

Department of Public Safety

October 2016

# Annual Security & Fire Safety Report



## TABLE OF CONTENTS

<b>A MESSAGE FROM THE DEPARTMENT OF PUBLIC SAFETY</b> -----	<b>3</b>
Mission and Value Statement -----	4
General Department Information -----	4
<b>CAMPUS LAW ENFORCEMENT AND SECURITY</b> -----	<b>4</b>
Enforcement and Arrest Authority -----	4
Criminal Activity Off Campus -----	5
Monitoring and Recording -----	6
<b>SECURITY OF AND ACCESS TO CAMPUS FACILITIES</b> -----	<b>6</b>
Campus Security and Access -----	6
<b>PROCEDURES FOR REPORTING CRIME AND OTHER EMERGENCIES</b> -----	<b>6</b>
Accurate and Prompt Reporting of Criminal Offenses -----	7
Voluntary Confidential Reporting and Anonymous Reporting -----	8
Pastoral and Professional Counselors -----	9
<b>TIMELY WARNING PROCEDURES</b> -----	<b>9</b>
Other Crime/Safety and/or Security Alerts -----	10
Daily Crime and Fire Log -----	10
<b>SECURITY PROGRAMS, SERVICES &amp; RESOURCES</b> -----	<b>10</b>
Security Awareness & Crime Prevention Programs -----	11
<b>EMERGENCY RESPONSE AND EVACUATION PROCEDURES</b> -----	<b>13</b>
Emergency Notification -----	13
Evacuation Procedures -----	14
Annual Notification & Testing of Emergency Response Procedures -----	14
Emergency Preparedness/Response Guides -----	15
<b>FIRE SAFETY</b> -----	<b>20</b>
Reporting a Fire on Campus -----	20
Fire Safety Systems -----	20
Health & Safety Checks -----	21
<b>NOTIFICATION FOR MISSING STUDENTS</b> -----	<b>22</b>
<b>REGISTERED SEX OFFENDER INFORMATION</b> -----	<b>23</b>
<b>HIGHER EDUCATION OPPORTUNITY ACT VICTIM NOTIFICATION</b> -----	<b>23</b>
<b>SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE REPORTING AND RESPONSE STANDARDS AND PROTOCOLS</b> -----	<b>24</b>
I. Introduction -----	24
II. Key Definitions -----	24
III. Privacy and Confidentiality -----	28
IV. Reporting Procedures and Options -----	29
V. Preservation of Evidence and Identification of Witnesses -----	31
VI. Medical and Mental Health Treatment -----	32
VII. Protective Orders and Restraining Orders -----	32
VIII. Accommodations, Safety Measures and Interim Measures -----	32
IX. Investigation -----	33
X. USD Disciplinary Procedures -----	34
XI. Possible Sanctions -----	34
XII. No Retaliation -----	34
XIII. Timely Warnings -----	35
XIV. On-Campus and Off-Campus Resources -----	35

XV. Education and Prevention-----	37
<b>EDUCATIONAL PROGRAMS AND CAMPAIGNS RELATED TO DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT &amp; STALKING -----</b>	<b>37</b>
2015 Educational Programs and Campaigns-----	38
How to Be an Active Bystander -----	44
Risk Reduction Strategies-----	45
<b>ALCOHOL, DRUG &amp; WEAPONS POLICIES -----</b>	<b>46</b>
Alcohol and Other Drugs-----	46
Additional Information Regarding Alcohol -----	46
Alcohol in Residence Halls -----	48
Alcohol and Other Drug Abuse Information-----	48
Annual Notice -----	49
Weapons -----	49
<b>ANNUAL DISCLOSURE OF CRIME &amp; FIRE STATISTICS-----</b>	<b>49</b>
Annual Security & Fire Safety Report-----	49
Reportable Crime Definitions-----	50
Reportable Geographic Areas -----	53
<b>PUBLIC SAFETY RESPONSE AND PATROL AREA MAP-----</b>	<b>54</b>
<b>CRIME STATISTICS CHARTS-----</b>	<b>54</b>
<b>FIRE STATISTICS FOR ON CAMPUS STUDENT RESIDENTIAL FACILITIES -----</b>	<b>59</b>
<b>FIRE SAFETY AMENITIES IN RESIDENTIAL FACILITIES -----</b>	<b>62</b>
<b>APPENDICES -----</b>	<b>63</b>
Appendix A – California Penal Code Definitions -----	63
Appendix B – Definition of Student -----	68
Appendix C – Student Conduct Procedures -----	69
Appendix D – Sanctions -----	76

## A MESSAGE FROM THE DEPARTMENT OF PUBLIC SAFETY

The University of San Diego recognizes and supports the integral role that the Department of Public Safety plays as part of its commitment to academic excellence. Everyone at USD has a role in providing a safe environment in support of the academic excellence for which we strive. We are proud of our history of outstanding service to the USD community and we are also aware of the challenges posed in a campus environment.

