’ lives.

Information about the procedure utilized when a crime is reported and the subsequent investigatory and disciplinary proceedings involved.

Local resources, including confidential support for survivors of Sexual Violence and appropriate services for those accused of Sexual Violence.

Rights and options about reporting Sexual Violence.

Primary Educational Programs and Campaigns

Sexual Violence awareness and prevention training is mandatory for all incoming students (freshmen, transfer students, and graduate students) and new employees.

Primary education for students:

All incoming undergraduate students receive mandatory primary awareness and prevention education. New freshmen and transfer students are required to attend Gaucho FYI, a 105-minute in-person educational workshop led by a professional staff member and a trained peer presenter,
during the first four weeks of fall quarter. This workshop includes extensive information about Sexual Violence, including definitions, identification, prevention, response; confidential advocacy services; reporting options; and bystander intervention techniques. Almost 100% of incoming students (99.9% of freshmen and 99.5% of transfer students) completed Gaucho FYI in 2017/2018. Additionally, all new undergraduate students are required to complete Haven, a two-part online education program that helps students better understand the important concept of consent and how to prevent Sexual Violence. Both Gaucho FYI and Haven cover all six areas of the UC Curriculum’s Level 1 Core Content. See UC Student Core Content Education Framework.

New undergraduate students who attend Summer Orientation receive primary awareness and prevention education through in-person training and discussions, as well as printed material. (Not including non-domestic international students who were not able to attend a summer program, 95% of new freshmen and 85% of new transfer students attended Summer Orientation in 2017.) During Orientation, freshman students participate in Making the Most of Your First Year at UCSB, an in-person session in which students interact with Orientation leaders and their peers to discuss scenarios related to Sexual Violence. Students also watch a video detailing confidential advocacy services on campus. All Orientation attendees receive the Gaucho Guide, a pamphlet that includes extensive information about Sexual Violence, including definitions of sexual assault, dating/domestic violence, stalking, and consent; what to do if someone experiences Sexual Violence; confidential advocacy services; reporting options; and ongoing training and involvement opportunities.

All incoming graduate and professional students receive mandatory primary awareness and prevention training. New and continuing graduate students are required to complete Think About It: Graduate Students, an online training that recognizes the unique roles and responsibilities of UCSB graduate students and provides them with the knowledge and tools to help them support their campus community. This training has been customized for graduate students and includes information about the identification and prevention of Sexual Violence, CARE and Title IX resources, Responsible Employee reporting duties (for student employees), and all six areas of the UC Curriculum’s Level 1 Core Content. See UC Student Core Content Education Framework.

Additionally, incoming graduate and professional students may attend a TA Orientation session and/or a New Graduate Student Orientation session, during which they again learn about UC’s Sexual Violence and Sexual Harassment Policy, the UCSB Local Procedures, their roles as Responsible Employees (for student employees), and both confidential and non-confidential resources.
The University offered the following primary awareness and prevention programs to incoming students during the 2017/2018 academic year:

### UCSB Primary Awareness and Prevention Campaigns for Students: July 1, 2017– June 30, 2018

<table>
<thead>
<tr>
<th>Program/Material Name</th>
<th>% of population participated</th>
<th>Content Areas</th>
<th>Modality</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FRESHMEN (4,538)</strong></td>
<td></td>
<td>A  B  C  D  E  F</td>
<td></td>
</tr>
<tr>
<td>Gaucho Guide</td>
<td>87.6%</td>
<td>X X X X X X</td>
<td>Print</td>
</tr>
<tr>
<td>Haven</td>
<td>68.5%</td>
<td>X X X X X X</td>
<td>Online</td>
</tr>
<tr>
<td>Gaucho FYI</td>
<td>99.9%</td>
<td>X X X X X X</td>
<td>In-person</td>
</tr>
<tr>
<td>Making the Most of Your First Year at UCSB</td>
<td>87.6%</td>
<td>X X X X X</td>
<td>In-person</td>
</tr>
<tr>
<td><strong>TRANSFER (2,206)</strong></td>
<td></td>
<td>A  B  C  D  E  F</td>
<td></td>
</tr>
<tr>
<td>Gaucho Guide</td>
<td>71.8%</td>
<td>X X X X X X</td>
<td>Print</td>
</tr>
<tr>
<td>Haven</td>
<td>45.8%</td>
<td>X X X X X X</td>
<td>Online</td>
</tr>
<tr>
<td>Gaucho FYI</td>
<td>99.5%</td>
<td>X X X X X X</td>
<td>In-person</td>
</tr>
<tr>
<td>Transfer Student Online Module</td>
<td>90.0%</td>
<td>X X X X X</td>
<td>Online</td>
</tr>
<tr>
<td><strong>GRADUATE (813)</strong></td>
<td></td>
<td>A  B  C  D  E  F</td>
<td></td>
</tr>
<tr>
<td>TA Orientation</td>
<td>67.6%</td>
<td>X     X X</td>
<td>In-person</td>
</tr>
<tr>
<td>Think About It: Graduate Students</td>
<td>100%</td>
<td>X X X X X X</td>
<td>Online</td>
</tr>
<tr>
<td>New Graduate Student Orientation</td>
<td>61.5%</td>
<td>X     X X</td>
<td>In-person</td>
</tr>
<tr>
<td>CARE Flyer</td>
<td>67.6%</td>
<td>X</td>
<td>Print</td>
</tr>
</tbody>
</table>

1. See UC Student Core Content Education Framework on the next page.
2. Non-domestic international students are typically unable to attend Summer Orientation. Though only 87.6% of all incoming freshmen attended Orientation, 95% of those able to attend (i.e., domestic students), did attend.
3. Non-domestic international students are typically unable to attend Summer Orientation. Though only 71.8% of all incoming transfer students attended Orientation, 85% of those able to attend (i.e., domestic students), did attend.
### UC Student Core Content Education Framework

<table>
<thead>
<tr>
<th>Content Area</th>
<th>CORE CONCEPTS</th>
<th>LEVEL 1 (INITIAL) CORE CONTENT</th>
<th>LEVEL 2 (ONGOING) CORE CONTENT OPTIONS</th>
<th>LEVEL 3 (TAILORED) CORE CONTENT OPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong></td>
<td>Definitions of Sexual Violence</td>
<td>Definitions (sexual assault, domestic violence, dating violence, stalking, and sexual harassment) per UC policy and California law; definition of consent per UC policy and California law; definition of incapacitation</td>
<td>Define rape culture, cycle of violence, sexual violence continuum, power and control wheel, and healthy relationships and communication; how University analyzes whether conduct was unwelcome under Title IX; how University analyzes whether unwelcome sexual conduct creates a hostile environment</td>
<td>Community-specific definitions; community-specific prevalence and patterns</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>Social Norms</td>
<td>Challenge attitudes and beliefs that normalize violence; challenge victim blaming</td>
<td>Gender role construction; media literacy; being part of the solution; role of alcohol and drugs in sexual violence, including deliberate use of alcohol and/or other drugs to perpetuate sexual violence</td>
<td>Intersectionality; power/privilege; being part of the solution; fostering a respectful community</td>
</tr>
</tbody>
</table>
### UC Student Core Content Education Framework (continued)

<table>
<thead>
<tr>
<th>C</th>
<th>Bystander intervention</th>
<th>Definition of bystander intervention; strategies for bystander intervention; identifying warning signs; overcoming barriers; example of effective bystander intervention</th>
<th>Additional strategies for being a responsive bystander</th>
<th>“Closed culture” specific challenges to intervening</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>Trauma Informed Response</td>
<td>1st responder helpful strategies; validating the survivor experience; effective listening; give options not advice</td>
<td>Neurobiology of trauma; common reactions to trauma</td>
<td>Acknowledging barriers to seeking help; cultural distinctions in trauma response</td>
</tr>
<tr>
<td>E</td>
<td>Support Resources</td>
<td>Confidential resources; CARE Office; community resources; Respondent Support Services; self-care</td>
<td>Understanding the university’s collaborative response; trauma-informed safety planning</td>
<td>Community specific support resources; acknowledging barriers to seeking help</td>
</tr>
<tr>
<td>F</td>
<td>Reporting Rights &amp; Options</td>
<td>Title IX/UC Policy/Code of Conduct; Title IX protections against retaliation; remedies: legal, civil, and administrative; steps to file a complaint; medical options (including forensic exams); accommodations; right to an advocate/support person of choice</td>
<td>Difference between mandated reporter, Responsible Employee, and CSA</td>
<td>Acknowledging barriers to seeking help</td>
</tr>
</tbody>
</table>
Primary education for employees:

All incoming non-supervisory staff employees and non-supervisory academic appointees are required to complete a one-hour UC Sexual Violence and Sexual Harassment Prevention Training for non-supervisory staff within the first six weeks of hire. See University of California Curriculum for information about the content covered in this training.

All incoming faculty and supervisory staff are required to complete a two-hour UC Sexual Violence and Sexual Harassment Prevention Training within the first six months of hire. See University of California Curriculum for information about the content covered in this training.

Ongoing Educational Programs and Campaigns

Ongoing prevention and awareness programming that expands on the primary education new students and employees receive is offered throughout the academic year, and UCSB provides active notification about these programs.

Ongoing education for students:

UCSB provides multiple opportunities for continuing students to participate in ongoing prevention and awareness education throughout the academic year. Ongoing prevention education is designed to ensure students expand on their understanding of the UC Curriculum’s Core Content Areas. See Level 2 of UC Student Core Content Education Framework.

Throughout the year, efforts are made to ensure that certain high-risk populations, as well as student leaders, receive targeted education. UCSB provides education and awareness modules with tailored content for specific student audiences such as international students, Intercollegiate Athletics, Greek organizations, LGBTQ+ students, and students living in campus residence halls. University staff also provide annual training to student employees and leaders, including Orientation staff, Resident Assistants, Community Service Officers, Associated Students leadership, and Greek organization leaders.

Ongoing education relies on awareness campaigns to remind students of the training and educational opportunities available to them. The CARE Office advertises their quarterly calendar of programs via social media, the CARE website, electronic messages on TVs at Student Health, and digital messaging in the residence halls. The CARE Office hosts multiple awareness campaigns throughout the year, including events during Domestic Violence Awareness Month, Stalking Awareness Month, and Sexual Assault Awareness Month (SAAM), as well as tabling events throughout the year. SAAM 2018 was one of CARE’s most intersectional programming efforts, with events focused specifically on various communities, including: undocumented students, Latinx students, Asian Pacific Islander students, LGBTQ+ students, student parents and guardians, and survivors of color.

The University also raises awareness about Sexual Violence (sexual assault, dating/domestic violence, and stalking) and available resources through online and print materials posted and distributed throughout the year. One example is the STEM poster campaign conducted during the 2017/2018 academic year. Based on feedback from UCSB students within STEM majors, the CARE Office launched a poster distribution campaign aimed at increasing STEM students’ knowledge of UCSB’s advocacy services. This student-led initiative targeted all STEM departments on campus and is continuing to expand in reach. In all, 129 posters were distributed to 26 academic departments. Another example is a Campus Outreach poster campaign created by Title IX, in collaboration with the Graduate Student Association, in the 2017/2018 academic year. These posters promoted awareness of Sexual Violence as well as campus resources available to those impacted by Sexual Violence. Campus distributed 2,199 posters upon request and made electronic copies of the posters available for download online.

New educational programs and campaigns are developed in response to specific campus culture needs. For
instance, during the 2017/2018 academic year, the CARE Office collaborated with the Office of Student Life to launch a new peer education model for the mandatory, ongoing education for the fraternity and sorority (fraso) community. CARE trained five CARE peer educators and five fraso student leaders to present educational content about Sexual Violence awareness and prevention in the Greek community. These peer educators from CARE and fraso conducted presentations throughout the 2017/2018 academic year, reaching a total of 2,007 students (77% of the population).

UCSB’s CARE Office offers intensive training to students who are interested in becoming more involved in educating their peers and changing the campus culture. These programs include CARE Connect, Green Dot, and the Violence Intervention & Prevention (VIP) internship (more information below). Students trained through these programs develop awareness campaigns for their peers throughout the year, increase awareness of campus services, and play an important role in creating positive changes in the UCSB culture.

UCSB offers the following ongoing educational programs and training opportunities for students throughout the year.

- **CARE Connect**: CARE Connect is a workshop facilitated by the CARE office that is designed to provide students with information on how to support a friend, peer, or classmate who is impacted by interpersonal violence and connect them with CARE’s confidential services. CARE Connect was created based on research showing that survivors often feel more comfortable disclosing their experience to friends, who in turn, then play a critical role in connecting survivors to resources. This workshop provides students with the tools to identify Sexual Violence, support a friend, and connect them to CARE services.

- **Think About It: Graduate Students**: All graduate students are required to complete this training annually. *Think About It: Graduate Students* is an online training that recognizes the unique roles and responsibilities of UCSB graduate students and provides them with the knowledge and tools to help them support their campus community. This training has been customized for graduate students and includes information about the identification and prevention of Sexual Violence, CARE and Title IX resources, Responsible Employee reporting duties (for student employees), and all six areas of the UC Curriculum’s Core Content. See UC Student Core Content Education Framework.

- **Title IX Reporting Responsibilities**: This training, facilitated by the Title IX Office, provides student staff in-depth information regarding Responsible Employee reporting obligations, confidential advocacy services, and campus investigative processes. It includes what to do when receiving a disclosure of sexual harassment, sexual violence, and/or other prohibited behavior; the impacts of receiving a disclosure; when and how to make a report to UCSB; and what happens after a report is made. Title IX and CARE also offer a co-facilitated, expanded version of this training, “Reporting Responsibilities and Confidential Services,” which includes additional information about CARE’s role and how UCSB community members can utilize their services.

- **Green Dot: Preventing Violence through Bystander Intervention**: UCSB uses Green Dot for its bystander intervention programming and has trained a team of professional staff who serve as facilitators on the campus’s Green Dot team. Green Dot is a nationwide initiative that has been adopted by campuses across the country and utilizes research-informed and evidence-based approaches to ending violence by training students on how to effectively intervene as a bystander.

This bystander intervention program is informed by concepts and lessons learned from bodies of research and theory across disciplines, including violence against women, diffusion of innovation, public health, social networking, psychology, communications, by-
Standar dynamics, perpetration, and marketing/advertising. The Green Dot curriculum focuses on providing students with tools to intervene, and supporting a culture that communicates that violence will not be tolerated and that everyone has a role in preventing violence. The goal of this workshop is to provide participants with the knowledge to recognize potential signs of Sexual Violence and skills to intervene as bystanders. This workshop addresses common barriers that bystanders often face and provides tools to intervene in a variety of scenarios.

Components of UCSB’s Green Dot Bystander Intervention Program include half-day student bystander trainings, bystander intervention overview workshops, promotional campaigns, and educational programs. UCSB hosted a four-day Green Dot training for professional staff across the campus to expand the Green Dot facilitator team and increase the scope of bystander education for students at UCSB. In Spring 2018, UCSB invited trainers from Green Dot Inc. to train 30 professional staff members who will now participate in campus-wide bystander education initiatives.

One of the ways that UCSB spreads Green Dot messaging across campus is through the VIP internship program. As part of their program, VIP interns launch a Green Dot campaign and multi-tiered initiative to spread bystander messaging on campus and to promote a culture of bystander intervention. The 2017/2018 academic year’s Green Dot campaign was a three-part Campus Housing campaign: VIP interns led Green Dot presentations for Resident Assistants and their residents, Green Dot door-hangers were dispersed to all student residents in on-campus housing, and Green Dot “passive programs” were posted in the residence halls. This campaign reached all 10,285 undergraduate and graduate student residents. Additionally, VIP interns delivered Green Dot presentations to residents throughout UCSB’s student housing, in collaboration with Resident Assistants. VIP interns also launched a concurrent Green Dot social media campaign, which consisted of changing their profile picture to a professional photo of each intern holding a sign with a reason why they would step in as a bystander.

- **Violence Intervention & Prevention (VIP) Internship**: UCSB’s CARE Office offers a 10-week, 40-hour internship program. Approximately 21 students participated in VIP during the 2017/2018 academic year, and each received a full Green Dot bystander training in addition to other ongoing training and education. As part of their program, VIP interns launch a Green Dot campaign and multi-tiered initiative to spread bystander messaging on campus and to promote a culture of bystander intervention.

- **Yoga as Healing**: Yoga as Healing is a group offered by CARE and Counseling & Psychological Services (CAPS). This group explores reconnection to the self through mind, body, and spirit. It provides survivors of sexual violence a means of becoming reacquainted with their bodies, help to become grounded in the present moment, and allow exploration of the benefits of mindfulness as they tune in to breath and movement in guided practice and meditation. Each class offers survivors a safe space to gain greater awareness around strength, stability, assertiveness, and mindfulness. Yoga as Healing allows survivors to reconnect with themselves and build community with their peers.

- **Pillowtalk: Communicating Consent in Healthy Sexual Relationships**: The goal of this workshop is to provide participants with relevant, practical, and accessible skills to communicate consent in healthy sexual relationships, and covers concepts related to respecting boundaries, healthy communication, and overcoming stigma associated with conversations on sexuality. The aim is to provide participants with the tools to communicate consent and increase understanding of how harmful social norms related to sex contribute to a culture that tolerates Sexual Violence. This workshop utilizes content from the White House It’s On Us “Autocorrect” video which examines the role of peer cul-
ture in normalizing harmful social norms and explores the concept of bystander intervention in relation to attitudes around consent and sexual violence.

- **#RelationshipGoals: Understanding Dating Violence and Healthy Relationships**: The goal of this workshop is to understand how our society talks about healthy and toxic relationships and to empower individuals to become change agents to shift the culture to one of non-violence. The content provides an overview of dating and domestic violence. The aim is to provide participants with the tools to recognize the red flags of an unhealthy relationship and the skills to support a friend who may be impacted. In addition, this workshop provides an opportunity to learn about CARE’s confidential advocacy and how to access services. The workshop utilizes group-based discussions, activities, and videos in order for participants to process and engage with the content.

- **Not Asking For It: Addressing Rape Culture & Victim-Blaming**: The goal of this workshop is to understand how a rape culture perpetuates power-based violence and its impact on those affected by Sexual Violence. The content provides an overview of rape culture, discusses the roots of Sexual Violence, and provides participants with the tools to creating a culture that is free from violence. This workshop utilizes group-based discussions and popular cultural references to facilitate the learning of this content.

- **Is that Love?: Addressing the Culture of Stalking**: The goal of this workshop is to understand how our society views the issue of stalking and to empower individuals to take action to change the culture. The content discusses the impact of stalking on an individual and systemic level. The aim is to provide participants with the tools to recognize the red flags of stalking and the skills to support a friend. It is also an opportunity to learn about the University’s resources and how to access services. This workshop utilizes group-based discussions, videos, and social media in order to engage participants’ learning and understanding of this issue.

- **Breaking Chains: Intersectionality and Power-Based Intimate Partner Violence**: The goal of this workshop is to understand intersectionality and its applications to Sexual Violence. The content covers the historical context of Sexual Violence and its connections to
larger systems of oppression. This workshop utilizes group activities and facilitated discussion in order to support participants’ learning and engagement with the topic. As the campus’ diversity continues to grow, it becomes increasingly necessary to address how our identities impact the ways in which we may experience power and oppression.

- **Microaggression Response:** This training provides information regarding gender-based microaggressions, including how microaggressions are defined, examples of these behaviors, microaggressions as potential policy violations, and how microaggressions create a pattern of marginalization. The University also offers an expanded version of this training, “Microaggression Response & Bystander Intervention,” which includes an interactive discussion and activity regarding the Spectrum of Harm, as well as tools related to bystander intervention.

- **Title IX Overview:** This training provides UCSB employees with a summary of the UC Policy on Sexual Violence and Sexual Harassment, the UCSB Local Procedures, reporting responsibilities, and campus resources. It also includes information about the Title IX Office and its role at UCSB.

- **Title IX Reporting Responsibilities:** This training provides student staff in-depth information regarding Responsible Employee reporting obligations, confidential advocacy services, and campus investigative processes. It includes what to do when receiving a disclosure of sexual harassment, sexual violence, and/or other prohibited behavior; the impacts of receiving a disclosure; when and how to make a report to UCSB; and what happens after a report is made. Title IX and CARE also offer a co-facilitated, expanded version of this training, “Reporting Responsibilities and Confidential Services,” which includes additional information about CARE’s role and how UCSB community members can utilize their services.

- **Microaggression Response:** This training provides information regarding gender-based microaggressions, including how microaggressions are defined, examples of these behaviors, microaggressions as potential policy violations, and how microaggressions create a pattern of marginalization. The University also offers an expanded version of this training, “Microaggression Response & Bystander Intervention,” which includes an interactive discussion and activity regarding the Spectrum of Harm, as well as tools related to bystander intervention.

**Ongoing education for employees:**

Online and in-person compliance training opportunities are provided using a multi-pronged approach, including instructor-led courses, theater performances, and online interactive modules. The University also offers supplemental instructor-led training outside of the compliance modules and campus awareness events that may include presentations, guest lectures, resources fairs, passive displays, speakers’ bureau events, and campus-wide events.

All continuing non-supervisory staff employees and non-supervisory academic appointees are required to complete a one-hour UC Sexual Violence and Sexual Harassment Prevention training for non-supervisory staff every year of their employment. See University of California Curriculum for information about the content covered in this training.

All continuing faculty and supervisory staff are required to complete a two-hour UC Sexual Violence and Sexual Harassment Prevention Training for faculty and supervisors every two years. Faculty and supervisors are also required to take a one-hour UC Sexual Violence and Sexual Harassment Prevention Training in the years between the two-hour trainings. See University of California Curriculum for information about the content covered in this training.

UCSB offers the following supplemental training options to complement the campus’s mandatory Sexual Violence and Sexual Harassment Prevention Training programs:
10.3 IMMEDIATE ASSISTANCE AND PROCEDURES TO FOLLOW FOR VICTIMS OF SEXUAL VIOLENCE

The following are procedures victims of Sexual Violence are encouraged to follow.

Safety

Victims of Sexual Violence are strongly encouraged to immediately contact the UCSB Police Department (UCPD) to address their immediate safety needs. UCPD is located at 574 Mesa Road, on the UCSB campus, and is available 24 hours a day, 7 days a week. Call 911 or (805) 893-3446.

Confidential Support Services

The Campus Advocacy, Resources & Education (CARE) Office offers confidential assistance on their 24-hour phone line: (805) 893-4613. The CARE Office addresses immediate needs by providing assistance in obtaining a sexual assault forensic exam and/or reporting to law enforcement. For a complete list of on- and off-campus confidential support services, see the Comprehensive List of Resources.

Preserve Evidence

Even if a victim is not sure about pursuing an investigation or sanctions against the alleged suspect, they are encouraged to preserve evidence. It is important to preserve physical evidence because it can assist in criminal prosecution or in obtaining a protection order. Victims of sexual assault are encouraged to save anything that might contain the suspect’s DNA. Efforts to do this include limiting the use of the restroom, and not bathing or showering, changing clothes, combing hair, cleaning up the crime scene, or moving anything the suspect might have touched (until the evidence has been collected). Evidence of a sexual assault is most effectively collected via a sexual assault forensic exam. See Sexual Assault Response Team Exams for more information. Victims of Sexual Violence (sexual assault, dating and domestic violence, and stalking) can also preserve evidence by saving text messages, instant messages, voice mail and call logs, social networking pages, photographs, and other documents that could be useful to Police investigators.

Sexual Assault Response Team Exams

A Sexual Assault Response Team (SART) is a multi-disciplinary team comprised of individuals from multiple county agencies. The purpose of a SART is to provide a collaborative response to individuals who have been sexually assaulted or sexually abused. Services offered through the SART include forensic medical exams, forensic interviews, emotional support, advocacy, counseling referrals, prophylaxis for sexually transmitted infections and pregnancy, and other support services for the individual and their family members.

A SART exam is a forensic medical exam conducted by a forensic nurse examiner. Due to potential evidence degradation over time, it is recommended that victims obtain a SART exam as soon as possible. SART exams are free.
and do not require health insurance. State and local funds cover the cost of an exam. Victims have the right to be accompanied to their medical exam by a sexual assault advocate and another support person of their choosing. It is important to note that any health center or physician treating the victim of a violent crime is obligated by law to report the crime to the Police.

Referrals for a SART exam are made by law enforcement personnel or a sexual assault advocate. An exam can be authorized without law enforcement involvement, but Police still play a role in booking evidence. A SART exam initiated by an advocate only, in which the examinee’s personally identifiable information is not shared with Police, is referred to as a “Restricted Forensic Medical Exam.”

A victim may arrange to have a SART exam through the following avenues:

- **Police Report:** When a Police report is made, UCPD or another law enforcement agency can authorize a SART exam. UCPD or other law enforcement agency personnel will then transport the victim to the exam location.

- **No Police Report:** A Police investigation is not required to obtain an exam. If a victim does not wish to file a report with law enforcement, but wants to have physical evidence collected, the victim may receive a SART exam by contacting UCPD who will then transport the victim to the exam location. The exam will help preserve any existing evidence in case the victim decides at a later date to file a Police report for investigation.

- **CARE Advocacy:** An advocate in the CARE Office can help a victim obtain an exam. Advocates can be reached by calling CARE’s 24-hour confidential phone line: (805) 893-4613. The CARE office is located in the Women’s Center, on the first floor of the UCSB Student Resource Building. More information can be found at: wgse.sa.ucsb.edu/care.

- **Standing Together to End Sexual Assault (STESA), formerly Santa Barbara Rape Crisis Center:** An advocate from STESA can help a victim obtain an exam. Advocates can be reached by calling STESA's 24-hour confidential phone line: (805) 564-3696. More information can be found at: www.sbstesa.org.

**Medical Attention**

Health providers can examine and treat physical injuries and provide pregnancy tests and testing for sexually transmitted diseases. UCSB's Student Health Service does not conduct sexual assault forensic exams, but does provide medical care for all registered students who have not waived their Student Health insurance coverage. Employees, and students who have waived Student Health insurance, may obtain medical attention through their medical provider. It is important to note that any health center or physician treating the victim of a violent crime is obligated by law to report the crime to the Police. UCSB will protect the privacy of individuals involved in a report of Sexual Violence to the extent possible under law and UCSB policy. To contact Student Health Service, call (805) 893-5361 or the 24-hour advice nurse at (800) 539-1387, or go to: studenthealth.sa.ucsb.edu.
10.4 REPORTING OPTIONS

Confidential campus and community resources are available to anyone impacted by Sexual Violence. Confidential resources provide a private space for an impacted party to discuss the incident and learn about reporting options, the University conduct process, and legal processes, without instigating an investigation or action by the University or law enforcement. Confidential resources on campus are the CARE Office, Counseling & Psychological Services (CAPS), Academic & Staff Assistance Program (ASAP), Office of the Ombuds, and some practitioners at Student Health Service. See the Comprehensive List of Resources for a list of on-campus, local, and national resources.

Any member of the University community may officially report conduct by a UCSB student that may constitute Sexual Violence to any supervisor, manager, the Title IX Office, and/or the Title IX Officer, Ariana Alvarez (805-893-2546; ariana.alvarez@ucsb.edu). Supervisors, managers, and other designated “responsible employees” must promptly forward such reports to the Title IX Officer or other staff member in the Title IX Office charged with reviewing and investigating Sexual Violence.

Reporting one’s own personal experience with Sexual Violence to a “responsible employee,” the Title IX Office, the Title IX Officer, or law enforcement is the decision of the impacted party. If an act of Sexual Violence is reported to a non-confidential party at the University who is designated as a “responsible employee,” that employee must notify the Title IX Office, which will make a determination as to whether or not a formal University investigation may be necessary to address the concerns reported.

The University encourages early reporting of incidents to either law enforcement or the Title IX Office. While there is no time limit on the reporting of incidents to the University, the University encourages early reporting as timeliness increases the likelihood of substantiating claims and adjudicating charges. In addition, early reporting also increases the likelihood that the University will be able to exercise jurisdiction over respondents who might have otherwise graduated or since left campus due to the passage of time.

Even if a clear decision has not been made by the impacted party as to whom to report or whether to report at all, it is still important for the impacted party to preserve evidence that might be used in future investigations or for obtaining a protection order. This includes limiting the use of the restroom, and not bathing or showering, changing clothes, combing hair, cleaning up the crime scene, or moving anything the suspect might have touched (until the evidence has been collected). Evidence is most effectively collected via a sexual assault forensic exam (see Sexual Assault Response Team Exams).

Additional efforts may also include writing down details about the incident(s), saving any communications (electronic, voice, text, or otherwise) from involved parties, and capturing a copy of any relevant online information (social media posts or messages).

Impacted parties may pursue any of the following reporting options. (A CARE advocate can provide information about reporting options and offer accompaniment during reporting processes. CARE advocates can be reached at 805-893-4613.)

1. Make No Report

Although UCSB encourages the timely reporting of all crimes, complainants of Sexual Violence are not required to report to Police, Title IX, or any other campus office. Understanding that reporting is an intensely personal process, UCSB respects the right of the impacted party to decide whether to report. (Seeking support through CARE does not trigger a report to law enforcement or UCSB; a report will not be made unless the survivor chooses to do so.)
2. Report to Law Enforcement and Request Prosecution

Impacted parties have the right to report incidents of Sexual Violence to law enforcement. If the incident happened on University property, a report may be made to the UCSB Police Department (UCPD). If the incident happened off campus, a report may be made to the corresponding local law enforcement agency or UCPD. (Any police agency can receive a report and will assist the victim and make sure that the appropriate agency becomes involved.)

Victim advocates from UCSB’s CARE Office are available to assist victims in notifying law enforcement authorities and accompanying victims to meetings with Police if the victim so chooses. They can be reached at (805) 893-4613.

UCPD provides a timely response for all reports of Sexual Violence. In addition to emergency response, UCPD conducts trauma-informed investigations of Sexual Violence. The preservation of evidence is essential to the successful investigation and prosecution of Sexual Violence. UCPD personnel have been specially trained in the proper handling, identification, collection, and preservation of such evidence. UCPD can assist victims by arranging for a forensic exam (see Sexual Assault Response Team Exams) in order to provide admissible evidence when the person reporting the act of Sexual Violence desires prosecution through the criminal justice system. If the impacted party was under the influence of alcohol or drugs, this may be relevant to the case and should be disclosed to the Police.

In order to protect privacy, California law allows victims of Sexual Violence to request that the Police not release personally identifying information such as name, address, phone numbers, and date of birth, in publicly available record keeping. This will ensure a degree of confidentiality but does not guarantee complete anonymity. Per the Violence Against Women Act of 1994, the UCSB Police Department will not release identifying information in alerts that are issued to the campus community, nor in information released to the media. See Protecting Victim Confidentiality for more information.

Although it is never too late to file a Police report, it is highly recommended to report Sexual Violence as soon as possible in order to allow for the collection of evidence. When a report is made to UCPD, an investigating officer trained in Sexual Violence cases will be dispatched to the scene and will explain the Police procedures. If it is determined that a SART exam is advisable, the Police will assist with transportation and contacting the Sexual Assault Nurse Examiner, who will conduct the exam. The officer will inform the victim that they have the right to have a support person present during the investigative interview. Detectives will assist with the investigation and proper evidence collection. Victim advocates from CARE are available to accompany victims to SART exams and any meetings with UCPD.

Local Law Enforcement Agencies

<table>
<thead>
<tr>
<th>Local Law Enforcement Agency</th>
<th>Phone Number</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCSB Police Department (UCPD)</td>
<td>(805) 893-3446</td>
<td>Public Safety Bldg. #574, UCSB, CA 93106</td>
</tr>
<tr>
<td>Isla Vista Foot Patrol</td>
<td>(805) 681-4179</td>
<td>6504 Trigo Road, Isla Vista, CA 93117</td>
</tr>
<tr>
<td>Santa Barbara County Sheriff’s Office</td>
<td>(805) 681-4100</td>
<td>4434 Calle Real, Santa Barbara, CA 93110</td>
</tr>
<tr>
<td>Santa Barbara City Police</td>
<td>(805) 897-2300</td>
<td>215 East Figueroa St., Santa Barbara, CA 93101</td>
</tr>
</tbody>
</table>
At the conclusion of the Police investigation, the case may be forwarded to the Santa Barbara District Attorney's (DA's) office for review. The DA's office makes the final decision whether to criminally prosecute the suspect. If the DA's office does not move forward with the complaint, the victim may request that a Victim Advocate accompany them to the DA's office for a meeting to discuss the decision.

A victim may make a Police report or participate as a witness in the court proceedings at his or her own discretion. If a victim chooses to file a Police report, the Victim/Witness Assistance Program, which is funded by the State of California, is available free of charge. Its services include counseling, court escort, advocacy, and financial assistance. Contact the CARE Office for assistance connecting with the Santa Barbara County Victim-Witness Assistance Program. A CARE advocate can be reached at (805) 893-4613.

UCPD encourages the UCSB community, including students, to immediately contact them by dialing 911 or (805) 893-3446 to report Sexual Violence. UCPD is available 24 hours a day, 7 days a week. The UCPD station is located at Public Safety Bldg. 574 (at the intersection of Mesa Road and Stadium Road).

3. File a Criminal Report with Law Enforcement without Requesting Prosecution

In some cases, reports to law enforcement may be made for documentation purposes only. Ultimately, the decision to prosecute will be made by the District Attorney, although the cooperation of the victim is considered necessary.

4. File a Complaint with the UCSB Title IX Office

UCSB encourages all complainants to report acts of Sexual Violence to the Title IX Office as soon as possible after it occurred, regardless of whether it occurred on or off campus, in order for appropriate and timely action to be taken. Complainants may request an administrative investigation from Title IX, whether or not a report has been filed with the Police. Title IX is the UCSB office responsible for conducting neutral, administrative (i.e., non-criminal) investigations of all reports of Sexual Violence to determine if the UC SVSH Policy or the UCSB Local Procedures have been violated. See Responding to Reports of Sexual Violence – Students and Responding to Reports of Sexual Violence – Employees for information about Title IX's investigation procedures.

Title IX investigators meet with complainants to discuss their rights, options, and any interim and protective measures appropriate (see Interim Measures and Remedies). If a complainant wishes to make a report to Title IX, Title IX investigators will conduct an initial assessment to determine the most appropriate response. The complainant's desired response and outcome will be considered. If an investigation occurs, the Title IX Office will produce an Investigation Report based on the preponderance of the evidence standard, and forward that report to the appropriate campus official(s) for adjudication (see Student Adjudication Process and Sanctioning and Employee Corrective Actions and Sanctions).

Any complainant who reports Sexual Violence, regardless of whether the offense occurred on or off campus, will be provided with a written explanation of their rights, options, and resources. The UCSB Rights & Options for Parties Impacted by Incidents of Sexual Violence & Sexual Harassment guide, provided to all student complainants and respondents, includes an overview and summary of the reporting, investigating, adjudicating, and appeal procedures for student violations of policy, as well as the rights and responsibilities of complainants and respondents. The Campus and Community Resources for Individuals Impacted by Sexual Violence, Sexual Harassment, or Other Prohibited Behavior guide, provided to all complainants and respondents, includes contact information for counseling, health, mental health, victim ad-
vocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available both on campus and in the community. This resource guide also includes contact information for offices that can provide assistance with interim and protective measures, as well as information about how to request interim measures and remedies. The same information is also accessible at oeosh.ucsb.edu/titleix/resources.

The Title IX Officer, in coordination with the Office of Judicial Affairs, will make an immediate assessment concerning the health and safety of the complainant (and other affected parties) and the campus community, and implement interim measures or protective measures immediately necessary (including, but not limited to, No-Contact Orders, changes to housing or course assignments, and safety escorts).

Many campus offices can assist complainants with obtaining interim measures and protective measures, such as UCPD; Housing, Dining & Auxiliary Enterprises; CAPS; CARE; Office of Judicial Affairs; Human Resources; and others. Interim and protective measures include No-Contact Orders; safety escorts; and changes to academic, living, transportation, and working situations. See Interim Measures and Remedies for more information about protective measures and accommodations. Complainants with questions or concerns about their ability to obtain requested interim or protective measures should contact the Title IX Office.

Title IX is available Monday through Friday, 8:00 a.m. to 5:00 p.m.: (805) 893-2701, 3211 Phelps Hall, oeosh.ucsb.edu/titleix.

5. Report to Both Law Enforcement and Title IX

Due to privacy laws and jurisdictional issues, law enforcement is not always able to share reports of Sexual Violence with the University. Therefore, if the victim has reported to law enforcement and also desires University review of the case for investigation and possible adjudica-
tion, they should also report their complaint to the Title IX Office. The two fact-finding investigations will be coordinated to the best of the Title IX investigator’s abilities. At the request of law enforcement, the University investigation may be delayed as needed to meet any specific needs of the criminal investigation. Such a delay may be cause for extending the University timelines to complete the process. Delays will be communicated to all parties and documented by the Title IX investigator and/or the Office of Judicial Affairs.

6. Make an Anonymous Report

Reports can be made to UCPD or Title IX without names included. Without any identifying information, however, UCPD or Title IX may be unable to respond fully to the reported incident. In most cases, an anonymous report to Title IX would unlikely lead to an investigation or disciplinary action against the suspect.

10.5 INTERIM MEASURES AND REMEDIES

Regardless of whether a victim/complainant of Sexual Violence pursues an investigation with Police or Title IX, upon request, UCPD, Title IX, and/or CARE personnel will help victims/complainants obtain interim measures and remedies. Victims with questions or concerns about their ability to obtain requested interim measures or remedies should contact the Title IX Office at (893) 893-2701. Title IX will grant, facilitate, and ensure the enforcement of reasonable interim measures or remedies if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to UCPD or local law enforcement.

Title IX will maintain as confidential any interim or protective measures provided to the parties, to the extent such confidentiality does not impair Title IX’s ability to provide the interim or protective measures. In some cases, Title IX may need to disclose some information about a complainant to a third party to provide necessary accommodations or protective measures.

Interim Measures/Accommodations for Students

Complainants may contact Title IX (893) 893-2701 and/or CARE (805) 893-4613 to request academic assistance for missed classes or exams, or help with rearranging course schedules. Complainants who live in University-owned housing can explore relocation options through Housing, Dining & Auxiliary Enterprises with the assistance of a CARE advocate or Title IX. Reasonable requests, space permitting, will be accommodated to the best of Housing, Dining, & Auxiliary Enterprises’ abilities. All of these interim measures/accommodations can be coordinated by CARE or Title IX regardless of whether or not a formal report is made to Title IX or law enforcement.

Interim Measures/Accommodations for Employees, Including Student Employees

To enhance the safety and wellness of an impacted individual, an accommodation to alter the individual’s schedule, to change a work location, or to access leave balances to cover absences that relate to matters covered by the UC SVSH Policy may be requested. These requests should be made to the individual’s direct supervisor and may be coordinated through a CARE advocate or the Title IX Office, regardless of whether or not a formal report is made to Title IX or law enforcement. CARE advocates will make every attempt to protect the complainant’s privacy to avoid any required reports from supervisory staff to the Title IX Office.

If the impacted individual(s) live in University-owned housing, the University can review options with them. Reasonable requests, space permitting, will be accommodated to the best of Housing, Dining, & Auxiliary Enterprises’ abilities. This can be coordinated through the Title IX Office or a CARE advocate with Housing, Dining & Auxiliary Enterprises, regardless of whether or not a formal report is made to Title IX or law enforcement. CARE advocates will make every attempt to protect the complainant’s privacy to avoid any required reports from Housing staff to the Title IX Office.
Optional Protective Measures

No-Contact Order:

Student complainants may request a No-Contact Order from the Office of Judicial Affairs if the accused is a UCSB student. This may be coordinated through a CARE advocate. The Office of Judicial Affairs will meet with the involved parties separately when issuing a No-Contact Order. A No-Contact Order may be requested whether or not a report has been made to law enforcement or Title IX. The Office of Judicial Affairs, however, is required to share the information with Title IX. Persons in need of assistance with obtaining, enforcing, or getting information about No-Contact Orders may contact CARE at (805) 893-4613 or the Office of Judicial Affairs at (805) 893-5016.

Emergency Protective Order:

Impacted parties may request an Emergency Protective Order from the UCSB Police Department, or any law enforcement agency, if there is an immediate threat to their safety and a Police report is being taken. Before the expiration of the Emergency Protective Order, or in all other situations in which a protective order is needed, a temporary restraining order should be requested through the Santa Barbara Superior Court.

Civil protection order:

Impacted parties may request a civil harassment restraining order if they are being harassed, stalked, abused, or threatened by someone they have not dated and do NOT have a close relationship with (anyone not included in the list under domestic violence protections).

Resources:

Persons in need of assistance with obtaining, enforcing, or getting information about protective orders may contact any of the following organizations:

- Campus Advocacy, Resources & Education (CARE)
  Women’s Center, Student Resource Building, UCSB
  Phone: (805) 893-4613
  wgse.sa.ucsb.edu/care

- Standing Together to End Sexual Assault (STESA)
  (formerly Santa Barbara Rape Crisis Center)
  433 E. Canon Perdido St., Santa Barbara, CA 93101
  Phone: (805) 564-3696
  www.sbstesa.org

- UCSB Police Department
  Public Safety Bldg. #574, UCSB, CA 93106
  Phone: (805) 893-3446
  www.police.ucsb.edu

- Santa Barbara Sheriff’s Office
  4434 Calle Real, Santa Barbara, CA 93110
  Phone: (805) 681-4100
  www.sbsheriff.org

- Santa Barbara County Victim-Witness Assistance
  1112 Santa Barbara St., Santa Barbara, CA 93111
  Phone: (805) 568-2400 or Toll Free: (855) 840-3232
  www.countyofsb.org/da/victim_witness.html

- Santa Barbara Legal Aid Foundation
  301 Canon Perdido St., Santa Barbara, CA 93101
  Phone: (805) 963-6754
  www.lafsbc.org

- UCSB Associated Students Legal Resource Center
  6550B Pardall Rd., Isla Vista, CA 93117
  Phone: (805) 893-4246
  legal.as.ucsb.edu

- Santa Barbara County Superior Court
  1100 Anacapa St., Santa Barbara, CA 93101
  Phone: (805) 882-4520

Forms for civil protection orders: www.sbcourts.org/sh/lrc/antiharassment.shtm
For more information about obtaining and enforcing interim and protective measures, contact the UCSB Police Department (805) 893-3446, Title IX (805) 893-2701, or CARE (805) 893-4613. UCSB will honor all requests for information on rights, options, and resources. UCSB will comply with any orders that are obtained.

10.6 PROTECTING VICTIM CONFIDENTIALITY

UCSB recognizes the sensitive nature of incidents of Sexual Violence (sexual assault, domestic violence, dating violence, and stalking). UCSB is committed to protecting the privacy of any individual who makes a report. Different officials and personnel are able to offer varying levels of privacy protection to complainants. Personally identifiable information about the complainant and other necessary parties will be considered confidential and only shared with persons who have a specific need-to-know (i.e., those who are investigating/adjudicating the report or those involved in providing support services to the complainant, including accommodations and protective measures).

Reports made to confidential on-campus resources: Professionals at CARE, CAPS, Ombuds Office, and HR's Academic & Staff Assistance Program may talk to complainants without revealing any identifying information about them to anyone else at the University, including the Title IX Office or the UCSB Police Department (UCPD). Except under certain limited circumstances (such as risk of imminent harm to the complainant or others), complainants can seek assistance and support from these counselors and advocates without triggering a Title IX or law enforcement investigation.

Reports made to a Responsible Employee: Any University employee (staff or faculty) 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 shall promptly notify the Title IX Office. 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.

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

Reports made to law enforcement: A victim who reports to the UCPD may request confidentiality. As a “Confidential Victim,” the victim’s name and other identifying information will not appear in public records. If a victim consents, UCPD will share the victim’s information with the Title IX Office so that the victim can be provided with information regarding their rights, options, and available resources.

Case Management Team (CMT): UCSB’s Case Management Team is responsible for maintaining consistent coordination of all reported Sexual Violence cases, ensuring all cases are addressed promptly and equitably by overseeing general actions within campus response and coordinating the activities of interim protective measures, and ensuring the campus’s response is trauma-informed. This team, comprised of the Title IX Officer and representatives from UCPD, Office of Judicial Affairs, CARE, and Respondent Services, upholds the privacy of the involved cases.

Interim and Protective Measures: UCSB will maintain as confidential any interim or protective measures provided to parties, to the extent such confidentiality does not impair UCSB’s ability to provide the interim or protective measures. In some cases, UCSB may need to disclose some information about a complainant to a third party to provide necessary accommodations or protective measures. Title IX is responsible for determining what infor-
Inform about a complainant should be disclosed and will make this decision based on the need to properly provide a complainant with interim or protective measures.

Adjudication: The Office of Judicial Affairs, Respondent’s Supervisor or Department Chair, or Academic Senate disclosures are limited to what is reasonably necessary to conduct the fair and compliant adjudication of cases or to deliver resources or support services to the parties. Any disclosures will be made consistent with University policy and state and federal law.

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

Clery Act and Other Public Records: Publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without including personally identifying information about the complainant/victim. UCSB does not publish the name of crime victims as part of its Clery Act-mandated reporting (including annual crime statistics that are disclosed in compliance with the Clery Act), nor does it include identifiable information regarding victims in the Daily Crime Log. In addition, UCSB policy regarding access to public records may require disclosure of certain information concerning the report of Sexual Violence. In such cases, every effort is made to redact or limit the record as appropriate to protect the privacy of all parties and witnesses. UCPD has various policies and procedures to ensure that personally identifying information about a victim is not included in publicly available record-keeping.

Student Behavioral Intervention Team (SBIT) and Threat Management Team (TMT): Sexual Violence cases that require a threat management assessment may come to the attention of SBIT or TMT at the recommendation of the CMT. These teams collaborate with CMT to provide a coordinated University response to potential threats. These multi-disciplinary teams of campus professionals uphold the privacy of the involved cases.

Whistleblower’s Investigations Workgroup: Sexual Violence cases involving employees may be reported to the campus Whistleblower Coordinator and referred to the Title IX Officer. Cases that rise to the level of investigation are reported to the Whistleblower’s Investigation Workgroup, responsible for meeting all of the compliance obligations through the course of an investigation. Members of this Workgroup maintain confidentiality on all matters of the case, to the extent possible.

Litigation Review Committee: UCSB’s Risk Management Department reviews Sexual Violence cases connected to litigation against the University. Members of the Review Committee maintain confidentiality on all matters of the case, to the extent possible.

10.7 PROCEDURES FOR ADMINISTRATIVE REPORTING

UCSB prohibits acts of Sexual Violence (sexual assault, dating violence, domestic violence, and stalking) that violate law and/or University policy. This section provides an overview of the administrative procedures UCSB uses to respond to reports of Sexual Violence. While the Title IX Officer has general responsibility for oversight of the reporting process and investigation of a report, other offices will be involved and consulted as necessary.

Any person may make a report, including anonymously, of Sexual Violence to the Title IX Office; to any Responsible Employee; or to another appropriate office, such as the Academic Personnel Office, Student Affairs, or Human Resources. The report shall be sent to the Title IX Office. If the person to whom a report normally would be made is the respondent, reports may be made to another Responsible Employee or the Title IX Office. Reports made to the Title IX Office can be made online (oeosh.ucsb.edu/titleix/filing.a.report) or over the phone (805-893-
2701), and should contain all pertinent information known to the reporter, including names, date, location, and allegations.

Once the Title IX Office receives a report of alleged Sexual Violence, they will determine if the issues presented rise to a potential policy violation, and if so, determine the most appropriate process to address the issues presented. The Title IX Officer oversees the University’s response to reports of Sexual Violence to ensure that the proceedings are prompt, fair, and impartial, from the initial report to the final outcome. Investigations and adjudication will be conducted by officials who receive annual training on issues related to sexual assault, domestic violence, dating violence, and stalking, as well as how to conduct an investigation and hearing process that is trauma-informed, protects the safety of complainants, and promotes fairness and accountability.

**Jurisdiction**

Any person who experiences Sexual Violence by a UCSB student or employee on University property or at an official University function may file a complaint with the Title IX Office for review, possible investigation, and possible adjudication by the Office of Judicial Affairs. Every case is considered individually and a determination of whether to investigate is done on a case-by-case basis. Sexual Violence occurring off University property may also be considered for University investigation and adjudication if the alleged perpetrator is a UCSB student or employee, and may also be reported to the Title IX Office.