The University of San Diego thoroughly evaluates the security needs of the community and continues to consider these needs on an ongoing basis. As a result of such careful analysis, the university has implemented policies aimed at promoting a safe learning and work environment. These policies work in conjunction with Federal, State, and local laws. The Department of Public Safety provides ongoing education and enforcement of these laws and policies at USD. Each member of the USD community is responsible for knowing these policies and complying with them. This report contains many of the specific policies that pertain to the USD community. Please take time to become familiar with them.

This report also details many of the steps taken by the university and the Department of Public Safety to ensure the security of its students, faculty and staff, and it outlines many measures we can each follow to take personal responsibility for our own security and that of the USD community. Although the university and the Department of Public Safety go to great lengths to promote a safe and secure environment, personal safety is an individual responsibility. Each member of our community is strongly encouraged to familiarize themselves with our emergency and disaster response protocols. Together we must take personal responsibility for our own safety, as well as the safety of those around us.

Working together, we will continue to keep USD a safe campus for all.

Chief Larry E. Barnett  
Assistant Vice President for Public Safety  
University of San Diego



The Annual Campus Security Report is published in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)* and is also available at [www.sandiego.edu/safety/documents/annualreport.pdf](http://www.sandiego.edu/safety/documents/annualreport.pdf). It is presented in a Portable Document Format (pdf) file format and can be viewed using Adobe Acrobat Reader. A hard copy of the report may also be obtained by calling the Department of Public Safety at (619) 260-7777 or visiting the Department of Public Safety in the Hughes Administration Center, Room 150.

## **Mission and Value Statement**

The University of San Diego, Department of Public Safety is committed to supporting the university's greater mission of excellence in education and service to the community. As an integral part of the university, we pledge ourselves to a continuing partnership with the campus community to provide a safe and secure environment through community-based public safety. We will achieve our goals by service to the community that reflects respect for the law, dignity to all persons and pride in our profession.

**Service to Our Community:** The people in our campus community are our most important customers. Our motto: "Safety through Education" is not just a slogan it is our way of life. We pledge to work in partnership with the USD community and do our best to provide for its public safety needs.

**Commitment to Integrity:** Integrity is our standard. We are proud of our profession and will conduct ourselves in a manner that merits the respect of all people. We will demonstrate honest, ethical behavior in all our interactions. We must have the courage to always do what is right.

**Respect for People:** The dignity of mankind is a value that we treasure. We believe in treating all people with respect. We show concern for the victims of crime and treat violators of the law with fairness at all times.

**Commitment to Leadership:** Managers, supervisors and team leaders need to be leaders in their areas of responsibility. Making certain that our values become part of our day to day work life is our mandate. We encourage our employees to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential.

## **General Department Information**

The Department of Public Safety (DPS) is located on the main USD campus at 5998 Alcalá Park, San Diego, CA 92110 in Hughes Center, Room 150. The department operates 24 hours a day, 365 days a year.

The Department of Public Safety and Tram Services employs a wide range of personnel demographics. Currently, we employ 47 full-time employees and 4 part-time employees. Of these, 15 are women and 36 are men. The department is made up of persons from various ethnicities including Asian (13%), Black or African American (13%), Hispanic or Latino (35%), and White (39%). Additionally, the department has a vast tenure of employees, ranging from those that have been hired in the past year to those that have worked for the department for over 25 years.

## **CAMPUS LAW ENFORCEMENT AND SECURITY**

### **Enforcement and Arrest Authority**

The Department of Public Safety is not a sworn agency but is granted the authority to enforce University of San Diego policy as established by the Board of Trustees. Pursuant to a memorandum of understanding (MOU) with the San Diego Police Department (SDPD), SDPD is the primary reporting and investigating agency for all violent crimes occurring on USD property. DPS enforces all

other crimes occurring on USD property including alcohol and drug law violations. DPS may call upon SDPD to assist with misdemeanor crimes occurring on USD property. The patrol division of DPS is primarily responsible for handling all emergency calls and crimes in progress but does not have police arrest authority. DPS enjoys a good working relationship with the San Diego Police Department (SDPD), San Diego County Sheriff's Department, California Highway Patrol, and other local, state, and federal law enforcement agencies, which includes training and cooperative investigations for all crimes. The Campus Map located on page 54 indicates the Public Safety response and patrol area along with the reporting area for on-campus crime statistics. The Department of Public Safety has jurisdiction to provide service on USD's owned and controlled property and does not have jurisdictional authority on Public Property. When and if the need arises, Public Safety officers are authorized and directed to make a citizen's arrest of any and all persons creating disturbances against the general peace, interfering with the security of campus facilities or grounds, or interfering with or disturbing the safety and general welfare of the USD community. When such a citizen's arrest is necessary, DPS shall promptly notify SDPD to come and render assistance as needed and necessary.

Officers receive training in criminal law, patrol procedures, firearms, use of force, investigations, report writing, first aid, Cardio Pulmonary Resuscitation (CPR), and in the use of Automatic External Defibrillators. Officers also participate annually in collaborative trainings with other local university law enforcement agencies, and also receive training on varying levels of incident command. In-service training ensures that officers remain capable and up to date in their skills.

The Communications Division of DPS coordinates and supports the events and activities of field personnel from a 24-hour dispatch center located on campus. DPS Dispatchers answer the Department business and Campus emergency lines. The County of San Diego currently provides law enforcement radio communications to the Department of Public Safety. DPS dispatchers have direct communications with the San Diego Police Department via phone and radio as well as other law enforcement agencies, including other campus police departments.

University phone operators answer phone calls that come into the University's main phone line. Callers are either assisted with information, or directed to the appropriate department or area of campus. During special events the phone operators are critical in serving the external community with general campus information, directions and special event information.

Unless otherwise provided for by the Parking Rules and Regulations ([www.sandiego.edu/parking/parking-information/general-parking-information.php](http://www.sandiego.edu/parking/parking-information/general-parking-information.php)), all provisions of the California Vehicle Code relating to traffic upon the highways shall be applicable on USD property. This includes but is not limited to posted speed limits, traffic signs, and other traffic control devices. Covered vehicles include but are not limited to automobiles, trucks, motorcycles, motor scooters, electric carts, bicycles and mopeds. Persons entering USD consent and are subject to enforcement action by officials of the University for violation of any USD regulation, Division 11 of the C.V.C. (Rules of the Road), or any other applicable state law or local ordinance.

### **Criminal Activity Off Campus**

For crimes reported off campus, SDPD has primary jurisdiction. This includes jurisdiction over certain non-campus buildings or properties owned and/or controlled by the University. However, the close relationship between DPS and SDPD allows for SDPD officers to contact the University and provide reports as appropriate and necessary for crimes reported in those locations.

### **Monitoring and Recording**

USD does not monitor or record, through local police agencies, criminal activity by students at non-campus locations of student organizations, as USD does not have any officially recognized student organizations that own or control facilities either on or outside of the USD core campus.

## **SECURITY OF AND ACCESS TO CAMPUS FACILITIES**

### **Campus Security and Access**

The campus, buildings, and facilities of the university are restricted to students, faculty, administrators, staff and guests of the university, except when part or all of the campus, its buildings or facilities are open to the general public for a designated time or purpose, or when used by non-affiliated groups, organizations or individuals that have been granted or approved by authorized university officials.

The main entrances to administrative and academic buildings on campus are to be open to students, faculty, administrators, staff, and guests of the university during normal operating hours. All university buildings and facilities will be locked when they are not open for general use by those who are authorized or permitted to use them. When a university building or facility is not open for general use and is locked, entry to the building or facility may be controlled or limited by the Department of Public Safety. Advance authorization by an appropriate university official may be required before an individual is permitted access to a university building or facility when the building or facility is locked and not open for general use. Residence halls are secured 24 hours a day. Some general-use facilities may have individual hours, which can vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

All employees and students of the university must possess a valid and current university-issued identification card at any time when they are on campus or otherwise engaging in university-related activities. All persons who are on the university campus or participating in university-related activities must provide adequate photo identification, upon request, to any university official and/or DPS officer. Any person who refuses to provide the requested identification may be asked to leave the campus.

DPS officers routinely patrol the campus, and in some cases are assisted by Community Service Officers, who are student employees that provide extra “eyes and ears” for the Department. The University also has an extensive video surveillance system. Security is a consideration when maintaining USD facilities. Security surveys are conducted and examine such factors as landscaping, locks, alarms, propped doors, lighting and malfunctioning emergency phones or video surveillance cameras. Any deficiencies found are reported to Facilities Management for corrective action.