The University may, at its sole discretion, exercise jurisdiction over student behavior that occurs off campus that would violate student conduct policies or regulations when the alleged misconduct indicates the student poses a threat to the safety or security of any member(s) of the University community. In determining whether to exercise jurisdiction for adjudication purposes, the Office of Judicial Affairs and the Vice Chancellor for Student Affairs may consider the seriousness of the alleged misconduct; the risk of future harm involved; whether a crime
has been reported to the criminal authorities; the ability of the University to gather information, including the statements of witnesses; and/or whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

All reports of sexual misconduct by non-student members of the campus community are received, reviewed, and, if applicable, investigated by the Title IX Office. Faculty and lecturers fall under the jurisdiction of the Office of Academic Personnel in the Executive Vice Chancellor's Office for adjudication/resolution purposes. Teaching assistants who are graduate students are under the jurisdiction of the Office of Judicial Affairs and Human Resources for adjudication/resolution purposes. Staff members are under the jurisdiction of Human Resources for adjudication/resolution purposes.

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

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

The following is information about the University's jurisdiction over specific locations/groups.

**University-owned residence halls, University-owned apartments, and family student housing:**

All University-owned residence halls, apartment complexes, and other complexes under lease by Housing, Dining & Auxiliary Enterprises are under University jurisdiction.

**Privately-owned student housing:**

UCSB has the right to extend jurisdiction over Sexual Violence that occurs off University property, including privately-owned student housing. Parties who have experienced Sexual Violence in privately-owned student housing should follow the general procedures listed above, and contact Title IX, if they believe the perpetrator may have been a University student and if they would like the incident to be investigated by the University.

**UCSB Greek-affiliated (fraternity and sorority) housing:**

The University has the right to adjudicate violations of sexual assaults, dating and domestic violence, and stalking that occur in Greek-affiliated (fraternity or sorority) houses. Parties who have experienced Sexual Violence in Greek housing should follow the general procedures listed above, and contact Title IX, if they believe the suspect is a University student and if they would like the incident to be investigated by the University.

**UCSB registered campus organizations or athletic teams:**

Allegations involving members of any registered campus organization or athletic team may be reported to Title IX for an investigation and possible adjudication. UCSB reserves the right to sanction registered campus organizations and athletic teams (including, but not limited to club teams and NCAA intercollegiate athletics teams) should the complaint be substantiated.
Other off-campus or non-campus locations:

Allegations involving UCSB students may be reported to Title IX for investigation and possible adjudication by the University regardless of location.

10.8 RESPONDING TO REPORTS OF SEXUAL VIOLENCE – STUDENTS

The following is a summary of sections of the UCSB Local Procedures for Reported Student Violations of the UC SVSH Policy that are relevant to the Clery Act.

Initial Assessment

Initial review and inquiry:

Upon receipt of a report of Sexual Violence, the Title IX Office will make outreach to the complainant to offer the services of the Title IX Office and provide them with a written explanation of their rights, options, and resources. The Campus & Community Resources and Right of the Parties documents are included in this email outreach. The party is not required to respond to the Title IX Office’s outreach and their participation in the process is voluntary.

The Title IX Officer will ensure that the complainant, if his or her identity is known, is provided a written explanation of rights and available options as outlined in the UC SVSH Policy, including:

- How and to whom to report alleged violations;
- Options for reporting to and/or notifying law enforcement and campus authorities;
- Information regarding confidential resources;
- The rights of complainants regarding orders of protection, No-Contact Orders, restraining orders, or similar lawful orders issued by criminal or civil courts (see Interim Measures and Remedies);
- The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
- Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid assistance, and other services available both within the institution and the community; and
- Options for, and available assistance to, a change to academic, living, transportation, and working situations if the complainant requests and if such options are reasonably available—regardless of whether the complainant chooses to report the crime to law enforcement.

Upon completion of an interview with the complainant, the Title IX Office will determine the most appropriate response and any necessary interim protections (see Interim Measures and Remedies). The Title IX Office will also identify the policy (or policies) applicable to the report based on the date of the incident or reported behavior.

The University will strive to honor the stated wishes of the complainant concerning whether to move forward with an investigation and any safety concerns for any involved individuals. There may be circumstances, however, in which the University may need to move forward against the complainant’s wishes, or in which the University may determine that an investigation will not occur despite the complainant’s wish to pursue an investigation. In such cases, the Title IX Officer, or his/her designee, will make this determination after completing an initial inquiry into the facts.

If the complainant declines to respond, the Title IX Office will determine how best to respond to the matter based on the available information. The Title IX Office will advise the complainant in writing via email of the final response decision with rationale for that determination and proceed accordingly thereafter.
Consideration of interim suspension and other protective measures:

During the initial assessment by the Title IX Office, the Office of Judicial Affairs may be consulted as to whether “interim suspension” is recommended to the Vice Chancellor for Student Affairs, who makes the final decision on the interim suspension or other protective measures.

If an interim suspension is warranted, a student respondent shall be restricted to the minimum extent necessary when there is reasonable cause to believe that the student’s participation in University activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.

The Title IX Office, in consultation with the Student Case Management Team, will also determine if any other interim measures are warranted or required to protect the involved individuals and the campus community.

Resolution and Investigation Processes

Reports of Sexual Violence may be addressed through Alternative Resolution or Formal Investigation.

Alternative Resolution process:

After a preliminary assessment of the alleged 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, among other responses:

- 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 Formal Investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious allegations. The Title IX Officer has discretion to determine whether the reported conduct is appropriate for Alternative Resolution, to determine the type of Alternative Resolution to pursue, and to stop the Resolution process at any time before its conclusion and move to a Formal Investigation.

Participation in Alternative Resolution is voluntary and will occur only if both the complainant and the respondent agree to participate. If Alternative Resolution is selected, the Title IX Officer will inform both parties in writing that: the Title IX Officer has initiated the process, the process is voluntary and will terminate upon either party’s request, termination may result in Formal Investigation, and the Title IX Officer will notify both parties of the process’s outcome at its conclusion. Both the complainant and respondent may be accompanied by an advisor throughout the process.

Alternative Resolution will be completed promptly, typically within 30 to 60 business days of the date the Title IX Officer sends the written notice. However, the Title IX Officer may extend the process beyond the 60th day for good cause. The complainant and respondent will receive written notice of the reason for any extension.
and the projected new timeline. The actual time required will depend on the specific circumstances, including the complexity of the matter and the nature of the alleged conduct.

If the Alternative Resolution process is terminated before its conclusion for any reason, any statements or disclosures made by the parties during the Alternative Resolution process may be considered in a subsequent Formal Investigation.

Once the parties have agreed to the terms of an Alternative Resolution, the University will not pursue a Formal Investigation unless the Title IX Coordinator determines that the Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence. The Title IX Officer will maintain records of all reports and conduct addressed through Alternative Resolution.

Formal Investigation:

All administrative investigations of Sexual Violence are conducted by the Title IX Office, unless otherwise designated by the Title IX Officer.

Upon initiation of the investigation, the Title IX Office will send written notice of the investigation and charges simultaneously to the complainant and student respondent, which will include the following:

- a summary of the allegations and potential policy violations;
- the purpose of the investigation;
- a statement that the Investigation Report, when issued, will make factual findings and a recommendation regarding whether there has been a violation of University policy;
- a statement that the findings and recommendation will be based on a preponderance of the evidence standard;

- a summary of the Title IX investigation and subsequent discipline processes, including the expected timeline;
- a list of available support resources;
- a summary of the rights of the complainant and respondent; and
- an admonition against intimidation or retaliation.

If the parties decline to participate in the resolution process, the Title IX Office will continue to send the Notice of Charges to them to advise them of the above information, as required by the University’s Policy. If a Title IX investigator discovers new facts that could form the basis for additional policy violations or sanctions, the Title IX Office will simultaneously provide the parties with an amended Notice of Charges, which will include both the original and new allegations and charges.

Throughout the investigation and resolution process, the University will offer and provide support services for complainants through the CARE Office, and for respondents through the Respondent Services Coordinator. The University will also consider and take interim measures as appropriate to ensure the safety, well-being, and equal access to University programs and activities of its students. Interim measures include, but are not limited to, the following: No-Contact Orders, housing accommodations, academic support and accommodations, and counseling. Title IX will maintain as confidential any interim or protective measures provided to parties, to the extent such confidentiality does not impair Title IX’s ability to provide the interim or protective measures. In some cases, Title IX may need to disclose some information about a complainant to a third party to provide necessary accommodations or protective measures.

At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing. An advisor is an individual who provides the complainant or respondent with support, guidance, or advice (including attorneys). The institution will not limit
the choice of an advisor, but may restrict certain involved parties and the extent to which the advisor can participate in the proceedings (restrictions apply equally to complainants and respondents). All reasonable measures will be taken to accommodate the selected advisor or person of support. However, if that person’s role as advisor or person of support interferes with the ability of the Title IX Office to conduct a fair, impartial, or timely investigation or with the ability of the Office of Judicial Affairs to conduct a fair, impartial, or timely appeal process, and it is necessary to limit the advisor or person of support’s presence, the complainant or respondent will be notified and will have the opportunity to identify an alternative advisor or person of support.

Neither the complainant nor the respondent is required to participate in the resolution process. The University will not draw any adverse inferences from a complainant’s or respondent’s decision not to participate or to remain silent during the process. An investigator, decision-maker, or appeal body will reach findings and conclusions based on the information available. An investigator, decision-maker, or appeal body may draw adverse inferences when a student selectively participates in the process, such as choosing to answer some but not all questions posed.

The investigation shall be completed within sixty (60) University business days of its initiation, which is when the Charges Notice is sent to the complainant and respondent. If the investigation takes longer than 60 business days, the Title IX Officer will review and grant a good cause for delay and the complainant and respondent shall be notified in writing along with an explanation of the good cause for the delay.

When a law enforcement agency is conducting its own investigation, the Title IX investigator will coordinate his or her fact-finding efforts with the law enforcement investigation, and upon request of the law enforcement agency, the investigation may be delayed to meet the needs of a criminal investigation. Any such delays shall be reviewed by the Title IX Officer and communicated to the parties in writing and documented.

The Title IX Officer will oversee the University investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. The Title IX investigator will:

- Develop an investigative plan for completion of the investigation within 60 business days (pending delays for good cause).
- Outreach to the complainant and respondent to explain rights, options, and resources, and to provide written notice of rights, options, and resources.
Meet with the complainant and respondent, as necessary, to gather information and provide updates on the status of the investigation.

- Gather relevant evidence.
- Outreach to any witnesses.
- Follow consistent practices for documenting investigations.
- Analyze the facts, assess credibility, and make a recommendation about whether the UC SVSH Policy was violated.
- Prepare a written Investigation Report.
  - The written report will issue a recommendation for alleged violations of the UC SVSH Policy.
  - The investigator will apply the preponderance of the evidence standard in recommending whether or not there has been a violation.
  - The Title IX Officer, along with the investigator, will submit the report to the Office of Judicial Affairs and/or other campus authority for review and application of the ultimate finding, sanctioning model, and/or recommended remedies. The Investigation Report will be final upon approval of the Title IX Officer and delivery to the Director of the Office of Judicial Affairs.

10.9 STUDENT ADJUDICATION PROCESS AND SANCTIONING

Any student who, after a Title IX investigation, is found to have engaged in conduct that violates the University policies on Sexual Violence is subject to disciplinary action up to and including suspension or dismissal, in accordance with the applicable University disciplinary procedure. The Title IX Officer makes a final determination based upon a preponderance of the evidence standard—that it is more likely than not that the alleged conduct occurred and, as such, violated University policy. Student cases will be referred to the Office of Judicial Affairs.

At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing. An advisor is an individual who provides the complainant or respondent with support, guidance, or advice (including attorneys). The institution will not limit the choice of an advisor, but may restrict certain involved parties and the extent to which the advisor can participate in the proceedings (restrictions apply equally to complainants and respondents). All reasonable measures will be taken to accommodate the selected advisor or person of support. However, if that person’s role as advisor or person of support interferes with the ability of the Title IX Office to conduct a fair, impartial, or timely investigation or with the ability of the Office of Judicial Affairs to conduct a fair, impartial, or timely appeal process, and it is necessary to limit the advisor or person of support’s presence, the complainant or respondent will be notified and will have the opportunity to identify an alternative advisor or person of support.

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

UCSB procedures provide that proceedings will include a prompt, fair, and impartial process from the initial investi-
All adjudication proceedings are conducted by officials who receive annual training on issues related to sexual assault, sexual harassment, dating violence, domestic violence, and stalking. Title IX investigators are additionally trained in the implementation of a trauma-informed approach to the Title IX process, the application of investigative best practices, and legal and procedural updates. Hearing officials are additionally trained on the fundamentals of due process in administrative hearings, and how to conduct the hearing process in a manner that is trauma-informed, protects the safety of victims, and promotes accountability. Proceedings are conducted by officials who have no conflicts of interest or biases for or against a complainant or respondent.

Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceedings do not include communications and meetings between officials and victims concerning accommodations or protective measures provided to a victim.
Determining If the Case Will Move Forward with Sanctioning

Upon completion of the investigation, the following will occur:

- The Title IX Officer will simultaneously send to the complainant and the respondent written notice of the investigation findings and the investigator’s recommended determinations; and will provide a copy of the Investigation Report to the parties, redacted if necessary to protect student privacy rights.

- The written notice will include:
  - a statement of the factual findings and recommendations regarding whether the charges have been substantiated, including whether policies have been violated;
  - an admonition against intimidation or retaliation;
  - an explanation of any interim measures that will remain in place;
  - a statement of the right to appeal that will be explained further in the notice of decision;
  - a statement that the Office of Judicial Affairs will determine whether the charges have been substantiated and policies have been violated and, if so, will assess the disciplinary sanctions and inform the complainant and respondent of the sanctions within ten (10) business days of the notice of findings; and
  - a statement that the complainant and/or respondent may schedule a meeting with the Office of Judicial Affairs and/or submit a written statement to be heard on the question of the findings of any policy violation(s) and the discipline prior to the decision and the imposition of sanctions.

- Upon receipt by the Office of Judicial Affairs of a fact-finding report by Title IX, the Office of Judicial Affairs will determine any findings of policy violations, by the conclusion of ten (10) business days, and if there is enough evidence to move forward with sanctioning.

- During those ten (10) business days, either party may schedule a meeting with the Office of Judicial Affairs and/or submit a written statement concerning the analysis and the possible discipline. This is not an opportunity to present new information which includes evidence not given to Title IX office during the investigation or information that would have been available during the investigation period. The Office of Judicial Affairs will use the information in the Investigation Report and any statements made from the complainant and respondent during this ten (10) day period to make a determination of policy violation(s) and imposition of sanctions.

- Upon completion of the ten (10) day period, the Office of Judicial Affairs will send written notice simultaneously to the complainant and respondent on the following business day setting forth the decision on whether the charges have been substantiated and any policies have been violated, and any sanctions to be imposed. (If the adjudication takes longer than 10 business days, the Title IX Officer will review and grant a good cause for delay and the complainant and respondent shall be notified in writing along with an explanation of the good cause for the delay.)

- The written notice will include the following:
  - a description of the determinations on whether the charges have been substantiated and any policies have been violated, and if so, a description of the sanctions;
  - the rationale for the determinations and the sanctions; and
- a statement of the right to appeal, the procedure that will be followed in hearing the appeal, the grounds upon which the appeal may be based, the office to which the appeal may be submitted, and an explanation that both the complainant and respondent will receive a copy of any appeal prior to a hearing.

In cases in which a respondent may complete a degree before an Investigation Report is issued by the Title IX Office or a final decision has been made on responsibility, the Office of Judicial Affairs may place a hold on the respondent student’s registration account and subsequent processing of their degree or distribution of their diploma until the case has reached a resolution.

In cases in which a respondent is on interim suspension during the investigation and adjudication process and the respondent is found responsible for a violation of the UC SVSH Policy, the Office of Judicial Affairs may grant the respondent credit in their sanction for time served during the interim suspension.

Student Amnesty

Student complainants and witnesses who participate in an investigation of Sexual Violence will not be subject to disciplinary sanction for a violation of the University’s student conduct policy at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Student Sanctions

Students found responsible for a sexual assault, incidents of dating or domestic violence, and/or stalking, will be sanctioned based on the PACAOS-Appendix-E: Sexual Violence and Sexual Harassment Student Adjudication Framework, taking into consideration the facts of the individual case and any exceptional circumstances.

Procedure for assigning disciplinary sanctions:

The following describes the University’s procedures for assigning disciplinary sanctions when the respondent is a student:

- The administration of student discipline will be consistent with the UC Policies Applying to Campus Activities, Organizations, and Students (PACAOS) Policy on Student Conduct and Discipline.

- When a student is found responsible for violating the UCSB Local Procedures and the UC SVSH Policy and the UC PACAOS Policy on Student Conduct and Discipline, the University will assign disciplinary sanctions that are appropriate to the violation, taking into consideration the context and seriousness of the violation.
When a student is found not responsible for violating the UCSB Local Procedures and the UC SVSH Policy and the UC PACAOS Policy on Student Conduct, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.

Disciplinary sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Disciplinary sanctions also serve the purpose of stopping the behavior that violated this policy and preventing its recurrence.

The University of California recognizes that acts of Sexual Violence and Sexual Harassment are contrary to its goals of providing an educational environment that is safe and equal for all students.

University of California campuses are permitted to inform other UC campuses of a student’s disciplinary record for violating the UCSB Local Procedures and the UC SVSH Policy and the UC PACAOS Policy on Student Conduct and Discipline.

Minimum disciplinary sanctions:

- When a respondent student has been found in violation, the University will provide written notice of the assigned disciplinary sanctions and a brief rationale for the sanctions.

- Disciplinary sanctions for students will be assigned as follows:

  - Sexual assault in which one or more of the following factors are present will result in a minimum sanction of Suspension for at least two years, up to dismissal: Force, violence, menace, or duress; deliberately causing a person to become incapacitated or deliberately taking advantage of a person’s incapacitation; or recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.

  - Sexual assault involving penetration, domestic/dating violence, or stalking will, absent exceptional circumstances, result in a minimum sanction of Suspension for two years, up to dismissal.

  - Other sexual contact in violation of policy will, absent exceptional circumstances, result in a minimum sanction of Suspension for one year.

Factors considered in determining disciplinary sanctions:

In determining the appropriate sanction, the following factors may be taken into account:

- **Seriousness of violation:** Location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; presence of weapons, use of force, violence, physical injury.

- **Intent or motivation behind violation:** No intent to cause harm; passive role in violation; pressured or induced by others to participate in violation; use of authority to abuse trust or confidence; planned or predatory conduct; deliberately causing a person to become incapacitated or deliberately taking advantage of a person’s incapacitation; recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent; hate or bias based on the complainant’s membership or perceived membership in a protected group as defined in UC PACAOS.

- **Response following violation:** Voluntarily acknowledged wrongdoing at early stage of the process; failure to follow No-Contact Order; attempt to influence witnesses; obstructed or disrupted the process.
Disciplinary history: Prior violations unrelated; prior violations related. A respondent’s disciplinary history is cumulative. Past violations and sanctions will be considered and may increase any sanctions assigned.

Impact on others: Input from the complainant; protection or safety of the community.

Aggravating factors: The presence of aggravating factors is considered while determining a sanction and may increase the level of a sanction beyond the minimum amount.

Mitigating Factors: additional factors or evidence regarding the reported conduct that may support an alternate decision or reduced sanction are considered.

Possible sanctions:

University disciplinary sanctions for students are:

Dismissal from the University of California: Termination of student status for an indefinite period. Readmission to the University shall require the specific approval of the Chancellor of the campus to which a dismissed student has applied. Readmission after dismissal may be granted only under exceptional circumstances.

Suspension from the Campus: Termination of student status at the campus for a specified period of time with reinstatement thereafter certain, provided that the student has complied with all conditions imposed as part of the suspension and provided that the student is otherwise qualified for reinstatement. Suspensions range from one year up to dismissal. Violation of the conditions of Suspension of University policies or campus regulations during the period of Suspension may be cause for further disciplinary action, normally in the form of Dismissal.

Exclusion from Areas of the Campus or from Official University Functions: Exclusion of a student as part of a disciplinary sanction from specified areas of the campus or other University-owned, -operated, or -leased facilities, or other facilities located on University property, or from official University functions, when there is reasonable cause for the University to believe that the student’s presence there will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.

Loss of Privileges and Exclusion from Activities: Exclusion from participation in designated privileges and activities for a specified period of time. Violation of any conditions in the written Notice of Loss of Privileges and Exclusion from Activities, or violation of University policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Probation, Suspension or Dismissal.

Restitution: A requirement for restitution in the form of reimbursement may be imposed for expenses incurred by the University or other parties resulting from a violation of these policies. Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student who alone, through group or concerted activities, participates in causing the damages or costs.

Probation: A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to University standards of conduct. Conditions restricting the student’s privileges or eligibility for activities may be imposed. Misconduct during the probationary period or violation of any conditions of the probation may result in further disciplinary action, normally in the form of Suspension or Dismissal.

Censure/Warning: Written notice or reprimand to the student that a violation of specified University
policies or campus regulations has occurred and that continued or repeated violations of University policies or campus regulations may be cause for further disciplinary action, normally in the form of Disciplinary Probation, and/or Loss of Privileges and Exclusion from Activities, Suspension, or Dismissal.

In accordance with federal regulations, UCSB is not prohibited from using a sanction not listed in this statement. If a sanction not listed above is used by the Office of Judicial Affairs during the year after this policy statement is published, UCSB will update this policy statement to include any additional sanctions used for the next published Annual Security Report.

When, as a result of violations of the Policy on Student Conduct and Discipline, a student is suspended or dismissed, a notation that the discipline was imposed must be posted on the academic transcript for the duration of the suspension or dismissal. Thereafter, notations of Suspension or Dismissal reflected on a student’s transcript may be removed as set forth in campus regulations. Discipline records are normally purged after five years (seven years if the violation was also a reportable Clery Act crime) from the sanctioning imposition date; however, the Director of the Office of Judicial Affairs may decide to keep a file active for a longer period of time in cases of sexual assault, dating or domestic violence, or stalking, and must make a note of the rationale for keeping a file active beyond its expiration date.

Options to Appeal and the Appeal Process

Submitting an appeal:

- There was a procedural error in the process that materially affected the outcome, such as the investigation was not fair, thorough, or impartial;
- The decision was unreasonable based on the evidence;
- There is new, material information that was unknown and/or unavailable at the time the decision was made that should affect the outcome;
- The disciplinary sanctions were disproportionate to the findings.

The appealing party has the burden of demonstrating to the Interpersonal Violence Appeal Review Committee (IPVARC) that, when applying the preponderance of the evidence standard, one or more of the above grounds are met.

An appeal must be submitted in writing to the IPVARC within ten (10) business days following the date of the written notice of the decision and disciplinary sanctions, if imposed. The IPVARC shall serve as the decision-making body on the appeal. The appeal must identify the grounds for appealing and contain a brief statement of the reasons supporting each ground for appeal.

If an appeal is submitted, any disciplinary sanctions ordinarily will not be imposed until the appeal process is complete. Interim measures, such as No-Contact Orders, academic accommodations, etc., will remain in effect during the appeal process.

The IPVARC will review and respond to the appealing party within ten (10) business days following the date on which the appeal was received.

Any interim protections or safety measures that were implemented between the parties during the investigation would still apply during this appeal period.
The appeal review:

- Prior to the hearing, the IPVARC will review the information submitted by the parties and decide whether it contains sufficient information concerning the grounds for appeal and the reasons related to those grounds. The purpose of this review is not to decide the merits of the appeal, but to identify the nature and scope of the issues to be addressed in the hearing.

  - If the written appeal is defective or incomplete, the appealing party will be given an opportunity to correct and resubmit the appeal within five (5) business days or on the final date on which the original appeal was due, whichever is later.

  - If an updated appeal is not submitted within the required time period or it does not correct the defective or incomplete aspects necessitating resubmission, the appeal request will be considered void and will not be considered by the IPVARC at a hearing.

- Either party may withdraw their appeal at any time prior to the start of the appeal hearing. If this occurs and the other party is not appealing, then the case will be considered closed and there will be no further right to appeal.

- Upon acceptance, the appeal will be decided at a hearing by the IPVARC. The Office of Judicial Affairs shall assist the IPVARC with the administration of the appeal process only; the IPVARC will be the decision-making body.

Pre-hearing procedure:

- Not less than ten (10) business days before the appeal hearing, the Office of Judicial Affairs, on behalf of the IPVARC, will send written notice to the complainant and respondent of the hearing date, time, location, and procedures. The notice will include a copy of the appeal(s) to be considered at the hearing.
At least five (5) days prior to the hearing, the complainant and respondent will submit to the IPVARC, via the Office of Judicial Affairs, the information they intend to present at the appeal hearing, including all documents to be presented, the names of all witnesses, and a brief summary of all witnesses’ expected testimony. In addition, the IPVARC may also request that additional witnesses be present at the hearing, if necessary.

At least two (2) days prior to the appeal hearing, the complainant and respondent will receive copies of all the information that will be considered at the appeal hearing, including the names of potential witnesses and a summary of the information they are expected to provide. Prior to the appeal hearing and/or during the hearing, the IPVARC may: exclude information and/or witness testimony that is irrelevant in light of the grounds for appeal, not in dispute, or unduly repetitive; decide any procedural issues for the appeal hearing; and make any other determinations necessary to ensure an orderly, productive, and procedurally proper appeal hearing.

The Hearing Coordinator will manage the logistics of the hearing for the parties to maintain an equitable, prompt, and fair process with consideration of factors that will support a trauma-informed environment. This may include, but is not limited to, synchronizing the entrance and exit of the parties providing a divider between the parties, procuring technology that would allow remote participation, and providing a private waiting space for the witness.

Conducting the appeal hearing:

- The appeal hearing is a closed session and not open to the public. The hearing and information pertaining to a conduct case is controlled by federal and state privacy laws.

- Participation in the appeal hearing is voluntary. The non-appealing party is not required to participate in the appeal process, but they may have the opportunity during the hearing to present information relevant to the scope of the appeal.

- The IPVARC may allow the complainant, respondent, and/or witnesses to be visually or physically separated during the appeal hearing. This may include, but is not limited to, the use of a physical partition, a separate physical location, videoconference, and/or any other appropriate technology.

- The IPVARC must be able to see the face of a complainant, respondent, and any witnesses when they are presenting information. Participation by videoconference satisfies this requirement.

- The complainant and respondent will have the opportunity to present the information they previously submitted to the IPVARC via the Office of Judicial Affairs, unless the IPVARC has excluded such information.

- The complainant and respondent have the right to hear all individuals who testify at the hearing and to propose questions to be asked of all individuals who testify at the hearing. However, all questions must be first submitted to the Chair of the IPVARC. This can be done prior to or during the hearing assuming it does not cause undue delays in the hearing.

- The Title IX investigator will be present at the appeal hearing to answer factual questions about the investigation. The IPVARC may question the investigator, witnesses present, the complainant, and/or the respondent. The Investigation Report and any supporting documents or materials will be entered as evidence at the appeal hearing.

- The IPVARC will determine the order of questioning. Generally, the IPVARC will ask the questions as they are submitted by the complainant and respondent and will not rephrase or change them. However, the IPVARC Chair may confer with the submitter to rephrase a question that is unclear, antagonistic, or judged
otherwise defective by the IPVARC. The IPVARC may exclude questions that are unduly repetitive, clearly not relevant, or unduly time consuming.

The appeal hearing will be audio recorded and summary minutes will be taken. Other than the official recording, no other recording devices, electronic or mechanical, will be permitted in the hearing. The failure to record all or part of a hearing, such as a malfunctioning recorder, will not be grounds for invalidating the hearing or grounds for appeal to the Vice Chancellor for Student Affairs (VCSA).

Formal rules of evidence will not apply. The IPVARC may consider the form in which information is presented, as well as the credibility of any party or witness, in weighing the information and reaching findings.

The complainant and respondent may each bring an advisor and/or a person of support, for a total of two (2) people. However, the complainant and respondent will need to speak for themselves. The advisor or person of support may not present a complainant’s or respondent’s case nor may they personally submit questions for either party, witnesses, or the Title IX investigator in advance of or during the hearing.

If the complainant or respondent asks for a short recess either to confer with their advisor, or to take a short break, it shall normally be granted, unless a break would unduly interfere or disrupt the hearing process.

Appeal decision:

The IPVARC will deliberate in private and reach a decision based on a preponderance of the evidence standard. The IPVARC shall attempt to reach consensus on a decision, but the majority shall make the decision if consensus cannot be reached.

The IPVARC shall take into account the record developed by the investigator and the evidence presented at the hearing, and may make its own findings and credibility determinations based on all of the evidence before it.

The IPVARC may: uphold the findings and disciplinary sanction; overturn the findings or sanctions; or modify the findings or sanctions.

The IPVARC will summarize the IPVARC’s decision in a written report that includes the following:

- A statement of the grounds for the appeal;
- A summary of the process undertaken by the IPVARC;
- A summary of the information considered by the IPVARC; and
- The decision of the IPVARC and the rationale for the decision, including where the findings or sanctions are overturned or modified, an explanation of why the findings were not reasonable or the sanctions were disproportionate, either at the time they were made or in light of the evidence considered by the IPVARC.

The Office of Judicial Affairs will send the IPVARC’s written decision simultaneously to the complainant and respondent within ten (10) working days of the hearing.

If the findings and the sanctions are upheld, the Office of Judicial Affairs will inform the respondent and complainant simultaneously in writing that the matter is closed with no further right to appeal.

Second level appeal to the Vice Chancellor for Student Affairs (VCSA):

If the IPVARC overturns or modifies the findings or sanctions, the Office of Judicial Affairs will inform the respondent and complainant in writing of the right
to submit a written appeal to the VCSA within five (5) business days of the date on the written notification of the IPVARC’s decision, based on: procedural error that materially affected the outcome, or a sanction that is disproportionate to the findings.

If an appeal is submitted, the other party will receive a copy of the written appeal and may submit a written statement as well within five (5) business days. This appeal is documentary only, and no in-person meetings or hearing will be held.

The written appeal is expressly limited to the findings and/or sanctions overturned or modified as a result of the appeal hearing. The appealing party has the burden of demonstrating to the VCSA that one or more of the above two grounds have been met.

The VCSA will simultaneously issue a final, written decision to the complainant and respondent within ten (10) business days. There is no further right to appeal. The VCSA may modify the sanctions consistent with the official university sanction guidelines according to the criteria and minimum sanctions set forth in the PACAOS-Appendix-E: Sexual Violence and Sexual Harassment Student Adjudication Framework.

The appeal process described above, including the appeal hearing and any appeal to the VCSA, will normally be completed within sixty (60) business days of the date of the notice of decision and sanctions (where imposed).

Any interim protections or safety measures that were implemented between the parties during the investigation would still apply during this second appeal period.

10.10 RESPONDING TO REPORTS OF SEXUAL VIOLENCE – EMPLOYEES

The following is a summary of sections of the UC Sexual Violence and Sexual Harassment (SVSH) Policy, the UCSB Local Procedures for Reported Staff & Non-Faculty Academic Personnel Violations of the UC SVSH Policy, and the UCSB Local Procedures for Reported Senate & Non-Senate Faculty Violations of the UC SVSH Policy that are relevant to the Clery Act.

Jurisdiction

Any person who experiences Sexual Violence by a UCSB staff or faculty member on University property or at an
official University function, activity, or program may file a complaint with the Title IX Office for review, possible investigation, and possible adjudication by the administrative authority who has authority over the respondent’s area of employment status or department.

Every case is considered individually and a determination of whether to investigate is done on a case-by-case basis. Sexual Violence occurring off University property may also be considered for University investigation and adjudication if the alleged respondent is a UCSB employee and the safety of the community may be impacted.

Initial Assessment

Upon receipt of a report, the Title IX Office takes several steps within its assessment, including:

Initial review and inquiry:

Upon receipt, the Title IX Office will make outreach to the complainant to offer them the services of the Title IX Office and provide them with a written explanation of their rights, options, and resources. The Campus and Community Resources and Rights & Options documents are included in this email outreach. The party is not required to respond to the Title IX Office’s outreach and their participation is voluntary.

Upon completion of an interview with the complainant, the Title IX Office will research the history of the involved individuals to identify any recurring behavior or systemic issues within a specific area or among specific individuals. With this information, the Title IX Office, in consultation with the Employee Case Management Team (CMT), will determine the most appropriate response and any necessary interim protections. See Interim Measures and Remedies for more information about protective measures and accommodations.

The Title IX Office will identify the policy (or policies) applicable to the report based on the date of the incident or reported behavior. The entire timeframe of the reported incident or behavior will be considered and the Title IX Office’s assessment may include multiple versions of the University’s policy on sexual violence, sexual harassment, and other prohibited behavior, as applicable. However, the response procedures for all reports will follow the terms of the current policy and procedures.

The Title IX Office will ensure that the complainant, if his or her identity is known, is provided a written explanation of rights and available options as outlined in the UC SVSH Policy, including:

- How and to whom to report alleged violations;
- Options for reporting to and/or notifying law enforcement and campus authorities;
- Information regarding confidential resources;
- The rights of complainants regarding orders of protection, No-Contact Orders, restraining orders, or similar lawful orders issued by criminal or civil courts (see Interim Measures and Remedies);
- The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
- Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid assistance, and other services available both within the institution and the community; and
- Options for, and available assistance to, a change to academic, living, transportation, and working situations if the complainant requests and if such options are reasonably available—regardless of whether the complainant chooses to report the crime to law enforcement.

The University will strive to honor the stated wishes of the complainant regarding whether to move forward with an investigation and any safety concerns for any involved
individuals. There may be circumstances, however, in which the University may need to move forward against the complainant’s wishes, or in which the University may determine that an investigation will not occur despite the complainant’s wish to pursue an investigation. In such cases, the Title IX Officer, or their designee, will make this determination after completing an initial inquiry into the facts.

If the complainant declines to respond, the Title IX Office will determine how best to respond to the matter based on the available information. The Title IX Office will advise the complainant in writing via email of the final response decision with rationale for that determination and proceed accordingly thereafter.

**Consideration of interim actions and other protective measures:**

If interim measures were not already put in place prior to the report, the Title IX Officer, in consultation with the Employee CMT, will assess the situation and determine the appropriate interim measures to ensure the safety, wellbeing, and equal access to UCSB programs and activities of its students and employees.

- A respondent covered under the Personnel Policy for Staff Members (PPSM) may be placed on an investigatory leave, with or without notice, to permit the University to review or investigate actions including but not limited to dishonesty, theft, or misappropriation of University property, fighting on the job, insubordination, acts endangering others, or other conduct which warrants removing the employee from the work site.

- A non-faculty academic or a non-Senate faculty respondent may be placed on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing or investigation conduct which in the judgment of the Chancellor requires removing the appointee from University premises.

- A Senate faculty respondent may be placed on involuntary leave with pay prior to, or at any time following, the initiation of a disciplinary action if it is found that there is a strong risk that the accused faculty member’s continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University committee or impede the investigation of his or her wrongdoing, or in situations where the faculty member’s conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency.

- See **Sanctioning and Investigatory Leave for Represented Employees** for information about investigatory leave of a represented employee.

The Title IX Office, in consultation with CMT, will also determine if any other interim measures are warranted or required to protect the involved individuals and the campus community.

**Response to Prohibited Conduct**

Once the Title IX Office receives a report of alleged Sexual Violence, they will determine if the issues presented rise to a potential policy violation, and if so, determine the most appropriate process to address the issues presented. Provided the University has sufficient information to respond, and in accordance with the **UC SVSH Policy**, UCSB may resolve reports of Prohibited Conduct through Alternative Resolution or Formal Investigation.

The Title IX Officer oversees the University’s response to reports of Sexual Violence to ensure the proceedings are prompt, fair, and impartial from the initial report to the final outcome. Investigations and adjudication will be conducted by UCSB officials who receive annual training on issues related to Sexual Violence.

At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing. An advisor is an individual who provides the complainant or respondent with support, guidance, or advice (including attorneys). The institution will not limit the choice of an advisor, but may restrict certain involved
parties and the extent to which the advisor can participate in the proceedings (restrictions apply equally to complainants and respondents). All reasonable measures will be taken to accommodate the selected advisor or person of support. However, if that person’s role as advisor or person of support interferes with the ability of the Title IX Office to conduct a fair, impartial, or timely investigation or with the ability of the Office of Judicial Affairs to conduct a fair, impartial, or timely appeal process, and it is necessary to limit the advisor or person of support’s presence, the complainant or respondent will be notified and will have the opportunity to identify an alternative advisor or person of support.

**Alternative Resolution process:**

After a preliminary assessment of the alleged 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, among other responses:

- 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 Formal Investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious allegations. The Title IX Officer has discretion to determine whether the reported conduct is appropriate for Alternative Resolution, to determine the type of Alternative Resolution to pursue, and to stop the Resolution process at any time before its conclusion and move to a Formal Investigation.

Participation in Alternative Resolution is voluntary and will occur only if both the complainant and the respondent agree to participate. If Alternative Resolution is selected, the Title IX Officer will inform both parties in writing that: the Title IX Officer has initiated the process, the process is voluntary and will terminate upon either party’s request, termination may result in Formal Investigation, and the
Title IX Officer will notify both parties of the process’s outcome at its conclusion. Both the complainant and respondent may be accompanied by an advisor throughout the process.

Alternative Resolution will be completed promptly, typically within 30 to 60 business days of the date the Title IX Officer sends the written notice. However, the Title IX Officer may extend the process beyond the 60th day for good cause. The complainant and respondent will receive written notice of the reason for any extension and the projected new timeline. The actual time required will depend on the specific circumstances, including the complexity of the matter and the nature of the alleged conduct.

If the Alternative Resolution process is terminated before its conclusion for any reason, any statements or disclosures made by the parties during the Alternative Resolution process may be considered in a subsequent Formal Investigation.

Once the parties have agreed to the terms of an Alternative Resolution, the University will not pursue a Formal Investigation unless the Title IX Coordinator determines that the Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence. The Title IX Officer will maintain records of all reports and conduct addressed through Alternative Resolution.

**Formal Investigation:**

In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may conduct a Formal Investigation. Generally, the Formal Investigation follows these steps:

- **Notification:**

When a Formal Investigation is commenced, the Title IX Officer will notify the appropriate administrative authorities. The Title IX Officer will be sensitive in their communication to protect the neutrality of the administrative authorities, as well as the privacy of the complainant and respondent. Thereafter, the Title IX Officer will ensure that the appropriate administrative authorities are regularly updated regarding the status of the Formal Investigation.

- **Notice of Charges:**

When a Formal Investigation is conducted, the Title IX Office will simultaneously send written notice of the charges to the complainant and the respondent. The written notice will include:

- A summary of the allegations and potential UC SVSH Policy violations;
- The purpose of the investigation;
- A statement that the Investigation Report, when issued, will make factual findings and a determination whether there has been a violation of UC SVSH Policy;
- A statement that the findings under the UC SVSH Policy and recommendation will be based on a preponderance of the evidence standard;
- A summary of the investigation and discipline processes, including the expected timeline;
- A summary of the rights of the complainant and respondent;
- A description of the resources available to the complainant and respondent; and
- An admonition against intimidation or retaliation.

If the parties decline to participate in the resolution process, the Title IX Office will continue to send the Notice of Charges to them to advise them of the above information as required by the University’s policy. If a Title
IX investigator discovers new facts that could form the basis for additional policy violations or sanctions, the Title IX Office will simultaneously provide the parties with an amended Notice of Charges, which will include both the original and new allegations and charges.

Investigative Process:

The Title IX Officer will oversee the University investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation.

- **Overview:** During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information. The investigator will meet separately with the complainant, the respondent, and any witnesses who may have relevant information, and will gather other available and relevant information. The investigator may follow up with the complainant or the respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation.

- **Confidentiality:** Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be asked to maintain confidentiality when essential to protect the integrity of the investigation.

- **Advisor and Support Persons:** If desired, the complainant and the respondent may have one advisor and one support person present when interviewed and at any related meeting. Other witnesses may have a support person present at the discretion of the investigator or as required by University policy or their collective bargaining agreement.

- **Participation in Process:** Neither the complainant nor the respondent is required to participate in the resolution process. The University will not draw any adverse inferences from a complainant or respondent’s decision not to participate or to remain silent during the process. An investigator, decision-maker, or appeal body will reach findings and conclusions based on the information available. An investigator, decision-maker, or appeal body may draw adverse inferences when a student selectively participates in the process, such as choosing to answer some but not all questions posed.

- **Investigation Timeframe:** The investigation shall be completed within sixty (60) University business days of its initiation, which is when the Charges Notice is sent to the complainant and respondent. If there is a need to extend investigation beyond this...
60-business day timeframe, the Title IX Officer will review and grant a good cause for delay. The Title IX Officer or designee will keep the complainant and respondent regularly informed concerning the status of the investigation.

- **Coordination with Law Enforcement:** When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed to meet the needs of a criminal investigation. Any such delays shall be reviewed by the Title IX Officer and communicated to the parties in writing and documented.

### Investigation Report and Finding:

Following the conclusion of the investigation, the Title IX investigator will prepare a written report. The written Investigation Report will include a statement of the allegations and issues, the positions of the parties, a summary of the evidence, findings of fact and analysis, and a determination regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that respondent violated the **UC SVSH Policy**. The Investigation Report will be final upon approval of the Title IX Officer and delivery to the appropriate administrative authority.

If the complainant or the respondent offered witnesses or other evidence that was not relied upon by the investigator, the Investigation Report will explain why it was not relied upon.

### Notice of Investigation Outcome:

Upon completion of the Title IX Investigation Report, the Title IX Officer or designee will simultaneously send to the complainant and the respondent a written notice of investigation outcome regarding whether a violation of the **UC SVSH Policy** was found. The notice of investigation outcome will generally be accompanied by a copy of the Investigation Report, which may be redacted as necessary to protect privacy rights.

The Title IX Officer or designee will also send the notice of investigation outcome and accompanying Investigation Report to the appropriate administrative authority.

The notice of investigation outcome will include:

- A statement of whether a preponderance of the evidence demonstrated that the respondent violated the **UC SVSH Policy**;
- An admonition against intimidation or retaliation;
- An explanation of any interim measures that will remain in place;
- A statement that the complainant and respondent have an opportunity to respond in writing to the appropriate administrative authority; and
- A statement indicating whether it appears that further investigation by another appropriate body may be necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the **UC SVSH Policy**.

If the investigation determines that the respondent violated the **UC SVSH Policy**, the notice of investigation outcome will also include:

- For matters involving PPSM-covered respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the supervisor will propose a resolution, which may include corrective action or termination, and that the proposed discipline or termination is subject to review and approval by the Chancellor’s designee;
For matters involving non-faculty academic respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the appropriate administrative authority will propose a resolution, which may include corrective action or dismissal, and that the proposed discipline or dismissal is subject to review and approval by the Chancellor’s designee;

For matters involving Senate faculty respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor’s designee will engage the Peer Review Committee to advise on appropriate resolution, which may include pursuing discipline;

For matters involving non-Senate faculty respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the Chancellor or Chancellor’s designee will engage the Peer Review Committee or consult with the Academic Personnel Office to advise on appropriate resolution, which may include corrective action or termination; and

A statement that the complainant and the respondent will be informed of the final resolution of the matter, including any discipline imposed, and a statement of the anticipated timeline.

**Timeframe for Completion of Investigation; Extension for Good Cause:**

The notice of investigation outcome and accompanying Investigation Report will be issued promptly, typically within sixty (60) business days of initiation of the Formal Investigation, unless extended by the Title IX Officer for good cause. Such an extension will be communicated via written notice simultaneously to the complainant and the respondent with the reason for the extension and the projected new timeline.

The Title IX Officer or designee will keep the complainant and respondent regularly informed concerning the status of the investigation.

**Employee grievance process:**

Instead of, or in addition to, reporting to the Title IX Officer, a University employee who believes they have been subjected to Sexual Violence may file a grievance. That grievance must meet all of the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure. Any such grievance or complaint will be forwarded to the Title IX Officer for processing, and the grievance or complaint procedure will be held in abeyance pending resolution under the Policy. After completion of the process under the Policy, the grievance or complaint may be reactivated but only as a means of appeal.

**UCSB’s Assessment and Consultation**

The appropriate administrative authority will decide what action to take in response to the findings of the Title IX Investigation Report. The appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reinvestigate allegations of Prohibited Conduct investigated by the Title IX Office.

The appropriate administrative authority may consult with the Title IX Office, Staff Human Resources, the Academic Personnel Office, or any other appropriate entities at any time during the decision-making process.

**Opportunity to respond:**

The complainant and the respondent will have an opportunity to respond to the notice of investigation outcome and accompanying Investigation Report through a written statement and/or request to meet with the Chancellor’s designee. If the complainant or respondent chooses to respond, their written notice should be submitted to the
appropriate administrative authority. The purpose of this response is not to challenge the factual findings in the Title IX Investigation Report or present new evidence, but to provide the complainant and the respondent with an opportunity to express their perspectives and address their desired outcome.

**Decision proposal and submission for approval for staff and non-faculty academic personnel:**

In the event that the Title IX investigation finds the respondent responsible for violating the UC SVSH Policy, the respondent’s supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor’s designee for review and approval. In the event the Chancellor’s designee does not approve the proposed decision, he or she will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision. In the event the Chancellor’s designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement the approved decision.

This proposal and approval process will occur in all cases where the Title IX investigation has found the respondent violated the UC SVSH Policy pursuant to these procedures. Staff Human Resources or the Academic Personnel Office will be consulted throughout the process and/or may assist the Chancellor’s designee with the implementation of the process.

**Peer Review Committee for faculty:**

In the event that the Title IX investigation finds a Senate faculty respondent responsible for violating the UC SVSH Policy, the Chancellor or Chancellor’s designee will engage the campus Peer Review Committee (PRC) to advise on appropriate resolution, and consult with the Academic Personnel Office for non-Senate faculty respondents.
The PRC, composed on each campus at the direction of the President and appointed by the Chancellor, will advise the Chancellor or Chancellor’s designee regarding how to resolve the matter, including whether the Chancellor or Chancellor’s designee should pursue a formal charge for violation of the Code of Conduct or pursue an early resolution. The PRC should provide advice on the appropriate discipline or other corrective or remedial measures.

The PRC will be trained annually by the Title IX Office on the SVSH policy and local procedures, the application of a trauma-informed approach and how to analyze the elements of a SVSH charges. The PRC will be engaged in all cases where the Title IX investigation has found a Senate faculty respondent has violated the UC SVSH Policy.

10.11 EMPLOYEE CORRECTIVE ACTIONS AND SANCTIONS

In addition to summarizing the adjudication process and procedures from the UC Sexual Violence and Sexual Harassment (SVSH) Policy, the UCSB Local Procedures for Reported Staff & Non-Faculty Academic Personnel Violations of the UC SVSH Policy, and the UCSB Local Procedures for Reported Senate & Non-Senate Faculty Violations of the UC SVSH Policy, the following refers to disciplinary sanctioning as discussed in various University disciplinary policies and procedures for faculty and staff. See Disciplinary Procedures from Staff and Faculty Policies for links to employee disciplinary policies.

Any employee who, after a Title IX investigation, is found to have engaged in conduct that violates the University policies on Sexual Violence is subject to disciplinary action up to and including suspension or dismissal in accordance with the applicable University disciplinary procedure. The Title IX Officer makes a final determination based upon a preponderance of the evidence standard—that it is more likely than not that the alleged conduct occurred and, as such, violated University policy. Employee cases will be referred to the appropriate administrative authority who will propose and implement an appropriate resolution.

At all stages of the process, the complainant and respondent have the right to an advisor and a support person of their choosing. An advisor is an individual who provides the complainant or respondent with support, guidance, or advice (including attorneys). The institution will not limit the choice of an advisor, but may restrict certain involved parties and the extent to which the advisor can participate in the proceedings (restrictions apply equally to complainants and respondents). All reasonable measures will be taken to accommodate the selected advisor or person of support. However, if that person’s role as advisor or person of support interferes with the ability of the Title IX Office to conduct a fair, impartial, or timely investigation or with the ability of the Office of Judicial Affairs to conduct a fair, impartial, or timely appeal process, and it is necessary to limit the advisor or person of support’s presence, the complainant or respondent will be notified and will have the opportunity to identify an alternative advisor or person of support.