The complete University policy concerning Access to University Buildings, Facilities and Grounds can be found at [www.sandiego.edu/legal/policies/community/safety/access.pdf](http://www.sandiego.edu/legal/policies/community/safety/access.pdf)

## **PROCEDURES FOR REPORTING CRIME AND OTHER EMERGENCIES**

### Accurate and Prompt Reporting of Criminal Offenses

DPS has procedures in place to allow for and facilitate the reporting of criminal offenses and other emergencies occurring on campus in a manner consistent with the requirements of the *Clery Act*. Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to DPS in an accurate and timely manner. In response to a reported crime or other emergency occurring on campus, if assistance is required from SDPD, DPS will contact them immediately. DPS will dispatch an officer to the appropriate location, conduct a preliminary investigation, and prepare a crime report. When appropriate, DPS will investigate the incident further, or forward the crime report to SDPD for additional follow-up. As applicable and necessary, DPS will forward crime reports to the Office of the Dean of Students for student conduct referrals, or to Human Resources for employee conduct referrals.

To report a crime, suspicious activity, or emergency occurring on the USD San Diego campus, contact DPS immediately:

- (619) 260-2222 (emergencies only)
- (619) 260-7777 (non-emergencies)
- Visit Hughes Administration Center, Room 150
- Activate any blue light phone located throughout campus
- Use USD's Safety Check App or my.sandiego.edu portal Safety Check/Safety Reporting Form

To report a crime, suspicious activity, or emergency occurring on the USD Madrid, Spain campus, contact local law enforcement at:

- +34 635 732 711 (USD Madrid Emergency Number)
- 112 Local Emergency Services in Madrid (911 equivalent)

To report a crime occurring off campus or in a non-campus property, contact the San Diego Police Department:

- 911 (emergencies only)
- (619) 531-2000 (non-emergencies)

Individuals may also report incidents or information anonymously at the Department of Public Safety website through the Anonymous Reporting form. The Anonymous Report form is also designed to provide DPS with crime tips, along with reports in which anonymity is desired.

- The Anonymous Reporting form found is online at:  
[www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php).

USD encourages all individuals to accurately and promptly report all crimes to DPS and or SDPD when the victim of a crime elects to, or is unable to, make such a report.

In addition to the Department of Public Safety, representatives in the following areas are available to facilitate reporting a crime to DPS for annual statistical disclosure and Timely Warning purposes.

<b>Office:</b>	<b>Whom:</b>	<b>Location:</b>	<b>Phone:</b>
Department of Public Safety	Any full-time staff	Hughes Room 150	(619) 260-7777



Student Affairs	Donald Godwin, Assistant Vice President and Dean of Students	University Center Room 232	(619) 260-4588
Law Student Affairs	Meredith D'Angelo, Assistant Dean for Law Student Affairs	Warren Hall, Room 218	(619) 260-4651
Human Resources	Nicole Schuessler, Director, Title IX and Equal Employment Opportunity Programs	Maher Hall, Room 101	(619) 260-4594
Human Resources	Karen Briggs, Assistant Vice President and Chief Human Resources Officer	Maher Hall, Room 101	(619) 260-2762
International Center	Kira Espiritu, Director, International Studies Abroad	Serra Hall, Room 315	(619) 260-8835

If a sex offense should occur, staff on scene, including DPS, will offer the survivor a wide variety of services. Student Wellness at the University of San Diego has trained Sexual Assault Responders and CARE advocates who are available to assist sexual assault survivors 24 hours a day. More information regarding the Sexual Misconduct and Relationship Violence Reporting and Response Standards and Protocols ([www.sandiego.edu/conduct/the-code/university-policies/sexual-assault-standards.php](http://www.sandiego.edu/conduct/the-code/university-policies/sexual-assault-standards.php)) as well as on and off-campus resources are included in this publication.