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

UCSB procedures provide that proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. All disciplinary proceedings will be completed within reasonably prompt time frames, as designated by University policy and guidelines, and allow for good cause extension of time frames with written notice to both the complainant and respondent of the delay and the reason for it. All proceedings are conducted in a
manner that is consistent with the institution’s policies and transparent to the complainant and respondent; includes timely notice of meetings at which the complainant or respondent, or both, may be present; and provides the complainant, respondent, and appropriate officials timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.

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

All adjudication proceedings are conducted by officials who receive annual training on issues related to sexual assault, sexual harassment, dating violence, domestic violence, and stalking. Title IX investigators are additionally trained in the implementation of a trauma-informed approach to the Title IX process, the application of investigative best practices, and legal and procedural updates. Hearing officials are additionally trained on the fundamentals of due process in administrative hearings, and how to conduct the hearing process in a manner that is trauma-informed, protects the safety of victims, and promotes accountability. Proceedings are conducted by officials who have no conflicts of interest or biases for or against a complainant or respondent.

**Corrective and Remedial Actions for Staff and Non-Faculty Academic Personnel**

UCSB will take prompt and effective steps reasonably calculated to stop any violation of the UC SVSH Policy, prevent its reoccurrence and, as appropriate, remedy its effects. 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.
Personnel Policy for Staff Members (PPSM) covered staff: Decision approval and implementation:

Following approval by the Chancellor’s designee, the respondent’s supervisor will implement the approved decision in accordance with applicable PPSMs. For any of these responses, Staff Human Resources may assist the Chancellor’s designee with the implementation of this process.

- **No Further Action**: The supervisor may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor’s designee for approval. In the event it is approved, this decision and its rationale will be promptly and simultaneously communicated by the supervisor to both the complainant and the respondent.

- **Action Not Requiring Notice of Intent**: The supervisor may propose corrective or remedial actions that do not amount to corrective action or termination. The proposed actions will be reviewed by the Chancellor’s designee for approval. If it is approved, the decision will be implemented by the supervisor and the decision and its terms and rationale will be promptly and simultaneously communicated by the supervisor to both the complainant and the respondent.

- **Notice of Intent**: The supervisor may propose to issue a notice of intent to institute corrective action or notice of intent to terminate. The proposed terms of the notice of intent will be reviewed by the Chancellor’s designee for approval. In the event it is approved, the decision will be implemented by the supervisor and the notice of intent will be issued. Following the provision of a notice of intent, where corrective action is taken it will be implemented and/or actions to terminate will be taken. If the matter results in a disciplinary proceeding, at the conclusion of that proceeding, the supervisor will promptly and simultaneously communicate to both the complainant and the respondent 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.

Non-faculty academic personnel: Decision approval and implementation for:

Following approval by the Chancellor’s designee, the appropriate administrative authority will implement the approved action. For any of these responses, the Academic Personnel Office may assist the Chancellor’s designee with the implementation of this process.

- **No Further Action**: The appropriate administrative authority may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor’s designee for approval. In the event it is approved, this decision and its rationale will be promptly communicated to both the complainant and the respondent.

- **Informal Resolution**: The appropriate administrative authority may propose an informal resolution, which may include discipline and/or other corrective or remedial measures. The proposed informal resolution and its terms will be reviewed by the Chancellor’s designee for approval. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action. In the event the informal resolution is approved and agreed to by the respondent, the complainant will be promptly informed of its terms and the rationale.

- **Notice of Intent**: The appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action. The proposed terms of the notice of intent shall be reviewed by the Chancellor’s designee for approval. Following the provision of a notice of intent, corrective action or termination will be implemented. The terms of the implemented action and its rationale will be promptly communicated to both the complainant and the respondent.
Timeframe for implementation of decision; Extension for good cause:

The supervisor or other appropriate administrative authority should implement his or her approved decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigation Report. If the matter has not been otherwise resolved within forty (40) business days, a notice of extension will be issued. Extensions to this timeline may be granted by the Chancellor’s designee for good cause with written notice to the complainant and the respondent stating the reason for the extension and the projected new timeline.

Process follow-up:

In the event that a PPSM-covered respondent submits a complaint or a non-faculty academic appointee respondent submits a grievance, the Chancellor’s designee will ensure that both the complainant and the respondent receive regular updates regarding the status of the complaint or grievance. Subsequent to any final decision, the Chancellor’s designee will promptly inform the complainant and the respondent of the decision, including any final decision on discipline, and its rationale.

Decision on Sanctions for Senate Faculty

UCSB will take prompt and effective steps reasonably calculated to stop any violation of the UC SVSH Policy, prevent its reoccurrence and, as appropriate, remedy its effects. 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.

Decision by Chancellor or Chancellor’s designee:

Following consultation with the Peer Review Committee, the Chancellor or Chancellor’s designee will decide what action to take to resolve the matter. The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation.

- No Formal Discipline: In the event the Chancellor or Chancellor’s designee determines to resolve the matter without taking any formal disciplinary action, the Chancellor or Chancellor’s designee will promptly and simultaneously communicate this decision and its rationale to both the complainant and the respondent.

- Early Resolution: The Chancellor or Chancellor’s designee can enter into an early resolution with the respondent. An early resolution can be achieved at any time prior to the final imposition of discipline. Subsequent to the respondent agreeing to the terms of the early resolution, the Chancellor or Chancellor’s designee will promptly and simultaneously inform complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms.

- Charge Filed with Academic Senate’s Privilege & Tenure Committee: The Chancellor or Chancellor’s designee can take steps to propose discipline and file a charge with the Academic Senate’s Privilege & Tenure Committee without first pursuing early resolution, or if the respondent does not agree to early resolution. The Chancellor or Chancellor’s designee will promptly inform the complainant that the charge has been filed.

Timeframe for decision; Extension for good cause:

The Chancellor or Chancellor’s designee should implement their decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigation Report. If the matter has not been otherwise resolved within forty (40) business days, a charge will be filed with the Academic Senate’s Privilege & Tenure Committee. A charge will not be held in abeyance or suspended while an early resolution is being pursued or finalized. Extensions to this timeline may be granted by the Chancellor for good cause.
with written notice to the complainant and respondent stating the reason for the extension and the projected new timeline.

Process following the filing of a Senate charge:

The Title IX Investigation Report will be accepted as evidence in the Privilege & Tenure hearing. The Chancellor or Chancellor’s designee will ensure that the complainant and respondent receive regular updates regarding the status of the proceedings. Following receipt of the recommendation from the Academic Senate’s Privilege & Tenure Committee, the Chancellor will make a final decision regarding discipline, unless the decision involves dismissal for a faculty member who has tenure or security of employment or denial of emeriti. Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor. The complainant and the respondent will be promptly and simultaneously informed of the decision regarding discipline and its rationale.

Decision on Sanctions for Non-Senate Faculty

Decision by Chancellor or Chancellor’s designee:

Following consultation with the Peer Review Committee or Academic Personnel Office, the Chancellor or Chancellor’s designee shall decide what action to take to resolve the matter. The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the respondent no later than three years after the Chancellor is deemed to have known about the alleged violation. For an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above or the campus Title IX Officer.

- **No Disciplinary Action:** In the event the Chancellor or Chancellor’s designee determines to resolve the matter without taking any disciplinary or corrective action, the Chancellor or Chancellor’s designee will promptly and simultaneously communicate this decision and its rationale to both the complainant and respondent.

- **Informal Resolution:** The Chancellor or Chancellor’s designee can pursue an informal resolution, which may include discipline and/or other corrective or remedial measures. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action. Subsequent to the respondent agreeing to the terms of an informal resolution, the Chancellor or Chancellor’s designee will promptly and simultaneously inform the complainant of those terms, including any discipline or other corrective or remedial measures, and the rationale for these terms.

- **Notice of Intent:** The Chancellor or Chancellor’s designee can issue a notice of intent instituting dismissal or other corrective action.

Timeframe for decision; Extension for good cause:

The Chancellor or Chancellor’s designee should implement their decision promptly and simultaneously, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigation Report. If the matter has not been otherwise resolved within forty (40) business days, a notice of intent shall be issued. Extensions to this timeline may be granted by the Chancellor for good cause with written notice to the complainant and respondent stating the reason for the extension and the projected new timeline.

Process following the provision of a written notice of intent:

Should the respondent submit a grievance challenging an administrative decision, the Chancellor’s designee will ensure that both the complainant and respondent receive
regular updates regarding the status of the grievance. When a non-Senate faculty member receives notice of termination before the expiration of his or her appointment, he or she may select as a grievance mechanism. Subsequent to any final decision, the Chancellor or Chancellor’s designee will promptly and simultaneously inform the complainant and the respondent of the decision, including any final decision on discipline and its rationale.

Disciplinary Procedures from Staff and Faculty Policies

The following are the University’s disciplinary procedures pursuant to relevant faculty and staff policies:

The Faculty Code of Conduct (APM - 015):

This policy 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 UC SVSH Policy may constitute a violation of the Faculty Code of Conduct. The University Policy on Faculty Conduct and the Administration of Discipline (APM - 016) outlines sanctions and disciplinary procedures for faculty. The types of discipline that may be imposed on a member of the faculty are as follows, in order of increasing severity:

- **Written Censure:** A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.

- **Reduction in Salary:** Reduction to lower salary without change in rank or step. The authority to reduce the salary of any faculty member rests with the Chancellor. This authority may not be re-delegated. The amount and duration of the reduced salary shall be specified.
Demotion: Reduction to lower rank or step with corresponding reduction in salary. Demotion as a disciplinary action should be imposed in a manner consistent with the merit based system for advancement. Generally, demotion is an appropriate sanction when the misconduct is relevant to the academic advancement process of the faculty member. The authority to reduce the rank of a faculty member who does not have tenure or security of employment rests with the Chancellor. The authority to reduce, within rank, the step of any faculty member to a lower step rests with the Chancellor. This authority may not be re-delegated. Authority for demoting a faculty member with tenure or with security of employment to a lower rank, also with tenure or with security of employment, rests with the President, on recommendation of the Chancellor. Demotion of a faculty member with tenure or with security of employment to a lower rank without tenure or security of employment is not an option.

Suspension: Suspension of a faculty member without pay for some stated period of time from the continuance of the appointment on its normal terms. Unless otherwise noted, the terms of a suspension will include loss of normal faculty privileges such as access to University property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students, and use of University administrative staff, and may include loss of other campus privileges such as parking and library privileges. The degree and duration of the suspension shall be specified. Authority for the suspension of a faculty member rests with the Chancellor and may not be re-delegated. Suspension as a disciplinary action is to be distinguished from involuntary leave, which is a precautionary action.

Denial or Curtailment of Emeritus Status: Denial or curtailment of current or future emeritus status of a faculty member, including the privileges associated with the emeritus status. The denial or curtailment of emeritus status does not affect the faculty member’s entitlement to earned retirement benefits. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

Dismissal from the Employ of the University: The Chancellor has authority to dismiss a faculty member who does not have tenure or security of employment. This authority may not be re-delegated. Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor. Prior to the imposition of any disciplinary sanction(s) as described above, the Chancellor may waive or limit any or all disciplinary sanction(s) on the condition that the respondent faculty member performs some specified action(s) designed to address the harm and/or to prevent future harm. Such actions may include, but are not limited to, monetary restitution, repayment of misappropriated resources, compliance with a commitment not to repeat the misconduct, or other act to make whole injury caused by the faculty member’s professional misconduct or to prevent future misconduct. If the imposition of a disciplinary sanction is waived, the subsequent failure to perform the required act or otherwise comply with the conditions of the waiver will immediately subject the faculty member to the implementation of the underlying sanction without an additional hearing. The authority to determine whether the faculty member has complied with the conditions of the waiver rests with the Chancellor. The Chancellor may designate a fixed time period for compliance with the terms of the waiver, after which the authority to impose discipline will lapse. If a faculty member disputes the Chancellor’s determination, the faculty member may grieve under applicable faculty grievance procedures. A Chancellor is authorized to initiate involuntary leave with pay prior to the initiation of a disciplinary action if it is found that there is a strong risk that the respondent faculty member’s continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University community or impede the investigation of his or her wrongdoing, or in situations where the
faculty member’s conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency. When such action is necessary, it must be possible to impose the involuntary leave swiftly, without resorting to normal disciplinary procedures. In rare and egregious cases, a Chancellor may be authorized by special action of The Regents to suspend the pay of a faculty member on involuntary leave pending a disciplinary action. This is in addition to the Chancellor’s power to suspend the pay of a faculty member who is absent without authorization and fails to perform his or her duties for an extended period of time, pending the resolution of the faculty member’s employment status with the University. However, within ten (10) working days after the imposition of involuntary leave, the Chancellor must explain to the faculty member in writing the reasons for the involuntary leave and initiate disciplinary procedures by bringing charges against the faculty member on leave. Thereafter, the faculty member may grieve the decision to place him or her on involuntary leave pursuant to applicable faculty grievance procedures. The Divisional Committee on Privilege & Tenure shall handle such grievances on an expedited basis and may recommend reinstatement of pay and back pay in cases where pay status was suspended.

The Faculty Code of Conduct applies to all faculty members, Senate and non-Senate. For members of the Academic Senate, the procedures for disciplinary actions are governed by Senate Bylaws and Divisional rules. For academic appointees who are not members of the Academic Senate (including certain categories of faculty members), there are procedures for disciplinary actions separate from that of the Senate’s committees. Those procedures are found in the Faculty Code of Conduct and relevant collective bargaining agreements or Memoranda of Understanding.

A disciplinary action against a faculty member holding an administrative title may proceed in two parts. One part involves the removal of an administrative title or other administrative action under procedures established by The Regents and the administration. Such action need not adhere to the disciplinary procedures set forth in this policy. The other part involves the proposed imposition of any type of disciplinary sanction set forth in this policy, which must proceed in accordance with the procedures for discipline outlined in the Faculty Code of Conduct and the applicable Senate Bylaws and Divisional rules.

The removal of the administrative title or other administrative action does not preclude or require the imposition of a disciplinary sanction under this policy. Administrative incompetence does not in itself constitute a violation of the Faculty Code of Conduct.

General University Policy Regarding Academic Appointees: Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150):

This policy applies to all academic appointees who are not members of the Academic Senate. Student academic appointees not covered by an MOU are subject to this policy to the extent that corrective action or dismissal are based solely upon their employment relationship with the University. Non-Senate faculty appointees are also subject to the standards set forth in the Faculty Code of Conduct.

Corrective action or dismissal may be instituted for good cause, including but not limited to misconduct, unsatisfactory work performance, dereliction of duty, or violation of University policy. Corrective action or dismissal may be instituted and implemented by the department chair, unit head, supervisor, or other appropriate administrative authority in accordance with campus procedures. Campus procedures shall outline appropriate consultation requirements for corrective action and dismissal.

- The types of corrective action and dismissal that may be imposed are as follows:
  - **Written Warning**: A communication that informs the appointee of the nature of the misconduct
or deficiency, the method of correction, and the probable consequence of continued misconduct or deficiency. A written warning is to be distinguished from an informal spoken warning. An informal spoken warning or a letter outlining performance expectations is not an official corrective action.

- **Written Censure:** A formal written expression of institutional rebuke which contains a description of the censured conduct. A written censure must be delivered to the recipient and a copy must be maintained in a designated file or files, or for the period of time specified in the writing.

- **Suspension without Pay:** Debarment without pay from appointment responsibilities for a stated period of time. Unless otherwise noted, the terms of a suspension will include loss of normal employee privileges such as access to University property and parking and library privileges.

- **Reduction in Salary:** A reduction to a lower salary without a change in rank or step. The amount and duration of the reduced salary shall be specified.

- **Demotion:** A reduction to a lower rank or step with a corresponding reduction in salary.

- **Dismissal:** The termination of an appointment for good cause initiated by the University prior to the ending date of appointment. Good cause includes but is not limited to misconduct, continued unsatisfactory work performance, dereliction of duty, or serious violation of University policy.

The procedures for corrective action are as follows:

- **Informal Resolution:** Prior to instituting corrective action or dismissal, efforts to resolve the issue(s) informally should be attempted where appropriate.

- **Investigatory Leave:** An appointee may be placed on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing or investigating conduct which in the judgment of the Chancellor requires removing the appointee from University premises. While on such leave, the appointee’s return to University premises without written permission may create independent grounds for dismissal. Such investigatory leave must be documented in writing after it is instituted.

- **Written Notice of Intent:** The University shall provide a written Notice of Intent to the appointee prior to initiating the actions of written censure, suspension without pay, reduction in salary, demotion, or dismissal. The Notice shall state: the intended action, including reasons for the action and the proposed effective date; the basis of the charges, including copies of pertinent materials supporting the charges; the appointee’s right to respond either orally or in writing within fourteen (14) calendar days of the date of issuance of the written Notice of Intent; and the name of the person to whom the appointee should respond. No Notice of Intent is required for a written warning. Prior to instituting the dismissal of a non-Senate faculty member, the appointee should be apprised of the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate.

- **Response to Written Notice of Intent:** The appointee who receives a written Notice of Intent shall be entitled to respond, either orally or in writing, within fourteen (14) calendar days of the date of issuance of the written Notice of Intent. The response, if any, shall be reviewed by the administration.

- **Written Notice of Action:** If the University determines to institute the corrective action or dismissal following the review of a timely response, if any, from the appointee, and within thirty (30) calendar days of the date of issuance of the written Notice of Intent, the University shall issue a written Notice of Action to the appointee of the corrective action or dismissal to be taken and its effective date.
Notice of Action also shall notify the appointee of the right to grieve the action. The Notice of Action may not include an action more severe than that described in the Notice of Intent. A copy of the Notice of Action also shall be placed in the employee’s personnel file(s).

- **Representation:** Appointees may represent themselves or may be represented by another person at any stage of the corrective action or dismissal process.

- **Extension of Time:** Upon written request and prior to the expiration of any time limit stated in this policy, the Chancellor may grant extensions, as appropriate.

The following policies for staff address responding to conduct that violates University policy for Sexual Violence or Sexual Harassment.

- **PPSM-62: Corrective Action:** Prior to taking any corrective action, managers and supervisors shall review the need for corrective action with Employee & Labor Relations. The types of corrective action that can be used to provide an opportunity for an employee to correct conduct or work performance standards are written warning, corrective salary decrease, suspension and demotion. These four types of corrective action can be used in the progressive discipline process; however, corrective action does not need to follow a specific order. As appropriate, the corrective action taken should correspond to the severity and circumstances of the situation.

  - **Written Warning:** Generally, at least one written warning will be given to an employee prior to proceeding with any other corrective action; however, no written warning will be needed if the corrective action is a result of misconduct or work performance that an employee knows or reasonably should have known was unacceptable. The written warning must describe how the employee failed to meet acceptable conduct or work performance standards.

  - **Corrective Salary Decrease:** An employee may be subject to a temporary or permanent corrective salary decrease when removal from the workplace is not appropriate; yet discipline is warranted.
- **Suspension:** An employee may be subject to removal from the workplace and suspended for a defined period of time without pay. For exempt employees, suspension without pay must be imposed in a minimum increment of one workday.

- **Demotion:** An employee may be subject to a temporary or permanent demotion for disciplinary reasons.

**PPSM-63: Investigatory Leave:** An employee may be placed on an investigatory leave, with or without notice, to permit the University to review or investigate actions including but not limited to dishonesty, theft, or misappropriation of University property, fighting on the job, insubordination, acts endangering others, or other conduct which warrants removing the employee from the work site.

Employees placed on Investigatory Leave shall be notified in writing within three calendar days from commencement of the leave, of the reasons for the leave and its probable duration. Such leaves may be extended by written notice to the employee. At the conclusion of the University’s investigation, the employee shall be notified in writing of the results of the review, any action intended to be taken, and whether or not the leave, or any part of it, shall be with or without pay. Prior to placing an employee on Investigatory Leave, the supervisor or manager shall review the reasons for the leave with Labor Relations.

**PPSM-64: Termination of Career Employees – Managers & Senior Professionals, Manager 3 and Below and Equivalent Positions:** Managers and senior professionals (Manager 3 and Below and Equivalent Positions) who hold career appointments may be terminated when, in management’s judgment, the needs or resources of the department or the performance or conduct of the employee do not justify the continuation of the employee’s appointment. Prior to issuing a notice of intent to terminate, the department supervisor or manager intending to take such action shall review the need for termination with Employee & Labor Relations.

**PPSM-64: Termination of Career Employees – Managers & Senior Professionals, Above Manager 3 and Equivalent Positions:** Managers and senior professionals (above Manager 3 and Equivalent Positions) who hold career appointments serve at the discretion of the Chancellor and may be terminated at will and at any time with or without cause. Managers and senior professionals may receive, at the sole discretion of the Chancellor, up to sixty calendar days’ written notice prior to termination or pay in lieu of notice. Prior to issuing a notice of intent to terminate, the department supervisor or manager intending to take such action shall review the need for termination with Employee & Labor Relations.

**Sanctioning and Investigatory Leave for Represented Employees**

The bargaining units for employees represented by a union have separate employment contracts that include provisions covering corrective action and discipline as
well as Investigatory Leave. For more information about the unions representing University of California and UCSB professionals, visit: [http://ucnet.universityofcalifornia.edu/labor/bargaining-units/](http://ucnet.universityofcalifornia.edu/labor/bargaining-units/). The following are the range of sanctions and information about Investigatory Leaves published in Agreements with the 14 bargaining units on the UCSB campus.

**Academic Student Employees – AGSE/United Auto Workers:**

The University may discipline or dismiss an Academic Student Employee (ASE) for just cause. “Discipline” includes: a written warning, suspension without pay, or dismissal. An oral warning may be included in a grievance if it is subsequently used for evidence or to justify the extent of the penalty in a disciplinary matter.

The University may place an ASE on investigatory leave with full pay without prior notice, in order to review or investigate allegations of misconduct or dereliction of duty which, in the judgment of the University, warrant immediately relieving the ASE from all work duties and/or require removing the ASE from the premises. Investigatory leave shall not be considered a form of corrective action.

**Clerical & Allied Services – Teamsters Local 2010:**

The University shall have the authority to discipline or to dismiss a nonprobationary career employee for just cause. For purposes of illustration but not limitation, such actions may be taken for misconduct or failure to perform satisfactorily. The University may discipline an employee by written warning, suspension without pay, disciplinary demotion, salary decrease, or dismissal.

The University may place an employee on paid investigatory leave in order to review or investigate allegations of employee misconduct which warrant relieving the employee immediately from all work duties and removing the employee from the premises.

**Health Care Professionals – University Professional and Technical Employees:**

The University has the authority to discharge or to take other appropriate disciplinary action against a non-probationary employee for just cause. The University may use an oral reprimand or counseling memorandum as corrective action. Discipline may involve a written warning, suspension without pay for up to five (5) working days without prior notice, suspension beyond five (5) working days with notice, salary reduction, demotion for failure to meet performance standards, or discharge.

The University may place an employee on investigatory leave with pay in order to review or investigate allegations of conduct which, in the University’s view, would warrant relieving the employee immediately from all work duties. An investigatory leave with pay shall not be considered corrective action or discipline as defined in this Article.

**Professional Librarians – American Federation of Teachers:**

Librarians may be subject to corrective action or dismissal for just cause. Suspension without pay shall be for a period of at least one week as required by federal law for exempt employees.

The University may place a librarian on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing or investigating charges of misconduct or dereliction of duty, which warrant removing the librarian from University premises. Investigatory leave is not a form of corrective action.

**Non-Senate Instructional (Lecturers) – American Federation of Teachers:**

Discipline is a written censure, suspension without pay, or reduction in pay for misconduct and/or dereliction of academic duty. Dismissal is the termination of employment, initiated by the University, prior to the stated ending date.
of appointment (if applicable), for serious misconduct, serious dereliction of academic duty, or the failure to maintain the academic standards for Continuing Appointees. Any discipline or dismissal of an NSF pursuant to this Article shall be for just cause.

Registered Nurses – California Nurses Association:

The University may use an oral reprimand or counseling memorandum as corrective action. Discipline may involve a written warning, suspension without pay for up to five (5) working days for eight (8) hour nurses, four (4) working days for ten (10) hour nurses, or three (3) working days for twelve (12) hour nurses without prior notice; suspension beyond five (5) working days for eight (8) hour nurses, four (4) working days for ten (10) hour nurses, or three (3) working days for twelve (12) hour nurses with notice; demotion for failure to meet performance standards, or discharge. Nurses who are suspended without pay for up to five (5) working days for eight (8) hour nurses, four (4) working days for ten (10) hour nurses, or three (3) working days for twelve (12) hour nurses, and who wish to contest the suspension, must grieve within the time limits established by the grievance procedure of this Agreement.