In the event that a reported incident manifests evidence of a hate crime or act of intolerance, DPS will coordinate with multiple offices on campus to provide support services, facilitate an investigation, and to determine an appropriate response. If a reported incident involves a hate crime, DPS and or SDPD will be responsible for the investigation. If a reported incident does not constitute a hate crime but involves an alleged act of intolerance, the incident will be investigated by other designated University officials. For such incidents against students, reports will be forwarded to the Dean of Students. Reports against staff employees will be forwarded to Human Resources, while reports against faculty will be forwarded to the Executive Vice President and Provost, and/or to their respective Dean's office. As appropriate and necessary, a Critical Issues Response Team (CIRT) will be activated to review the incident and determine the appropriate response. For the complete Acts of Intolerance Response Procedures please refer to: [www.sandiego.edu/safety/reporting/hatecrimes/response.php](http://www.sandiego.edu/safety/reporting/hatecrimes/response.php).

### **Voluntary Confidential Reporting and Anonymous Reporting**

Occasionally, victims or witnesses of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice or university judicial systems.

The University of San Diego allows victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Certain university departments may accept confidential reports from a victim. The *Clergy Act*, however, requires these departments to report the crime to the Department of Public Safety. This reporting allows the university to maintain

accurate records on the number of incidents, determine if there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community of an ongoing threat if needed. In cooperation with SDPD, the Department of Public Safety will investigate crimes that are reported directly to them by victims or witnesses.

The purpose of anonymous reporting is to comply with your wish to keep your identity anonymous, while taking steps to ensure the future safety of yourself and others. The Anonymous Reporting form is found online at: [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php).

Crimes reported both confidentially or anonymously are included in the annual statistics and considered for Timely Warnings.

### **Pastoral and Professional Counselors**

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are however encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics.

The rulemaking committee defines counselors as:

- *Pastoral Counselor*: An employee of an institution, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- *Professional Counselor*: An employee of an institution whose official responsibilities include providing mental health or psychological counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

As allowed by the *Clery Act*, pastoral and professional counselors who receive confidential reports are not required to report these crimes to the Department of Public Safety for inclusion into the annual disclosure of crime statistics or for the purpose of a Timely Warning. The University of San Diego however, encourages individuals in these roles to report crimes to DPS for these purposes if and when they deem it appropriate.

### **TIMELY WARNING PROCEDURES**

The University of San Diego Department of Public Safety is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. 1092(f). Timely warnings will be issued in response to reported crimes committed either on campus or, in some cases, off campus that, in the judgment of the University, constitute an ongoing or continuing threat to students and employees.

Timely warnings shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

Anyone with information believed to warrant a timely warning should promptly report the circumstances to the Department of Public Safety by phone at (619) 260-2222 or in person at the dispatch center in the Hughes Administration Center Room 150. The Department of Public Safety will consult, as appropriate and necessary, with other university officials regarding whether a timely warning should be issued. The decision to issue a timely warning shall be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime, the continuing danger or risk to the campus community, and the possible risk of compromising law enforcement efforts. Timely warnings are considered for criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson. Timely warnings may also be issued for other reported crimes as deemed appropriate under the circumstances. The decision will be made in compliance with the Clery Act and in an effort to prevent similar crimes from occurring.

When a determination is made that a timely warning should be issued, the Department of Public Safety will take appropriate steps to ensure timely notification of the campus community. Options for notification include the university's mass notification system (phone, text and email), outdoor notification system, campus-wide e-mails, MySanDiego.edu, or the Department of Public Safety website.

The University policy concerning Timely Warnings can be found at [www.sandiego.edu/legal/policies/community/safety/Timelywarning.pdf](http://www.sandiego.edu/legal/policies/community/safety/Timelywarning.pdf).

### **Other Crime/Safety and/or Security Alerts**

DPS recognizes the importance of alerting the campus community to crimes reported on or off campus that may not meet the criteria of a Timely Warning Notification, but still have the potential to impact the campus community. In these situations, which are also evaluated on a case-by-case basis, DPS will release crime, safety, and/or security alerts that may include physical postings in the impacted campus area, [my.sandiego.edu](http://my.sandiego.edu) portal announcements, and/or DPS website announcements. These alerts will contain a concise summary of the reported incident, directions to contact DPS if there is additional information, and, depending on the situation, specific crime prevention or personal security tips recommended by DPS. These alerts are not intended to serve as Timely Warning Notifications and therefore the same procedures and criteria used for issuing Timely Warning Notices will not be followed when issuing these alerts.

### **Daily Crime and Fire Log**

The University of San Diego's policy is to comply with the *Clery Act*. As a component of compliance, the USD Daily Crime & Fire Log ([www.sandiego.edu/safety/clery-act-compliance/usd-daily-crime-log.php](http://www.sandiego.edu/safety/clery-act-compliance/usd-daily-crime-log.php)), as well as the Madrid Center Daily Crime Log ([www.sandiego.edu/safety/clery-act-compliance/madrid-center-daily-crime-log.php](http://www.sandiego.edu/safety/clery-act-compliance/madrid-center-daily-crime-log.php)), is written and updated by DPS personnel, and contains information regarding crimes and fires reported at USD. The most recent 60 days are available for public inspection at any time in person at the Hughes Administration Center, Room 150, or online. Archived logs are available upon request within two business days.

## **SECURITY PROGRAMS, SERVICES & RESOURCES**

## Security Awareness & Crime Prevention Programs

DPS recognizes the key role education plays in generating security-conscious behavior. Therefore, security awareness and crime prevention programs are designed to inform students and employees about campus security procedures and practices, as well as encourage students and employees to be responsible for their own security and the security of others. Security awareness and crime prevention programs are offered in a variety of formats and can be tailored to meet the changing needs of the campus community. Programs are open to any and all campus community members, and are regularly scheduled throughout the year. Programs address topics such as sexual assault awareness, crime prevention tactics, and personal safety when on or off campus, but can include a variety of other safety and security information. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Individuals and groups are encouraged to contact DPS to schedule a program, or to visit the DPS website at [www.sandiego.edu/safety](http://www.sandiego.edu/safety) for more information.

In addition to formal training, information is disseminated to students and employees through crime prevention brochures, security alert posters, displays, videos, and articles and advertisements in the University newspaper, *The Vista*.

Listed below are samples of the variety of security awareness and crime prevention programs or services that DPS offers:

**Active Shooter Training:** All new faculty and employees receive training on how to respond during an active shooter incident on campus. New employee training is conducted monthly by DPS personnel.

**Athletics: Staying Safe at USD:** Prior to the start of each school year, all new student athletes receive specific training on crime prevention, emergency procedures, and emergency notification. They are also given information on how to contact DPS, bystander intervention, risk reduction, and alcohol and other drug related services.

**Coffee with the Chief:** Members of the USD community are invited to meet with the Chief weekday mornings from 8:30-9:00a.m. for “Coffee with the Chief.” This is an ideal opportunity to express security concerns, meet members of the department, learn about programs offered by DPS, and become an active participant in the USD community.

**College Cab:** When a student is in an unsafe situation off-campus that requires transportation assistance, Orange Cab service provides an alternative means of transportation 24 hours a day, 7 days a week. A student can call Orange Cab at (619) 291-3333, identify themselves as a USD student, ask for the college cab service, provide a pick-up location, and be transported to a safe location. The student will be responsible for paying a \$10 flat fee to the USD Cashier’s Office within two weeks of utilizing the service.

**Community on Patrol (COP):** The COP initiative is aimed at raising safety and crime prevention awareness throughout the campus community (students, faculty, staff and administrators). The goal is to increase the community’s ability to recognize, identify, and prevent many of the typical crimes that Public Safety sees occurring on the University’s campus. By increasing the eyes and ears of Public Safety, we increase our ability to respond to and stop crimes that may be occurring within our community. The COP initiative is an

ongoing program and is offered to both students and employees.

**Community Director and Resident Assistant Security Training:** DPS equips Community Directors and Resident Assistants with the knowledge and tools they need for conducting their own basic crime prevention discussions in their residence halls by providing them with a specialized security training each fall.

**Crime Alert Bulletins:** In addition to USD's Emergency Notification and Timely Warning Procedures, DPS may also issue crime alert bulletins on a case-by-case basis. Public Safety will publish and distribute a crime alert bulletin to notify the campus community as quickly as possible. Crime alert bulletins are available online ([www.sandiego.edu/safety/prevention/alerts.php](http://www.sandiego.edu/safety/prevention/alerts.php)), and in some cases are also posted on the [my.sandiego.edu](http://my.sandiego.edu) portal.

**Emergency Mass Notification Systems:** In the event of an emergency, DPS will employ either or both of our all-campus alert systems. The mass notification system will send a combination of text, email and voicemail concurrently to every community member (student, faculty and staff). Additionally, our outdoor notification system allows DPS to broadcast campus alerts as necessary through speakers located around campus. All community members are encouraged to keep their contact information updated on the [my.sandiego.edu](http://my.sandiego.edu) portal so that they may receive these critical announcements.

**Emergency Telephones:** Emergency telephones are located throughout campus. All of these phones are marked as emergency telephones and many of them are also marked by a blue light on top of the phone. The phones are connected to Public Safety's 24-hour Dispatch Center and identify the phone's location if the caller is unable to talk. The phones can be used to request a safety escort, report suspicious activity, and to report crimes. Some tower phones are also equipped with outdoor notification speakers and video surveillance cameras.