The University may place a nurse on investigatory leave with pay in order to review or investigate allegations of conduct which, in the University’s view, would warrant relieving the nurse immediately from all work duties. An investigatory leave with pay is not corrective action or discipline.

Physicians, Dentists and Podiatrists – Union of Physicians and Dentists:

The University shall have the authority to discipline or to dismiss a nonprobationary career employee for just cause. Corrective Action: Action designed to improve conduct or performance and does not adversely impact the employee’s rights, pay, or benefits. Discipline: A written warning, suspension without pay, or reduction in pay. Dismissal: Termination of employment initiated by the University.

Investigatory Leave: The University may place an employee on paid investigatory leave without prior notice in order to review or investigate allegations of employee misconduct that warrant relieving the employee immediately from all work duties and removing the employee from the premises. Investigatory leave is not corrective action or discipline.

Police Officers – Federated University Police Officers Association:

The University shall have the authority to discharge or to take other appropriate disciplinary action against a non-probationary career employee for just cause. The University may discipline an employee by oral reprimand, written warning, suspension without pay for up to five (5) working days (forty (40) hours) without prior notice, suspension without pay beyond five working days with notice, disciplinary demotion, or salary decrease.

The University may place an employee on investigatory leave without prior notice in order to review or investigate allegations of conduct which, in the University’s view, would warrant relieving the employee immediately from all work duties.

Postdoctoral Scholars – United Auto Workers:

The University may discipline or dismiss a Postdoctoral Scholar for just cause. Such disciplinary action may take the following forms:

- Letter of warning is a written communication that informs the Postdoctoral Scholar of the nature of the inadequate performance or misconduct; the requirements for continuation in the training program; and the probable consequence of continued inadequate performance or misconduct.

- Suspension is a University required cessation from work activities for a specified period of time, and includes loss of pay, access to University property and parking and library privileges. For Postdoctoral Scholars in Paid
Direct titles, suspension is a debarment from the Postdoctoral Scholar training program for a stated period.

- Dismissal is the termination of a Postdoctoral Scholar’s appointment initiated by the University, prior to the appointment end date, when the University determines that the Postdoctoral Scholar’s conduct or performance does not justify continuation. Normally, dismissal is preceded by at least one Letter of Warning. In situations justified by the seriousness of the misconduct or unsatisfactory performance, the University may proceed to dismissal without written warning.

- The University may take other disciplinary action consistent with extramural funding agency requirements.

The University may place a Postdoctoral Scholar on investigatory leave with pay without prior written notice in order to review or investigate allegations of misconduct or dereliction of duty, which warrant immediately relieving the Postdoctoral Scholar from all work duties and/or require removing the Postdoctoral Scholar from the premises and securing University resources. Investigatory leave shall not be considered a form of corrective action.

Patient Care Technical – American Federation of State, County and Municipal Employees:

The University shall have the authority to discharge or to take other appropriate disciplinary action against a non-probationary career employee for just cause. The University may discipline an employee by oral reprimand, written warning, suspension without pay for up to five (5) working days without prior notice, suspension without pay beyond five (5) working days with notice, disciplinary demotion, or salary decrease.

The University may place an employee on investigatory leave without prior notice in order to review or investigate allegations of employee misconduct which warrant relieving the employee immediately from all work duties.

Research Support Professionals – University Professional and Technical Employees:

The University shall have the authority to discipline or to dismiss a non-probationary career employee for just cause. The University may discipline an employee by written warning, suspension without pay, disciplinary demotion, salary decrease, or dismissal.

The University may place an employee on paid investigatory leave without prior notice in order to review or investigate allegations of employee misconduct which warrant relieving the employee immediately from all work duties and removing the employee from the premises.

Service – American Federation of State, County and Municipal Employees:

The University shall have the authority to discharge or to take other appropriate disciplinary action against a non-probationary career employee for just cause. The University may discipline an employee by oral reprimand, written warning, and suspension without pay for up to five (5) working days without prior notice, suspension without pay beyond five (5) working days with notice, disciplinary demotion, or salary decrease.

The University may place an employee on investigatory leave without prior notice in order to review or investigate allegations of conduct which, in the University’s view, would warrant relieving the employee immediately from all work duties.

Skilled Craft – State Employees Trade Council:

A regular status employee may be disciplined or dismissed for just cause. Discipline occurs when any of the following actions is taken with respect to any employee: salary decrease, written warning, suspension, demotion. A Dismissal is the termination of the employment of a non-probationary regular status employee initiated by the University.
The University may place an employee on Investigatory Leave without prior notice in order to review or investigate allegations of conduct which, in the University’s view, would warrant relieving the employee immediately from all work duties. The employee will be on paid administrative leave status for the duration of the leave.

Technical – University Professional and Technical Employees:

The University shall have the authority to discipline or dismiss a nonprobationary career employee for just cause. The University may discipline an employee by written warning, suspension without pay, disciplinary demotion, salary decrease, or dismissal.

The University may place an employee on paid investigatory leave without prior notice in order to review or investigate allegations of employee misconduct which warrant relieving the employee immediately from all work duties and removing the employee from the premises.

Disciplinary Procedures for Staff and Faculty Policies

The following are links to the University’s disciplinary policies and procedures for faculty and staff:

The Faculty Code of Conduct (APM – 015):
  - www.ucop.edu/academic-personnel-programs/_files/apm/apm-015.pdf

University Policy on Faculty Conduct and the Administration of Discipline (APM - 016):
  - www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

UCSB Campus Policies and Procedures for Academic Personnel (Red Binder IX20):
  - ap.ucsb.edu/policies.and.procedures/red.binder/complete.red.binder.pdf

Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150):
  - www.ucop.edu/academic-personnel-programs/_files/apm/apm-150.pdf

University Policy on Non-Senate Academic Appointees/Grievances (APM - 140):
  - ucop.edu/academic-personnel-programs/_files/apm/apm-140.pdf

Personnel policies for staff members:

  - Corrective Action (PPSM-62):
    - policy.ucop.edu/doc/4010411/PPSM-62
    - www.hr.ucsb.edu/policies/separation-actions/local-ppsm-policy-62-corrective-action-professional-support-staff

  - Investigatory Leave (PPSM-63):
    - policy.ucop.edu/doc/4010412/PPSM-63
    - www.hr.ucsb.edu/policies/separation-actions/local-ppsm-63-investigatory-leave

  - Termination of Career Employees (PPSM-64):
    - policy.ucop.edu/doc/4010413/PPSM-64
    - www.hr.ucsb.edu/policies/separation-actions/local-ppsm-policy-64-termination-career-employees-professional-support

  - Termination of Appointment – Senior Management Group (PPSM II-64):
    - policy.ucop.edu/doc/4010578/PPSM-II-64
## 10.12 Comprehensive List of Resources

UCSB is committed to creating a safe and secure campus environment. Below is a comprehensive list of resources on campus, in the greater Santa Barbara community, and nationally for complainants/victims, students, employees, or anyone with questions or concerns about Sexual Violence.

### Campus Confidential Resources

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<th>Resource</th>
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<tr>
<td>Campus Advocacy, Resources &amp; Education (CARE)</td>
<td>The CARE office at UCSB provides confidential advocacy and support to students, staff, and faculty impacted by sexual assault, dating/domestic violence, and stalking. CARE offers advocacy, support, and prevention education.</td>
<td>(805) 893-4613 (24/7 confidential) (805) 893-3778 (general inquiries) wgse.sa.ucsb.edu/care Women’s Center, Student Resource Building</td>
<td>Victim advocacy</td>
</tr>
<tr>
<td>Counseling &amp; Psychological Services (CAPS)</td>
<td>CAPS provides students with a broad range of mental health services, including individual, couples, family, and group counseling. CAPS also provides professional consultation to faculty, staff, and families.</td>
<td>(805) 893-4411 (24/7 confidential) caps.sa.ucsb.edu Career and Counseling Services Building</td>
<td>Mental health counseling</td>
</tr>
<tr>
<td>Student Health Service</td>
<td>Student Health Service is a comprehensive outpatient clinic staffed with licensed primary care physicians, psychiatrists, consulting medical specialists, nurse practitioners, registered nurses, physician assistants, pharmacists, social workers, dentists, physical therapists, registered dietitians, optometrists, and other health professionals.</td>
<td>(805) 893-5361 (information) (805) 893-3371 (appointments) (805) 893-7129 (advice nurse) (800) 539-1387 (after-hours nurse) studenthealth.sa.ucsb.edu Student Health Building</td>
<td>Health Psychiatry Social work Alcohol and drug counseling</td>
</tr>
<tr>
<td>Academic &amp; Staff Assistance Program (ASAP)</td>
<td>ASAP provides confidential, free consultation, counseling, and referral services to all faculty, staff, and eligible family members.</td>
<td>(805) 893-3318 <a href="mailto:asap@hr.ucsb.edu">asap@hr.ucsb.edu</a> <a href="http://www.hr.ucsb.edu/asap">www.hr.ucsb.edu/asap</a> 3101 SAASB</td>
<td>Mental health counseling Referrals</td>
</tr>
<tr>
<td>Office of the Ombuds</td>
<td>The Office of the Ombuds is a confidential, impartial, informal, and independent resource for conflict management that serves all members of the UCSB community, including faculty, staff, and students.</td>
<td>(805) 893-3285 <a href="http://www.ombuds.ucsb.edu">www.ombuds.ucsb.edu</a> 1205-K Girvetz Hall</td>
<td>Advocacy</td>
</tr>
</tbody>
</table>
### Other Campus Resources (non-confidential)

<table>
<thead>
<tr>
<th>Resource</th>
<th>Description</th>
<th>Contact Information</th>
<th>Types of Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>OJA (Office of Judicial Affairs)</td>
<td>OJA issues and enforces No-Contact Orders. for students only</td>
<td>(805) 893-5016 judicialaffairs.sa.ucsb.edu Student Resource Building</td>
<td>No-Contact Orders</td>
</tr>
<tr>
<td>Housing, Dining &amp; Auxiliary Enterprises</td>
<td>Housing, Dining &amp; Auxiliary Enterprises assists with housing accommodations requests such as room or building changes.</td>
<td>(805) 893-3281 <a href="http://www.housing.ucsb.edu">www.housing.ucsb.edu</a> 1501 Residential Services</td>
<td>Housing accommodations</td>
</tr>
<tr>
<td>Respondent Services Coordination (RSC)</td>
<td>RSC is a neutral contact for any student or employee responding to a Title IX investigation seeking information about navigating the investigation/adjudication process or referrals to resources.</td>
<td>(805) 893-5012 <a href="mailto:RSC@sa.ucsb.edu">RSC@sa.ucsb.edu</a> Student Resource Building</td>
<td>Resource referrals General information</td>
</tr>
<tr>
<td>Office of Financial Aid and Scholarships</td>
<td>The Financial Aid Office provides information and assistance with the various options for student financial aid.</td>
<td>(805) 893-2432 <a href="http://www.finaid.ucsb.edu">www.finaid.ucsb.edu</a> 2103 SAASB</td>
<td>Student financial aid consultation</td>
</tr>
<tr>
<td>Office of International Students and Scholars (OISS)</td>
<td>OISS provides immigration support for international students and scholars.</td>
<td>(805) 893-2929 oiss.sa.ucsb.edu 3130 Student Resource Building</td>
<td>Visa/Immigration information</td>
</tr>
<tr>
<td>Associated Students Legal Resource Center</td>
<td>The Associated Students Legal Resource Center provides free legal consultations, education, and referrals to registered UCSB students.</td>
<td>(805) 893-4246 legal.as.ucsb.edu Pardall Center 6550B Pardall Road (Isla Vista).</td>
<td>Student legal assistance</td>
</tr>
<tr>
<td>Human Resources</td>
<td>Human Resources provides information and resources related to ASAP, benefits, career management, compensation, disability, labor relations, training, and more.</td>
<td>(805) 893-3166 <a href="http://www.hr.ucsb.edu">www.hr.ucsb.edu</a> 3101 SAASB.</td>
<td>Employment-related consultation</td>
</tr>
<tr>
<td>Resource Center for Sexual &amp; Gender Diversity (RCSGD)</td>
<td>RCSGD provides support and advocacy to students, staff, and faculty to ensure that LGBTQ identities, experiences, and concerns are represented and addressed at UCSB.</td>
<td>(805) 893-5847 wgse.sa.ucsb.edu/RCSGD Student Resource Building</td>
<td>LGBTQ+ advocacy and support</td>
</tr>
</tbody>
</table>
## Community/National Resources

<table>
<thead>
<tr>
<th>Resource</th>
<th>Description</th>
<th>Contact Information</th>
<th>Types of Resources</th>
</tr>
</thead>
</table>
| Standing Together to End Sexual Assault (STESA)  
(formerly Santa Barbara Rape Crisis Center) | STESA provides advocacy and support for survivors of sexual violence, including referrals for medical and legal options. | (805) 963-6832  
(805) 564-3696 (24-hour hotline)  
www.sbstesa.org  
433 E. Canon Perdido St.  
Santa Barbara, CA 93101 | - Victim advocacy  
- Confidential counseling  
- Referrals |
| Domestic Violence Solutions (DVS) | DVS provides emergency shelter, support groups, 24-hour crisis line, and transitional housing. DVS staff respond with law enforcement personnel on domestic violence 911 calls and provide victims with support, advocacy, and access to safe and confidential shelter. | (805) 964-5245 (24-hour crisis and information hotline)  
(805) 963-4458 (non-emergency)  
www.dvosolutions.org | - Victim advocacy  
- Confidential counseling  
- Counseling Referrals  
- Legal referrals  
- Housing resources |
| Cottage Hospital Emergency Medicine & Trauma Services | Santa Barbara Cottage Hospital provides emergency medicine and trauma services. | (805) 682-7111 (24-hour main phone line)  
www.cottagehealth.org  
400 W. Pueblo St.  
Santa Barbara, CA 93105 | - Medical/Health |
| Legal Aid Foundation of Santa Barbara County | The Legal Aid Foundation provides free legal assistance in critical civil matters to Santa Barbara county residents living at or below the poverty level, those facing language or disability barriers, seniors and others living on fixed incomes such as Social Security, and victims of domestic violence and elder abuse. | (805) 963-6754  
www.lafsbc.org  
301 E. Canon Perdido Street  
Santa Barbara, CA 93101 | - Legal assistance  
- U-Visa assistance for victims of crime |
| Legal Resource Center of Santa Barbara County | The Legal Resource Center of Santa Barbara County is staffed by a California licensed attorney, and open to the public on a first-come, first-served basis. Assistance is offered in the completion of legal and court documents for various civil matters and infractions, and in properly presenting your case to the court. | (805) 568-3303  
www.sbcourts.org/sh/lrc/  
McMahon Law Library  
1100 Anacapa Street, 2nd Floor  
Santa Barbara, CA 93101 | - Legal assistance |
| U.S. Citizenship and Immigration Services  
(USCIS) | USCIS provides a number of humanitarian programs and protection to assist individuals in need of shelter or aid due to urgent circumstances, including issuing U and T visas for victims of certain crimes. | 1-800-375-5283  
www.uscis.gov/humanitarian | - Visa/Immigration assistance  
- U-Visa assistance for victims of crime |
| WomensLaw.org | WomensLaw.org provides legal information and support to victims of domestic violence and sexual assault. | 1-800-799-SAFE (7233)  
www.womenslaw.org | - Legal information and referrals |
| Federal Student Aid in the Office of U.S. Department of Education | Federal Student Aid, a part of the U.S. Department of Education, is the largest provider of student financial aid in the nation. | studentaid.ed.gov | - Student financial aid resources |
11.0 HEOA Victim Notification

Per the Higher Education Opportunity Act (HEOA), UCSB will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by UCSB against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

12.0 Registered Sex Offender Information

12.1 SEX OFFENDERS REGISTERED IN CALIFORNIA

This section describes where law enforcement agency information concerning registered sex offenders may be obtained by the UCSB community. The State of California requires sex offenders to register with the local (city or county) law enforcement agency in the jurisdiction in which they reside. Local law enforcement agencies then provide this information to the State. Information on registered sex offenders is available at the Santa Barbara County Sheriff’s Office: (805) 681-4100, 4434 Calle Real, Santa Barbara, CA 93110. Information on registered sex offenders in Santa Barbara County, or anywhere in California, can also be accessed on the sex offender tracking page of the California Department of Justice website: www.meganslaw.ca.gov. This database can be searched by a sex offender’s specific name, and includes zip code and city/county listings as well as detailed personal profile information on each registrant. The map application can be used to search any location/neighborhood in California.

The California Department of Justice is required by law to post static risk assessment scores for sex offender registrants who are eligible to be scored. For information relating to risk assessments, eligibility, and scoring, visit the State Authorized Risk Assessment Tool for Sex Offenders (“SARATSO”) website at www.saratso.org. Information contained in SARATSO website is based on information provided by local law enforcement agencies and other criminal justice entities.

If you have information concerning a registrant who is in violation of their registration requirements, or if you believe that a listed address is inaccurate, you should notify your local law enforcement agency or the California Department of Justice.

**California Department of Justice (DOJ):**
(916) 227-4974  
meganslaw@doj.ca.gov  
oag.ca.gov

California DOJ Sex Offender Tracking Program  
P. O. Box 903387  
Sacramento, CA 94203-3870
12.2 UCSB-SPECIFIC REGISTERED SEX OFFENDER INFORMATION

A sex offender who is enrolled at UCSB as a student; is a full-time or part-time UCSB employee, with or without compensation; or is carrying on a vocation at UCSB for more than 14 days or for an aggregate period exceeding 30 days in a calendar year, must register with the UCSB Police Department (UCPD) within five working days of commencing enrollment or employment. This includes employment whether or not financially compensated, volunteered, or performed for government or educational benefit. The registrant shall also notify UCPD within five working days of ceasing to be enrolled or employed at UCSB, or ceasing to carry on a vocation at UCSB.

Registration of UCSB-affiliated sex offenders must be conducted at the UCSB Police Department at Public Safety Building #574 (Mesa Road), Santa Barbara, CA 93106. Persons required to register must do so in person, Monday through Friday (excluding holidays), during the normal business hours of 8:00 a.m. to 5:00 p.m. Registrations will be handled by appointment only. Please call (805) 893-3446 to schedule an appointment.

Information regarding UCSB-registered sex offenders is available to members of the campus community at the UCPD station, by appointment only. Before being provided any information by UCPD, a member of the campus community who requests that information shall sign a statement, on a form provided by the Department of Justice, stating that he or she is not a registered sex offender, that he or she understands the purpose of the release of information is to allow members of the campus community to protect themselves and their children from sex offenders, and that he or she understands it is unlawful to use information obtained to commit a crime against any registrant or to engage in illegal discrimination or harassment of any registrant. The signed statement shall be maintained in a file at UCPD for a minimum of five years.

13.0 Campus Facilities Access and Security

13.1 SECURITY OF AND ACCESS TO CAMPUS FACILITIES – ACADEMIC AND OTHER BUILDINGS

During normal business hours, UCSB buildings and facilities (excluding certain housing facilities and administrative buildings) are open to the public. During non-business hours, access to most campus buildings and facilities is limited and may require proper identification. Campus buildings and facilities are secured according to schedules developed by the department responsible for the building or facility. Some buildings and facilities at UCSB have hours that vary throughout the year. Emergency situations may require changes or alterations to posted building and facility schedules.

Access to academic and other buildings is controlled by key or electronic key-card access, and each building has varied levels of access control. More sensitive areas of the campus utilize alarm systems that provide notification (through the alarm company) to the UCSB Police Department (UCPD) upon activation. UCPD Officers respond to alarms and conduct routine patrols to monitor security at campus buildings and other facilities. Lost keys or key-cards should be reported to a department supervisor immediately for re-keying of areas or cancelling the key-cards, as necessary.

In order to ensure that only authorized individuals have access to UCSB buildings and facilities, it is essential that students, staff, and faculty work together to keep doors of all buildings and other facilities closed and locked after hours. Do not leave doors propped open or unlocked after hours. Do not open the door for individuals you do not know. If your campus keys or key-cards are lost or stolen, report this information immediately to the issuing party/department and/or UCPD at (805) 893-3446.

Buildings, facilities, and other areas on campus that are reported or determined to be problematic in certain ways
may have security surveys and assessments conducted, including lighting, landscaping, access control, alarm monitoring, security camera coverage, and other assessments. Members of UCPD, UCSB Facilities Management, and others may conduct security assessments for new construction, remodeling projects, and other areas on an ongoing basis or when requested.

13.2 SECURITY OF AND ACCESS TO CAMPUS FACILITIES – RESIDENTIAL FACILITIES

UCSB provides residential housing to UCSB staff and faculty and approximately 10,500 students (and families) in on-campus student housing residential facilities. UCSB Student Housing facilities include residence halls, undergraduate apartments, graduate apartments, and Family Student Housing.

Residential & Community Living (R&CL) Professional Staff (Resident Directors, Complex Coordinators, etc.), Community Service Officers (CSOs), and other housing officials enforce security measures in campus residential facilities and work with residents to achieve a safe and healthy community. Every individual member of a community has a responsibility to promote and maintain the safety and well-being of the community. Students may report violations of the UCSB Student Housing policies and/or the Student Code of Conduct to a Resident Assistant (RA) or any other member of R&CL staff. Any dangerous behavior should be reported to R&CL staff and/or UCPD immediately and is subject to disciplinary action. Additionally, RAs and the “on-call” Professional Staff conduct community walks throughout the premises during their work shifts.

Access to UCSB on-campus Student Housing facilities is limited after business hours to building residents, their authorized guests, and other approved members of the University community. On-campus Student Housing facilities are secured after hours, and require either a key or key-card to access the facilities. Over extended breaks or during emergency situations, access is limited to those
who are scheduled to remain in the building. Access or attempted access to a room or facility without authorization is not permitted. Access or attempted access through a window is also not permitted. Students, staff, and faculty may not reproduce campus housing keys. Loaning keys to another party, manipulating locks or door handles to gain entry without a key, or misusing a key or key-card is also prohibited. These are violations of the UCSB Student Code of Conduct and are also violations of the UCSB Student Housing contract. Residents are cautioned against permitting strangers to enter buildings and are urged to require individuals seeking entry to use their own key or key-card.

Occasionally, residents may wish to have family members or friends visit or stay with them overnight. The host must be a resident and must receive the permission of their roommates(s)/suite-mate(s) prior to inviting guests. Restrictions to overnight guest visitation in UCSB Student Housing varies based on the property. Each resident is responsible for the behavior of their guests while on campus and in the housing communities. Guests may not sleep in public common areas and should have identification on them at all times and be prepared to show this upon request. UCSB Student Housing has the right to restrict specific guests if they have been disruptive or have violated UCSB Student Housing policies or other UCSB policies. All residents are expected to respect the rights of the people with whom they live. Residents and their guests must cooperate with and act respectfully toward UCSB personnel. This includes, but is not limited to, interactions with all UCSB R&CL Professional Staff and Student Staff, UCSB Dining Service staff, and UCPD Officers.

Theft is the most prevalent crime that occurs in the residential areas. Residents are encouraged to exercise caution with respect to their personal safety and security within campus housing facilities. UCPD encourages all residents, guests, and other visitors at UCSB to be aware of their surroundings and the presence of unknown persons in your communities. All residents are encouraged not to leave their belongings unattended. Residents are reminded to lock all doors and windows throughout the year.

### 13.3 Security Considerations in Maintenance of Campus Facilities

UCPD uses a multidisciplinary approach to deter criminal behavior and to promote a safer campus community. Crime Prevention Through Environmental Design (CPTED) is a key strategy relied upon to reduce behaviors that precede criminal activities. In accordance with this strategy, facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Additionally, UCPD officers and CSOs regularly patrol the main campus and off-site facilities, and report malfunctioning lights, security deficiencies, and other unsafe physical conditions to Facilities Management for correction.

UCPD sponsors and conducts an annual UCSB Campus Lighting and Safety Walk. This annual event includes campus directors and members from various campus organizations. The Walk is designed to identify any and all hazards that could affect campus safety, such as the need for lighting repairs or additional lighting.