**Orientation Programs:** DPS personnel participate in orientation programs to help educate new students and new employees on crime prevention, security awareness, and fire safety. New student orientation programs occur at the beginning of each semester, and new employee orientation programs occur on a regular basis in coordination with Human Resources.

**Personal Safety Programs:** As requested throughout the year trained DPS officers will present personal safety and security programs to interested groups or individuals on topics such as sexual assault, substance abuse, general crime prevention, fire safety tips and safety while visiting Mexico.

**Property Identification:** In addition to encouraging on-going basic theft prevention (i.e. property identification, keeping records of serial numbers and descriptions of valuable items, etc.), DPS also offers engraving of personal property, free of charge for all campus community members.

**Rape Aggression Defense (R.A.D.):** R.A.D. is a unique crime prevention program that focuses on women's safety and self-defense techniques. The R.A.D. program focuses on the realistic development of self-defense options for women in situations of imminent or actual attack. The techniques taught in a R.A.D. course require no special equipment or skills, and become instinctive with repetition. R.A.D. is for women only and is open to all community members.

Classes are taught continuously throughout the year. Class and contact information is available online at [www.sandiego.edu/safety/prevention/rad.php](http://www.sandiego.edu/safety/prevention/rad.php).

**Resident Hall Floor Meetings:** DPS collaborates with Residential Life staff on individual residence hall meetings at the beginning of every fall semester. Topics such as crime prevention, security awareness, and emergency preparedness are covered. Additionally students are encouraged to ask questions and elaborate on information or experiences they have encountered while on campus.

**Resource Fairs:** DPS personnel are available at various orientation events and campus resource fairs to provide information and tips that encourage individuals to be responsible for their own security and the security of others. Some resources fairs include the Alcalá Bazaar (fall and spring semester), Law School Orientation (fall semester), Graduate Student Resource Fair (fall semester), and the annual Benefits Fair for employees.

**Safety Escort Service:** DPS officers provide safety escort services on campus, 24 hours a day, for campus community members that request them. Simply contact DPS by calling (619) 260-7777 or use any blue emergency phone and an officer will respond to your location and escort you to your desired on-campus location (i.e. classroom, parking lot, residence hall, etc.).

**Security Surveys:** Upon request, DPS will conduct security surveys of campus offices and residences. We recognize that various work and living environments require additional review to enhance the security and safety of those involved.

**Video Surveillance:** Video surveillance cameras are located throughout campus and assist DPS in the prevention and investigation of crimes on campus.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

The University of San Diego has policies in place regarding immediate emergency response procedures as well as policies regarding evacuation procedures. In the event that a situation should arise that warrants the use of these policies, information on the policies and how the campus community will be notified of such an emergency, is included in this section of the ASR.

### **Emergency Notification**

The campus community will immediately be notified upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus. Emergency Notifications will be issued for all incidents occurring on campus that, in the judgment of the Assistant Vice President for Public Safety (Chief), or designee, constitute an immediate threat to the health and safety of the campus community. In the event that an emergency is determined, DPS 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 (including, but not limited to DPS, SDPD and/or SDFD or emergency medical services), compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Anyone with information believed to warrant immediate notification should promptly report the circumstances to DPS by phone at (619)

260-2222, in person at Hughes Administration Center, room 150, or by using an emergency phone on campus.

Once information constituting an immediate threat is received, the Assistant Vice President for Public Safety (Chief), or designee, in conjunction with other University administrators, local first responders and/or the National Weather Service, is responsible for confirming whether a significant emergency or dangerous situation exists and, if so, which segment or segments of the campus community will receive the notification depending upon whether the threat is limited to a particular building or segment of the community. The Assistant Vice President for Public Safety (Chief), or designee, is also responsible for activating the emergency notification procedures by developing the content of the message, and initiating the notification system(s). The Chief will attempt to contact and advise the Vice President University Relations or other senior administrative designee, but will not delay notification if they are not immediately available.