Members of the University community are encouraged to report equipment problems or unsafe conditions to UCPD
or Facilities Management. Urgent or emergency maintenance issues can be reported to UCPD Dispatch at (805) 893-3446. For assistance with any non-urgent maintenance concerns, contact Facilities Management directly by calling (805) 893-8300 or emailing customer.service@pf.ucsb.edu. The Facilities Management staff is immediately available during normal business hours and available “on-call” after hours, weekends, and holidays.

14.0 Illegal Weapons

UCSB is committed to maintaining a safe and secure environment that supports the academic mission of the University. According to California Penal Code §626.9 and §626.10, as well as California Code of Regulations §100015, individuals are prohibited from possessing various weapons, including firearms; explosives; instruments that expel metal projectiles, such as a bb or pellet; specified knives; and/or any item that may be construed as such, on the premises of the University or in any building under its control.

California state law and UCSB policy prohibit the possession or control of any firearms, deadly weapons, explosive devices, nunchakus, metal knuckles, shurikens, billy clubs, saps, or any other deadly weapons or prohibited knives, while in any UCSB property or facility, except as required in the lawful course of business or as authorized by the UCPD Chief of Police. Anyone found in violation of the University’s policies will be subject to the disciplinary policies and procedures applicable to students, staff, and faculty, and/or criminal prosecution by the appropriate jurisdiction.

Individuals are encouraged to report weapons violations to UCPD immediately by dialing 911 or (805) 893-3446. It is important to provide a description and location of the individual carrying a weapon. UCSB has and will continue to investigate any threat to the safety of the University in order to protect all members of the University community and their guests.

UCSB policy also prohibits individuals from use, possession, sale, or manufacture of any dangerous weapons on University properties or at official University functions, except as expressly permitted by law. Anyone found in violation of the University’s policies shall be subject to the disciplinary policies and procedures applicable to students and employees, and/or criminal prosecution by the appropriate jurisdiction.

15.0 Substance Abuse Policy, Laws, and Sanctions

In accordance with the Drug-Free Schools and Communities Act (DFSCA) of 1989, the UC Santa Barbara Substance Abuse Policy and Procedures include UCSB’s policy on substance use standards of conduct; potential legal sanctions and penalties for unlawful possession, use,
or distribution of drugs or alcohol; potential sanctions for campus drug and alcohol policy violations; health risks associated with drug and alcohol abuse; and resources available to students and employees. The UC Santa Barbara Substance Abuse Policy and Procedures document can be accessed at www.policy.ucsb.edu/files/docs/policies/substance-abuse.pdf.

UCSB actively distributes information about the campus substance abuse policy and its availability to members of the campus community by sending emails to students and employees throughout the year. Additionally, UCSB conducts a biennial review of the effectiveness of the campus substance abuse prevention program.

The following is a summary of UCSB’s policy on substance use, disciplinary sanctions for policy violations, California drug and alcohol laws and sanctions, educational programs offered by UCSB, and on- and off-campus substance use treatment resources.

15.1 UCSB SUBSTANCE USE POLICY AND STANDARDS OF CONDUCT

UCSB strives to maintain a community and workplace free from the illegal use, possession, or distribution of alcohol and other drugs. Manufacture, sale, distribution, dispensation, possession, or use of alcohol and controlled substances by students or employees on University property, at official University functions, or on University business is prohibited except as permitted by law, University policy, and campus regulations.

To promote an environment of academic excellence and to comply with the requirements of the Drug-Free Schools and Communities Act and the Drug Free Workplace Act, academic and staff employees and students:

- Shall not use illegal substances and shall not abuse legal substances in a manner that impairs scholarly activities, job performance, or student life.

- Shall not use illegal or legal substances in a manner that violates applicable criminal or civil laws in the workplace, on University premises, at University activities, or while conducting University business.

- Are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol and/or a controlled substance in the workplace, on university premises, at University activities, or while conducting University business.

- Academic and staff employees and students involved in work on or for a federal grant or contract are required, as a condition of employment on the grant or contract, to notify the University within five (5) calendar days if they are convicted of any criminal drug statute violation for activity occurring at the workplace, at the location of any grant/contract activity, or while on University business.

For more information regarding the UCSB’s Substance Abuse Policy, visit: www.policy.ucsb.edu/files/docs/policies/substance-abuse.pdf.

15.2 CALIFORNIA ALCOHOL AND DRUG LAWS AND SANCTIONS

California law prohibits furnishing and selling alcoholic beverages to underage persons (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 a driver can be charged even with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunken driving penalties include jail or prison, fines of $1,000 or more, driver 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 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. 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 someone over 18. Property used in drug transactions can be seized.

15.3 UCSB POLICY ON AND ENFORCEMENT OF POSSESSION, USE, AND SALE OF ILLEGAL DRUGS

The UCSB campus has been designated Drug Free. The possession, sale, manufacture, and distribution of any controlled substance is illegal under both state and federal laws. These laws are strictly enforced by the UCSB Police Department (UCPD). Violators of these laws are subject to UCSB disciplinary action (for affiliated members of the institution), criminal prosecution, fine, and imprisonment. Academic and staff personnel violating these policies may be subject to corrective action, including dismissal, under applicable University policies and labor contracts, and may be referred for criminal prosecution and/or required to participate in an Employee Assistance Program or appropriate treatment program.

15.4 UCSB POLICY ON AND ENFORCEMENT OF POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES

The possession, use, and sale of alcohol on the UCSB campus is governed by the UCSB Substance Abuse Policy, federal law, California state law, and local county ordinances. Laws regarding the possession, use, sale, consumption, and furnishing of alcohol are controlled by the California Department of Alcohol and Beverage Control (ABC). The enforcement of alcohol laws on the UCSB campus is the primary responsibility of UCPD. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. These laws are strictly enforced by UCPD. Violators are subject to UCSB disciplinary action (if affiliated with the institution), criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21.

It is also a violation of the UCSB Substance Abuse Policy for anyone to consume or possess alcohol in any public/private area of the campus without prior University approval. Students violating these 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. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

15.5 UCSB SMOKE & TOBACCO FREE ENVIRONMENT POLICY

Members of the UCSB community, including academic and staff employees, students, student organizations, and volunteers, are responsible for observing and adhering to the Smoke & Tobacco Free Environment Policy. Smoke & Tobacco Free means that smoking, the use of smokeless tobacco products, the use of unregulated nicotine products, and the use of e-cigarettes is strictly prohibited on all University-controlled properties (including parking spaces) and all vehicles. This also includes all campus
residential space, with the exception of employee-owned housing. More information can be found at tobaccofree.ucsb.edu/policy.

15.6 DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS AND SUPPORT RESOURCES

UCSB students and employees with substance abuse concerns (including alcohol) create a health and safety risk for themselves and for others. Substance abuse can also result in a wide range of serious emotional and behavioral problems. UCSB makes available to students and employees a variety of alcohol and substance abuse programs. These programs are designed to discourage the use of illegal substances and to educate students and others as to the merits of legal and responsible alcohol consumption.

UCSB’s Alcohol & Drug Program (ADP) provides counseling and referral services to students who suffer from a substance abuse concern. Group and individual counseling sessions are available to students at no cost for voluntary attendance and a program fee for required attendance (i.e., referral for disciplinary sanction). All information regarding any contact or counseling is confidential and will be treated in accordance with UCSB policies and state and federal laws. A student’s decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action. ADP strives to create a safe, healthy, and learning-conducive environment through the promotion of healthy choices concerning the use of alcohol, tobacco, and other drugs. The program emphasizes the elimination of harmful use, high-risk behavior, and related violence, and offers services for students in recovery and allies who support them.

ADP uses a comprehensive research-based approach to substance abuse prevention. UCSB’s efforts to reduce high-risk drinking and drug use among students include strategies such as education, early intervention, and referral; changes to the environment on campus and in Isla Vista; and strict policies and enforcement. ADP works in partnership with many campus departments, students, and the community to promote a healthy and safe campus environment. Using science and evaluation-based prevention models, the Alcohol and Other Drug Work Group and Steering Committee make recommendations for all program, policy, and enforcement issues related to alcohol and other drugs. This comprehensive effort works to reduce high-risk drinking by:

- Educating students about responsible alcohol use.
- Providing early intervention and confidential counseling for those who need help.
- Altering the environment to limit access to alcohol by underage students and providing alcohol-free social options.
- Ensuring compliance with substance abuse policies and laws, and consequences for policy violation.

UCSB’s ADP offers students free and confidential counseling for addictive behaviors and substance abuse, including alcohol, tobacco, marijuana, study drugs, gambling, and internet use. Support, information, education, and referrals are provided in a non-judgmental environment. For appointments and additional information about ADP, call the Program’s office at (805) 893-5013. ADP facilitates a 4-week psycho-educational group series for students who violate substance use policies on campus. More information can be found at alcohol.sa.ucsb.edu/information/about-us.

In compliance with the Drug-Free Schools and Communities Act of 1989, UCSB offers various drug and alcohol use prevention, education, and intervention programs. These services are made available to students by ADP’s clinical and prevention staff. Below is a list and brief description of the programs that are offered to students throughout the year.
## Campus Programs

<table>
<thead>
<tr>
<th>Intervention/ Prevention Strategy</th>
<th>Brief Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol and Drug Individual Counseling</td>
<td>One-on-one counseling sessions using brief motivational and cognitive-behavioral techniques for use of substances including alcohol, marijuana, prescription drugs, and other illicit substances. The goal of the counseling is to educate students about the effects of illicit drug use, to promote self-evaluation of drug use habits, and to facilitate the acquisition of effective coping strategies to make informed decisions and reduce the risk and harm associated with substance use.</td>
</tr>
<tr>
<td>College Alcohol and Substance Education (CASE)</td>
<td>Four-session class assigned as a first-level sanction for substance use violations. This class uses interactive journaling and motivational interviewing techniques. The goals of the class are to educate students about the effects of alcohol use, to encourage students to implement the skills of alcohol-related risk reduction, and to facilitate the acquisition of effective coping strategies so that students can make informed decisions and reduce their substance related risk and harm.</td>
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<tr>
<td>Screening, Brief Intervention, Referral to Treatment (SBIRT)</td>
<td>SBIRT is an evidence-based screening strategy utilizing brief motivational interviewing techniques to identify and assess risks associated with substance use. The UCSB Alcohol and Drug Program offers the SBIRT program to clinicians in Student Health and CAPS to provide an immediate and timely intervention for students. The goal of the SBIRT intervention is to promote self-evaluation and assessment of substance use habits, to connect/refer students to additional support and counseling services, and to facilitate the acquisition of effective coping strategies to make informed decisions and reduce the risk and harm associated with drug use.</td>
</tr>
<tr>
<td>Marijuana Awareness, Responsibility and Support (MARS)</td>
<td>The MARS program provides individual counseling to discuss marijuana use and develop skills to explore and achieve desired health changes. This evidence-based, cognitive-behavioral approach also integrates dialectical behavior strategies into a three-week series that supports student goals regarding marijuana use.</td>
</tr>
<tr>
<td>Alcohol Self-Assessment</td>
<td>A brief online assessment is available on the UCSB Alcohol and Drug Program website to provide individualized feedback and access to additional support and resources on the campus and in the community.</td>
</tr>
<tr>
<td>Cannabis Use Disorders Identification Test (CUDIT-R)</td>
<td>The CUDIT-R is available on the UCSB Alcohol and Drug Program website and is an evidence-based brief online assessment for personal marijuana use that provides individualized feedback and access to additional support and resources on the campus and in the community.</td>
</tr>
<tr>
<td>Gauchos for Recovery (GFR)</td>
<td>Gauchos for Recovery is a program within the Alcohol and Drug Program that helps students maintain recovery and develop a plan for success, form connections with other sober students as well as community recovery groups, and assist with finding supportive housing. Free and confidential counseling services and assistance with access to additional campus and community resources is also available for those students needing additional support and accommodations. GFR can also assist students who are trying to return to the University after a period away, as well as non-traditional aged students who are returning to college. Alcohol and Drug Program counselors are also available to consult with parents.</td>
</tr>
<tr>
<td>GFR Peer Educators</td>
<td>Our recovery peers are UCSB students in recovery who have a desire to share their experience, strength, and hope with other students in recovery as well as those who are struggling with substance use. They hold drop-in peer counseling hours in the Lounge at Embarcadero Hall to meet with any students looking for peer support around these concerns.</td>
</tr>
<tr>
<td>GFR Students for Recovery</td>
<td>GFR Students for Recovery is a UCSB student organization that provides support and social activities for recovering students. The weekly Students for Recovery meeting is open to those who are seeking or considering recovery and is hosted by students, for students. GFR student group holds biweekly organization meetings, regular unity/social events, retreats, and more.</td>
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</tbody>
</table>
## Call it Quits: Tobacco/Smoking Cessation
Call it Quits is a free tobacco cessation services program that is free to all UCSB students. The program offers 6 weeks of individual educational support and access to free nicotine replacement products and other incentivizing products.

## Smoke-Free/Tobacco-Free Task Force
The campus has a Smoke/Tobacco-Free Task Force that works on the implementation strategies of the UC system-wide smoke/tobacco free policy that went into effect at UCSB on January 1, 2014.

## Smoke-Free/Tobacco-Free Policy
Along with the rest of the UC system, UCSB implemented a smoke/tobacco free policy on January 1, 2014. This policy bans all tobacco and related products (including smokeless tobacco, e-cigarettes, and vaping products) on all campus property.

## Alcohol and Drug Steering Committee
The UCSB AOD Steering Committee is comprised of the Student Health executive director, the Associate Vice-Chancellor for Student Affairs, the UCSB Behavioral Health Director, and the Alcohol and Drug Program Director. The committee meets quarterly to identify and prioritize the needs and available resources of the UCSB campus related to substance use and addictive/compulsive behaviors.

## Isla Vista Alcohol and Drug Work Group
The Isla Vista Alcohol and Drug Work Group is a comprehensive coalition/task force organized by the Santa Barbara County Behavioral Wellness Program. Work Group members include campus and community partners who meet monthly to address the needs and concerns of both the campus and community on alcohol, drug, and violence prevention concerns.

## Community Social Host Ordinances
Several communities in Santa Barbara County, including the unincorporated area of Isla Vista which is adjacent to the UCSB campus, have implemented new social host and/or loud/disruptive social gathering ordinances to address social gatherings that prompt a response by law enforcement. These ordinances hold the host responsible for the violations cited.

## Fraternity/Sorority Educational Workshops
Educational workshops specially designed for Greek community members focus on providing educational information, normative information, and skill training including how to party safe, create a plan when socializing, and access to resources on and off campus.

## Campus and Community Educational Programming
A wide variety of large and small scale educational events and programs including speakers, tabling, and videos to relay educational information, provide skill training, and refer students to resources on and off campus.

## AlcoholEdu
UCSB’s “New Student Requirement” involves completion of two educational components by all incoming first year and transfer students. The first component of the New Student Requirement is AlcoholEdu and Haven, two online training modules that provide alcohol and drug education, sexual assault and interpersonal violence prevention information, and campus/community resources. Completion of these training modules is required before the start of fall quarter.

## Gaucho FYI
The second component of UCSB’s “New Student Requirement” program requires attendance at Gaucho FYI, an in-person workshop facilitated by a peer leader and a professional staff member. These mandatory workshops have been developed to introduce new students to a variety of health and safety topics, as well as provide skill-based information about personal safety, bystander intervention, and community responsibility. Completion of Gaucho FYI is required within the first four weeks of fall quarter.

## Life of the Party Peer Education Program
The Alcohol and Drug Program trains selected student peer staff on AOD trends, campus norms, and addressing campus needs around alcohol and drug concerns. Students learn to facilitate workshops, develop programs, and conduct outreach. The goal of the peer health educator program is to empower students to motivate their peers to make healthy lifestyle choices and connect students to resources for help.
UCSB makes available various drug and alcohol use prevention, education, and intervention services for staff and faculty through the UCSB’s Academic Staff Assistance Program (ASAP). ASAP provides support to employees and eligible family members in initiating and accessing the appropriate level of care for substance abuse or dependence. These ASAP services are provided on a short-term basis and employees are referred to the community for more intensive levels of care as indicated. This service is available at no cost to employees and their family members, and information about participation is confidential, except where legally mandated. For more information please call (805) 893-3318 or visit www.hr.ucsb.edu/asap.

Additional resources available to students and employees in the Santa Barbara community and online include the following. (ADP and ASAP can also assist in finding appropriate programs and support in other locations if needed.)

**Community Resources**

### Santa Barbara Cottage Hospital Chemical Dependency Services

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cottage Hospital</td>
<td>(805) 682-7111 (24-hour)</td>
<td><a href="http://www.cottagehealth.org/services/psychiatry-and-addiction-medicine">www.cottagehealth.org/services/psychiatry-and-addiction-medicine</a></td>
</tr>
<tr>
<td>Cottage Outpatient Treatment</td>
<td>(805) 569-7434</td>
<td><a href="http://www.cottagehealth.org/services/psychiatry-and-addiction-medicine/intensive-outpatient-treatment-program">www.cottagehealth.org/services/psychiatry-and-addiction-medicine/intensive-outpatient-treatment-program</a></td>
</tr>
</tbody>
</table>

### Council on Alcoholism and Drug Abuse (CADA)

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education and Treatment Program</td>
<td>(805) 963-1433</td>
<td><a href="http://cadasb.org">cadasb.org</a></td>
</tr>
<tr>
<td>Adult Detox Program</td>
<td>(805) 963-1836</td>
<td>[cadasb.org/adults(detox](<a href="http://cadasb.org/adults(detox)">http://cadasb.org/adults(detox)</a></td>
</tr>
<tr>
<td>Adult Residential Treatment Center</td>
<td>(805) 963-1836</td>
<td>[cadasb.org/adults(residential](<a href="http://cadasb.org/adults(residential)">http://cadasb.org/adults(residential)</a></td>
</tr>
<tr>
<td>Adult Outpatient Treatment</td>
<td>(805) 308-8547</td>
<td>[cadasb.org/adults(outpatient-treatment](<a href="http://cadasb.org/adults(outpatient-treatment)">http://cadasb.org/adults(outpatient-treatment)</a></td>
</tr>
<tr>
<td>Resource and Referral Center</td>
<td>(805) 962-6195</td>
<td>[cadasb.org/adults(resource-center](<a href="http://cadasb.org/adults(resource-center)">http://cadasb.org/adults(resource-center)</a></td>
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</table>
### Community Resources (continued)

<table>
<thead>
<tr>
<th>Recovery Road Medical Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outpatient Treatment Program</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Full Spectrum Recovery &amp; Counseling Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outpatient Treatment Clinic</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Casa Serena</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women’s Residential Treatment Center</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sober Living Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>New House (men)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>The Giving Tree (women)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Lighthouse (men)</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Online/National Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>“In the Rooms” Global Recovery Community</td>
</tr>
<tr>
<td>Free 12-step speaker videos and audio files, video meetings, chat opportunities, and message boards.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>XA Speakers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listen to speakers from a variety of 12-step programs.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Young People in Recovery</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blogs, social network, videos of young people in recovery, and opportunities to get involved in the movement.</td>
</tr>
</tbody>
</table>
16.0 Clery Act Crime Statistics

16.1 CLERY ACT CRIME STATISTICS, SOURCES, AND UNFOUNDED CRIME REPORTS

Pursuant to Clery Act requirements, the UCSB Police Department (UCPD) is charged with the responsibility to collect, classify, and report crime statistics to the U.S. Department of Education as well as current and prospective students and employees. Clery crimes are reported to the Department of Education via a web-based online reporting tool and to the campus community in the Annual Security Report (ASR) by October 1 of each year.

This section of the ASR contains Clery crime statistic data that have been compiled from the 2015, 2016, and 2017 calendar years. Crime statistic data under the Clery Act are disclosed based on where a crime occurs, the types of crimes that were reported, and the year in which the crimes were reported.

Some crimes are not directly reported to the Police. As such, by collecting crime statistic data through other established channels, UCSB is able to obtain a more accurate picture of crimes occurring on UCSB property, campus-adjacent public property, and other campus-affiliated properties. Clery crime statistic data are collected from non-law enforcement campus personnel identified as Campus Security Authorities (CSAs) as well as outside law enforcement agencies who have jurisdiction over certain campus-affiliated locations classified as “non-campus buildings and property.” Clery Act crime statistic data have been compiled from UCPD Police records, CSA reports, and other law enforcement agencies with jurisdiction over UCSB Clery reporting geography.

A crime is deemed to have been “reported” for Clery Act purposes when a witness, victim, third party, or offender (regardless of that person’s affiliation with UCSB) brings such allegation of crime to the attention of law enforcement or a CSA. In turn, UCSB discloses Clery-reportable crimes in the statistical portion of this Annual Security Report regardless of whether the crimes have been investigated by the Police, and regardless of whether a finding of guilt or responsibility has been assigned or any case has been forwarded/assigned to the District Attorney’s office.

Clery Act Crimes

Clery reportable crime statistic data include the number of each of the following crimes that occurred on or within the UCSB Clery Act Geography that have been reported to UCPD or other CSAs:
Primary Crimes: (1) Murder and non-negligent manslaughter (criminal homicide); (2) Manslaughter by Negligence (criminal homicide); (3) Rape; (4) Fondling; (5) Incest; (6) Statutory Rape; (7) Robbery; (8) Aggravated Assault; (9) Burglary; (10) Motor Vehicle Theft; and (11) Arson.

Hate Crimes: Any of the above-mentioned offenses under “Primary Crimes” in addition to any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by one of the categories of bias. Categories of bias are race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity.

Violence Against Women Act (VAWA) Offenses: Any incidents of Domestic Violence, Dating Violence, and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes.)

Arrests and Referrals for Disciplinary Action: (1) Arrests for liquor law violations, drug law violations, and weapons law violations; and/or (2) Persons affiliated with UCSB who are referred for campus disciplinary action for liquor law violations, drug law violations, and weapons law violations.

Unfounded Crime Reports

UCSB is required to include in the Department of Education’s web-based survey and the ASR statistics the total number of crime reports that were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years. A reported Clery crime to UCPD may not be withheld or subsequently removed from the Clery crime statistics data based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. However, a reported crime may be withheld or subsequently removed from the crime statistics if sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of a full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore unfounded.

It is important to note that the recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, or the failure to make an arrest does not unfound a crime report. For Clery Act purposes, the determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.
### Clery Act Crime Statistics

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Student Housing*</th>
<th>Non Campus</th>
<th>Public Property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2015</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>2017</td>
<td>24</td>
<td>19</td>
<td>8</td>
<td>0</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>18</td>
<td>16</td>
<td>8</td>
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</tr>
<tr>
<td></td>
<td>2015</td>
<td>14</td>
<td>13</td>
<td>3</td>
<td>0</td>
<td>17</td>
</tr>
<tr>
<td>Fondling</td>
<td>2016</td>
<td>10</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Incest</td>
<td>2017</td>
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<td>0</td>
<td>0</td>
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</tr>
<tr>
<td></td>
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<td></td>
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<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>2016</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>2017</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td></td>
<td>2015</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>2017</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>13</td>
<td>7</td>
<td>4</td>
<td>1</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>7</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Burglary</td>
<td>2017</td>
<td>34</td>
<td>22</td>
<td>1</td>
<td>0</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>31</td>
<td>20</td>
<td>3</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>13</td>
<td>6</td>
<td>7</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>Arson</td>
<td>2017</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>2017</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Violence**</td>
<td>2017</td>
<td>12</td>
<td>10</td>
<td>0</td>
<td>1</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>6</td>
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<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>6</td>
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<td>Dating Violence</td>
<td>2017</td>
<td>22</td>
<td>13</td>
<td>3</td>
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<td>26</td>
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<td></td>
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<td></td>
<td>2015</td>
<td>5</td>
<td>1</td>
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<td>0</td>
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</tr>
<tr>
<td>Stalking</td>
<td>2017</td>
<td>23</td>
<td>17</td>
<td>6</td>
<td>1</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>5</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
</tbody>
</table>

* Student Housing statistics are a subset of the On-Campus geography category statistics.

** Increase in reports of Domestic Violence due to ongoing campus education about recognizing and reporting interpersonal violence.
## Clery Act Arrests and Disciplinary Referrals

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>On Campus</th>
<th>Student Housing*</th>
<th>Non Campus</th>
<th>Public Property</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquor Law Violations Arrests</td>
<td>2017</td>
<td>41</td>
<td>2</td>
<td>0</td>
<td>28</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>52</td>
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<td>3</td>
<td>21</td>
<td>76</td>
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<td></td>
<td>2015</td>
<td>67</td>
<td>2</td>
<td>4</td>
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<td>71</td>
</tr>
<tr>
<td>Liquor Law Violations Referred for Disciplinary Action</td>
<td>2017</td>
<td>370</td>
<td>370</td>
<td>0</td>
<td>0</td>
<td>370</td>
</tr>
<tr>
<td></td>
<td>2015</td>
<td>412</td>
<td>409</td>
<td>0</td>
<td>0</td>
<td>412</td>
</tr>
<tr>
<td>Drug Law Violations Arrests</td>
<td>2017</td>
<td>27</td>
<td>3</td>
<td>3</td>
<td>11</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>31</td>
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<td></td>
<td>2015</td>
<td>417</td>
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<td>417</td>
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<tr>
<td>Drug Law Violations Referred for Disciplinary Action</td>
<td>2017</td>
<td>118</td>
<td>118</td>
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<td>0</td>
<td>118</td>
</tr>
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<td>203</td>
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<td>210</td>
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<td>Weapons Law Violations Arrests</td>
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<td>11</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>2016</td>
<td>7</td>
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<td></td>
<td>2015</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Weapons Law Violations Referred for Disciplinary Action</td>
<td>2017</td>
<td>2</td>
<td>2</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Student Housing statistics are a subset of the On-Campus geography category statistics.

## Clery Act Hate Crime Reporting

**CLERY ACT HATE CRIME REPORTING**

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>Two (2): One public property Intimidation incident characterized by National Origin bias, and one public property Aggravated Assault incident characterized by National Origin bias.</td>
</tr>
<tr>
<td>2016</td>
<td>No Clery-reportable Hate Crimes.</td>
</tr>
<tr>
<td>2015</td>
<td>No Clery-reportable Hate Crimes.</td>
</tr>
</tbody>
</table>

## Clery Act Unfounded Crime Reporting

**CLERY ACT UNFOUNDED CRIME REPORTING**

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>Two (2) unfounded Motor Vehicle Theft reports.</td>
</tr>
<tr>
<td>2016</td>
<td>No unfounded Clery crime reports.</td>
</tr>
<tr>
<td>2015</td>
<td>No unfounded Clery crime reports.</td>
</tr>
</tbody>
</table>
16.3 CLERY ACT GEOGRAPHY

The Clery Act mandates the collection, classification, and reporting of crime reports for alleged crimes that occurred on University-affiliated property. Buildings and property that are considered “University-affiliated” are broken down into categories known as “Clery Act geography.” The following are descriptions of Clery Act geographic locations. Please reference the Clery Act Geography Maps in the Appendix for additional detail on UCSB Clery Act geography.

- **On-Campus:** (i) any building or property owned or controlled by UCSB within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- **On-Campus Student Housing Facilities (subset of the On-Campus category):** any student housing facility that is owned or controlled by UCSB or UC Regents, or is located on property that is owned or controlled by UCSB or UC Regents, and is within the reasonably contiguous geographic area that makes up the campus.

- **Public Property:** all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

- **Non-Campus Building and Property:** (i) any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by UCSB that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Non-campus locations fall within the jurisdiction, protection, and reporting responsibility of different law enforcement agencies (in different cities, counties, states, and/or countries), depending on where the buildings and property are located. On an annual basis, the UCSB Police Department makes a good faith effort to identify all geographic locations that fit within the non-campus Clery geography definition and request Clery crime statistic data from all outside law enforcement agencies that have jurisdiction over those non-campus locations.
16.4 CLERY ACT CRIME DEFINITIONS

The Clery Act applies the crime definitions from the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Program when classifying and counting Clery crimes. The definitions for murder/non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, weapons law violations, drug law violations, and liquor law violations are from the “Summary Reporting System (SRS) User Manual” of the UCR Program. The definitions of fondling, incest, and statutory rape are from the “National Incident-Based Reporting System (NIBRS) Data Collections Guidelines” of the UCR Program. The definitions of hate crimes are from the “Hate Crime Data Collection Guidelines and Training Manual” of the UCR Program. The definitions of dating violence, domestic violence, and stalking (for purposes of Clery Act crime statistics reporting) are from the Violence Against Women Act of 1994 Code of Federal Regulations 668.46(a). It should be noted that Clery crime definitions used for compiling Clery crime statistics are different than California state crime definitions that may be used by law enforcement authorities and prosecutorial agencies as well as UCSB administrative policy definitions for certain crimes.

The Clery crime definitions and counting rules are as follows:

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or the commission of a crime is counted as a murder/non-negligent manslaughter. One offense per victim is counted.

**Manslaughter by Negligence:** The killing of another person through gross negligence. Any death caused by the gross negligence of another is counted as Manslaughter by Negligence. One offense per victim is counted.

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

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. This definition of Rape now includes “Sodomy” and “Sexual Assault with an Object” crime definitions. One offense per victim is counted.

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. One offense per victim is counted.

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One offense per victim is counted.

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. One offense per victim is counted.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. In any instance of Robbery, one offense for each distinct operation (i.e., incident) is counted, including attempts. The number of victims robbed, the number of those present at the robbery, and the number of offenders are not counted.
**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (includes attempts and whether or not an injury has occurred). This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. One offense per victim is counted. If a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, the number of persons assaulted are counted as the number of offenses. Assaults or attempts to kill or murder, poisoning (including the use of date rape drugs), assault with a dangerous or deadly weapon, maiming, mayhem, assault with explosives, and assault with disease are counted as aggravated assaults.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft (this definition excludes burglary/thefts from vehicles). An incident must meet three conditions to be classified as a burglary: (1) there must be evidence of unlawful entry (trespass). Both “forcible entry” and “unlawful entry - no force” are counted. This means that the person did not have the right to be in the structure at the time the incident occurred; (2) the unlawful entry must occur within a structure (a structure is defined as having four walls, a roof, and a door); and (3) the structure was unlawfully entered to commit a felony or theft. One offense per each distinct operation is counted. Burglaries in individual student rooms are considered separate offenses. For burglaries in suites, each bedroom and the common area in a student housing suite is considered a separate dwelling. The burglary of an academic structure is counted as one offense, regardless of the number of interior rooms entered or items stolen if the rooms were all burglarized during the same time frame.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This applies to any self-propelled vehicle that runs on land surface and not on rails (includes all joy-riding incidents and attempts). One offense for each stolen vehicle is counted.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. (includes attempts). Only one offense for each distinct incident of Arson is counted. All of the evidence for any fire not known to be accidental (such as a cooking fire) must be considered by the institutional official designated to make such determinations. At UCSB, the Fire Marshal in Environmental Health & Safety (EH&S) is designated as the institutional official to make such determinations.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim, (b) a person with whom the victim shares a child in common, (c) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on the reporting party’s statement and with consideration for: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse, or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

**Stalking:** Engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress.

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, meth-
Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

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

Hate Crime: A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is a preformed negative opinion or attitude toward a group of persons based on their perceived identity. Although there are many categories of bias, under the Clery Act, only the following eight categories are reported: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias.

Hate Crimes include any of the Part I crimes: Murder, Manslaughter, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson, plus the Additional Crimes listed below. Hate crimes are not reported for Dating Violence, Domestic Violence, Stalking, or Arrests/Disciplinary Referrals for Liquor, Drug, and Weapons law violations.

Additional Crimes that only apply to Clery statistics

IF there is a finding of a hate crime bias based on investigation:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples include pocket picking, purse snatching, shoplifting, theft from building, and theft from motor vehicles.

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.

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.

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). All drugs, without exception, that are illegal under local
or state law where the institution is located is considered a drug law violation. All illegally obtained prescription drugs are considered drug law violations as well.

It should be noted that in California, possession of less than 1 ounce of marijuana on Clery geography is an infraction punishable by a monetary fine. If law enforcement issues a citation and a disciplinary referral is made for a violation of marijuana Health & Safety Codes, then the infraction is counted as a disciplinary referral for a drug law violation. The citation is not considered an arrest statistic for purposes of Clery Act statistics because incidents in which a civil citation is issued, without a criminal penalty imposed, are not to be classified as an arrest for Clery Act purposes. Since the violation of marijuana Health & Safety Code is punishable only by a monetary fine, it is considered to be a civil infraction under California law. Criminal citations in contrast are for offenses that are punishable beyond a simple fine (i.e., jail time).

**Weapons Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

### 17.0 Definitions and Legal Statutes

#### 17.1 OTHER CLERY ACT DEFINED TERMS

The following are additional terms defined by Clery Act regulations.

**Awareness Programs:** Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

**Business day:** Monday through Friday, excluding any day when the institution is closed.

**Bystander Intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of
potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Campus: (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Campus Security Authority (CSA): This term encompasses the following four groups of people: (i) A campus Police department or a campus security department of an institution. (ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus Police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property. (iii) Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a CSA when acting as a pastoral or professional counselor.

Clery Act Geography: (i) For the purpose of collecting statistics on Clery Act crimes for submission to the Department of Education and inclusion in this report and for the issuance of Timely Warnings, Clery Act geography includes: (A) buildings and property that are part of UCSB campus; (B) UCSB’s non-campus buildings and property; and (C) public property within or immediately adjacent to and accessible from the campus. (ii) For the purposes of the Daily Crime Log, Clery Act geography includes, in addition to the locations in paragraph (i) of this definition, areas within UCPD’s patrol jurisdiction.
Federal Bureau of Investigation’s ("FBI") Uniform Crime Reporting ("UCR") Program: Nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in the Clery Act and the requirements for classifying Clery Act crimes.

Hierarchy Rule: A requirement in the FBI’s UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

Non-Campus Building or Property: (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Ongoing Prevention and Awareness Campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Primary Prevention Programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking: (i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that: (A) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and (B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. (ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at current students and employees.

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

Referred for Campus Disciplinary Action: The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Retaliation: Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of Sexual Violence or participation in the investigation, report,
remedial, or disciplinary processes. In addition to the University's prohibition against retaliation, the Clery Act also prohibits retaliation. An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

Risk Reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Test: Regularly scheduled drills, exercises, and appropriate follow through activities, designed for assessment and evaluation of emergency plans and capabilities.

17.2 LOCAL JURISDICTION DEFINITIONS OF VAWA CRIMES

The following are definitions of Violence Against Women Act (VAWA) offenses and VAWA-related terms, as stated in California Penal Codes.

Consent (Definition under California Penal Code §261.6): In [rape] prosecutions … in which consent is at issue, “consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent. Consent is informed. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent (Definition under California Penal Code §261.7): In [rape] prosecutions … in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

Dating Violence: “Dating Violence” is not defined under California law in the criminal code.

Domestic Violence (Definition under California Penal Code §273.5): (a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000), or by both that fine and imprisonment. (b) Subdivision (a) shall apply if the victim is or was one or more of the following: (1) The offender’s spouse or former spouse. (2) The offender’s cohabitant or former cohabitant. (3) The offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship. (4) The mother or father of the offender’s child.

Domestic Violence (Definition under California Penal Code §243(e)(1)): When a battery is committed against
a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship. “Serious bodily injury” means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. “Injury” means any physical injury which requires professional medical treatment. “Dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

Domestic Violence (Definition under California Penal Code §13700(b)): “Domestic violence” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Oral Copulation (Definition under California Penal Code §288(a)): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

Rape (Sexual Intercourse) (Definition under California Penal Code §261):

A. Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act.

2. Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions:
   a. Was unconscious or asleep.
   b. Was not aware, knowing, perceiving, or cognizant that the act occurred.
   c. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
   d. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

5. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
6. Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

7. Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.... The perpetrator does not actually have to be a public official.

B. As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

C. As used in this section, “menace” means any threat, declaration, or act that shows an intention to inflict an injury upon another.

Rape (Spousal) (Definition under California Penal Code §262): Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

- Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
  - As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

- Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.

- Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:
  - Was unconscious or asleep.
  - Was not aware, knowing, perceiving, or cognizant that the act occurred.
  - Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.

- Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

- Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.... The perpetrator does not actually have to be a public official.
Rape (Definition under California Penal Code §263): The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

Sexual Battery (Definition under California Penal Code §243.4):
- Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.
- Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person’s will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.
- Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery.

Sodomy (Definition under California Penal Code §286): Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

Stalking (Definition under California Penal Code §646.9): Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family, is guilty of the crime of stalking. For the purposes of this section, “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. For the purposes of this section, “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.” For the purposes of this section, “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat.

Statutory Rape (Definition under California Penal Code §261.5): Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age. Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. Any person who engages in an act of unlawful sexual intercourse with
a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony…. Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony…. 

17.3 OTHER APPLICABLE LEGAL STATUTES

California Assembly Bill No. 1433 (“Gatto”)

Gatto amended Section 67380 and added Section 67383 of the California Education Code (“Donahoe Higher Education Act”). On September 29, 2014, Governor Brown signed into law AB 1433 (Gatto). The Gatto legislation requires Campus Security Authorities, as defined by the federal Clery Act, to disclose any report of a Part 1 violent crime, hate crime, or sexual assault, as defined in the bill, whether committed on- or-off campus, to the University of California Police Department. Any such report received by a UC Police Department must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency with which that campus has a written agreement pursuant to the Kristin Smart Campus Safety Act of 1998. Under existing law, the governing board of each postsecondary educational institution receiving public funds for student financial assistance shall do all of the following:

1. Require the appropriate officials at each campus within their respective jurisdictions to compile records of both of the following: (A) All occurrences reported to campus police, campus security personnel, or campus safety authorities of, and arrests for, crimes that are committed on campus and that involve violence, hate violence, theft, destruction of property, illegal drugs, or alcohol intoxication. (B) All occurrences of noncriminal acts of hate violence reported to, and for which a written report is prepared by, designated campus authorities.

2. Require any written record of a noncriminal act of hate violence to include, but not be limited to, the following: (A) A description of the act of hate violence. (B) Victim characteristics. (C) Offender characteristics, if known.

3. (A) Make the information concerning the crimes compiled pursuant to subparagraph (A) of paragraph (1) available within two business days following the request of any student or employee of, or applicant for admission to, any campus within their respective jurisdictions, or to the media, unless the information is the type of information exempt from disclosure pursuant to subdivision (f) of Section 6254 of the Government Code, in which case the information is not required to be disclosed. Notwithstanding subdivision (f) of Section 6254 of the Government Code, the name or any other personally identifying information of a victim of any crime defined by Section 243.4, 261, 262,
264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the Penal Code shall not be disclosed without the permission of the victim, or the victim’s parent or guardian if the victim is a minor. (B) For purposes of this paragraph and subparagraph (A) of paragraph (1), the campus police, campus security personnel, and campus safety authorities described in subparagraph (A) of paragraph (1) shall be included within the meaning of “state or local police agency” and “state and local law enforcement agency,” as those terms are used in subdivision (f) of Section 6254 of the Government Code.

(4) Require the appropriate officials at each campus within their respective jurisdictions to prepare, prominently post, and copy for distribution on request, a campus safety plan that sets forth all of the following: the availability and location of security personnel, methods for summoning assistance of security personnel, any special safeguards that have been established for particular facilities or activities, any actions taken in the preceding 18 months to increase safety, and any changes in safety precautions expected to be made during the next 24 months. For purposes of this section, posting and distribution may be accomplished by including relevant safety information in a student handbook or brochure that is made generally available to students.

(5) Require the appropriate officials at each campus within their respective jurisdictions to report information compiled pursuant to paragraph (1) relating to hate violence to the governing board, trustees, board of directors, or regents, as the case may be. The governing board, trustees, board of directors, or regents, as the case may be, shall, upon collection of that information from all of the campuses within their jurisdiction, transmit a report containing a compilation of that information to the Legislative Analyst’s Office no later than January 1 of each year and shall make the report available to the general public on the Internet Web site of each respective institution. It is the intent of the Legislature that the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, the Regents of the University of California, and the governing board of any postsecondary educational institution receiving public funds for student financial assistance establish guidelines for identifying and reporting occurrences of hate violence. It is the intent of the Legislature that the guidelines established by these institutions of higher education be as consistent with each other as possible. These guidelines shall be developed in consultation with the Department of Fair Employment and Housing and the California Association of Human Relations Organizations.

(6) (A) Notwithstanding subdivision (f) of Section 6254 of the Government Code, require any report made by a victim or an employee pursuant to Section 67383 of a Part 1 violent crime, sexual assault, or hate crime, as described in Section 422.55 of the Penal Code, received by a campus security authority and made by the victim for purposes of notifying the institution or law enforcement, to be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency with which the institution has a written agreement pursuant to Section 67381 without identifying the victim, unless the victim consents to being identified after the victim has been informed of his or her right to have his or her personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency, unless the institution determines both of the following, in which case the institution shall disclose the identity of the alleged assailant to the local law enforcement agency and shall immediately inform the victim of that disclosure: the alleged assailant represents a serious or ongoing threat to the safety of students, employee, or the institution; and the immediate assistance of the local law enforcement agency is necessary to contact or detain the assailant. (B) The requirements of this paragraph shall not consti-
tute a waiver of, or exception to, any law providing for the confidentiality of information. (C) This requirement only applies as a condition for participation in the Cal Grant Program established pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42.

(b) Any person who is refused information required to be made available pursuant to subparagraph (A) of paragraph (1) of subdivision (a) may maintain a civil action for damages against any institution that refuses to provide the information, and the court shall award that person an amount not to exceed one thousand dollars ($1,000) if the court finds that the institution refused to provide the information.

(c) For purposes of this section:

(1) “Hate violence” means any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group.

(2) “Part 1 violent crime” means willful homicide, forcible rape, robbery, or aggravated assault, as defined in the Uniform Crime Reporting Handbook of the Federal Bureau of Investigation.

(3) “Sexual assault” includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or the threat of any of these.

(d) This section does not apply to the governing board of a private postsecondary educational institution receiving funds for student financial assistance with a full-time enrollment of less than 1,000 students.

(f) Notwithstanding any other provision of this section, this section shall not apply to the California Community Colleges unless and until the Legislature makes funds available to the California Community Colleges for the purposes of this section.

Education Code 67383:

(a) As a condition for participation in the Cal Grant Program established pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42, the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing board of each private and independent postsecondary institution shall, on or before July 1, 2015, adopt and implement written policies and procedures to ensure that any report of a Part 1 violent crime, sexual assault, or hate crime, committed on or off campus, received by a campus security authority, as defined pursuant to Section 668.46 of Title 34 of the Code of Federal Regulations, as that section existed on May 15, 2014, and made by the victim for purposes of notifying the institution or law enforcement, is immediately, or as soon as practicably possible, forwarded to the appropriate law enforcement agency.

(b) Notwithstanding subdivision (f) of Section 6254 of the Government Code, the report shall be forwarded to the appropriate law enforcement agency without identifying the victim, unless the victim consents to being identified after the victim has been informed of his or her right to have his or her personally identifying information withheld.

(c) For purposes of this section, the appropriate law enforcement agency shall be a campus law enforcement agency if one has been established on the campus where the report was made. If no campus law enforcement agency has been established, the report shall be immediately, or as soon as practicably possible, forwarded to a local law enforcement agency.
(d) For purposes of this section:

(1) “Hate crime” means any offense as described in Section 422.55 of the Penal Code.

(2) “Local law enforcement agency” means a city or county law enforcement agency with operational responsibilities for police services in the community in which a campus is located.

(3) “On or off campus” means the campus and any non-campus building or property as defined in Section 668.46 of Title 34 of the Code of Federal Regulations, as that section existed on May 15, 2014.

(4) “Part 1 violent crime” means willful homicide, forcible rape, robbery, or aggravated assault, as defined in the Uniform Crime Reporting Handbook of the Federal Bureau of Investigation.

(5) “Sexual assault” includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or the threat of any of these.

(e) The requirements of this section shall not constitute a waiver of, or exception to, any law providing for the confidentiality of information.

California Senate Bill 967 ("De Leon")

De Leon added California Education Code 67386. On September 29, 2014, Governor Brown signed into law SB 967 (De Leon). The De Leon legislation requires the Regents of the University of California to adopt a policy concerning sexual assault, domestic violence, dating violence, and stalking involving a student, both on and off campus. Under existing law, the governing board of each postsecondary educational institution receiving public funds for student financial aid is required to adopt and implement written procedures or protocols to ensure that students, faculty, and staff who are victims of sexual assault on the grounds or facilities of their institutions receive treatment and information, including a description of on-campus and off-campus resources.
Education Code 67386:

(a) In order to receive state funds for student financial assistance, the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions shall adopt a policy concerning sexual assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1092(f)), involving a student, both on and off campus. The policy shall include all of the following:

(1) An affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. “Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

(2) A policy that, in the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

(A) The accused’s belief in affirmative consent arose from the intoxication or recklessness of the accused.

(B) The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

(3) A policy that the standard used in determining whether the elements of the complaint against the accused have been demonstrated is the preponderance of the evidence.

(4) A policy that, in the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

(A) The complainant was asleep or unconscious.

(B) The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.

(C) The complainant was unable to communicate due to a mental or physical condition.

(b) In order to receive state funds for student financial assistance, the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions shall adopt detailed and victim-centered policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards. At a minimum, the policies and protocols shall cover all of the following:

(1) A policy statement on how the institution will provide appropriate protections for the privacy of individuals involved, including confidentiality.

(2) Initial response by the institution’s personnel to a report of an incident, including requirements specific to assisting the victim, providing information in writing.
about the importance of preserving evidence, and the identification and location of witnesses.

(3) Response to stranger and nonstranger sexual assault.

(4) The preliminary victim interview, including the development of a victim interview protocol, and a comprehensive followup victim interview, as appropriate.

(5) Contacting and interviewing the accused.

(6) Seeking the identification and location of witnesses.

(7) Providing written notification to the victim about the availability of, and contact information for, on- and off-campus resources and services, and coordination with law enforcement, as appropriate.

(8) Participation of victim advocates and other supporting people.

(9) Investigating allegations that alcohol or drugs were involved in the incident.

(10) Providing that an individual who participates as a complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the institution’s student conduct policy at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

(11) The role of the institutional staff supervision.

(12) A comprehensive, trauma-informed training program for campus officials involved in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases.

(13) Procedures for confidential reporting by victims and third parties.

(c) In order to receive state funds for student financial assistance, the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions shall, to the extent feasible, enter into memoranda of understanding, agreements, or collaborative partnerships with existing on-campus and community-based organizations, including rape crisis centers, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, and including resources for the accused.

(d) In order to receive state funds for student financial assistance, the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions shall implement comprehensive prevention and outreach programs addressing sexual assault, domestic violence, dating violence, and stalking. A comprehensive prevention program shall include a range of prevention strategies, including, but not limited to, empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction. Outreach programs shall be provided to make students aware of the institution’s policy on sexual assault, domestic violence, dating violence, and stalking. At a minimum, an outreach program shall include a process for contacting and informing the student body, campus organizations, athletic programs, and student groups about the institution’s overall sexual assault policy, the practical implications of an affirmative consent standard, and the rights and responsibilities of students under the policy.

(e) Outreach programming shall be included as part of every incoming student’s orientation.
California Victims’ Bill of Rights (Marsy’s Law)

Marsy’s Law significantly expands the rights of victims in California. Under Marsy’s Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.

3. To have the safety of the victim and the victim’s family considered in fixing the amount of bail and release conditions for the defendant.

4. To prevent the disclosure of confidential information or records to the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim’s family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. To refuse an interview, deposition, or discovery request by the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

6. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

7. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim’s family and any sentencing recommendations before the sentencing of the defendant.

11. To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

12. To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

13. To restitution.
   a. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
   b. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
   c. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. To the prompt return of property when no longer needed as evidence.

15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

16. To have the safety of the victim, the victim’s family, and the general public considered before any parole or other post-judgment release decision is made.

17. To be informed of the rights enumerated in paragraphs (1) through (16).
Appendix
Clery Act Geography Maps

UCSB ON-CAMPUS PROPERTIES MAP

UNIVERSITY OF CALIFORNIA, SANTA BARBARA
Clery Act Geography Map

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UC Santa Barbara

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ON-CAMPUS AND PUBLIC PROPERTY MAP

- Green identifies UCSB “on-campus” Clery Act geography.
- Red identifies “public property” Clery Act geography.