The notification of the campus community will be done by activating the University's mass notification system. This content will be developed and initiated by the Assistant Vice President for Public Safety (Chief), or designee. The University's mass notification system disseminates emergency information to the campus community via concurrent voicemail, text and email notifications. The outdoor notification system may also be used to immediately notify the campus community and is equipped to broadcast announcements and siren tones over outdoor and indoor speakers located throughout campus. DPS may also collaborate with Information Technology Services to post pertinent information on closed circuit televisions and electronic marquees throughout campus and the University website. When possible, other notification methods may include campus-wide emails, physical posting on doors and bulletin boards, my.sandiego.edu portal announcements, and/or the DPS website and the University website. If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency. University Communications will also coordinate, as appropriate and necessary, with local media to provide current and timely information for campus emergencies to the larger non-USD community.

When there is an immediate threat to the health or safety of the students or employees occurring on campus, The University of San Diego will provide appropriate follow up information regarding the incident using the University's mass notification system.

### **Evacuation Procedures**

Some threats to the USD community may require occupants to immediately evacuate buildings or to seek shelter within buildings. Evacuation of buildings will be signaled by activation of the audible fire alarm evacuation systems. The assembly locations have been predetermined and are practiced during evacuation exercises throughout the year. In the event an emergency occurs which dictates safety be sought within university buildings, appropriate information will be announced via the University's Mass Notification system, as well as over DPS patrol vehicle public address systems, if possible.

### **Annual Notification & Testing of Emergency Response Procedures**

The University will, on an annual basis, provide the campus community with a summary of the USD emergency response and evacuation procedures in conjunction with a test (scheduled exercises and drills that contain follow-through activities and are designed for assessment and evaluation of emergency plans and capabilities) that meets all of the requirements of the Higher Education Opportunity Act. The University conducts several emergency response exercises throughout the year

in the form of Emergency Operations Center table top exercises, earthquake drills, campus active shooter trainings and other situation-specific tests, and may include all or segments of the campus community. These tests may be announced and unannounced. Planned activations will be disseminated to the entire campus community by any or all of the following methods: mass email, my.sandiego.edu portal announcements, and DPS website announcements. At a minimum, all resident halls have two publicized evacuation drills annually. Testing of complete campus-wide activation of emergency response and evacuation procedures is conducted a minimum of once a year, usually in conjunction with the state-wide Great California ShakeOut ([www.shakeout.org](http://www.shakeout.org)).

Records for each emergency response and evacuation test will be maintained including information such as the description, time and date of the test, and whether the test was announced or unannounced.

### **Emergency Preparedness/Response Guides**

In advance of a scheduled activation of emergency response procedures, the entire campus community will receive information regarding the specific procedures to follow as it pertains to the emergency/disaster response being tested via a campus-wide email. The University maintains an Emergency Preparedness website that offers detailed emergency response recommendations, [www.sandiego.edu/emergency](http://www.sandiego.edu/emergency). Emergency information is also posted on the interior of every individual residence hall room or apartment entrance door. Additionally, DPS and Residential Life staff collaborate on one large group meeting for new and transfer students, and one individual “floor” meeting for resident students covering basic emergency preparedness and response procedures, including shelter-in-place and evacuation guidelines, held at the beginning of each semester.

In the event of:

#### **...A CAMPUS ACTIVE SHOOTER**

**NOTE:** An individual must use his/her own discretion during an active shooter event as to whether he/she chooses to run to safety or remain in place. However, best practices for an active shooter event are listed below.

The potential for a school shooting exists on every campus throughout the United States. Although the possession of firearms on or around the campus is prohibited, previous local and national shootings dictate the importance and need for a response plan. In the event you observe an individual with any type of weapon on the campus, immediately contact Public Safety at (619) 260-2222.

#### **In an Active Shooter Emergency:**

Make a decision, trusting your instincts, to take action to protect yourself to survive the situation. You generally will have three options:

1. Get away: Can you safely escape?
2. Shelter in Place: Is there a good place to hide?
3. Confront: Will you attack the shooter?

#### **Getting Out:**

- If you can and you deem it safe, get out and get to a safe place.
- You will have to rely partially on instinct.
- Leave belongings behind, but take your cell phone if it is handy.



**Hiding in a Safe Place:**

- Find a hidden location.
- Find protection behind furniture if possible.
- Find a room that locks if you can.
- If possible, close and lock the outside door to the room. Blockade the door with furniture or other heavy objects.
- Close the blinds, turn off the lights, remain quiet, silence cell phones, spread out away from other individuals, and move behind available cover. Stay on the floor, away from doors or windows, and do not peek out to see what may be happening.
- Make a plan with others in the room about what you will do if the shooter enters.
- Make a total commitment to action and act as a team with others.
- Do whatever is necessary to survive the situation.
- If possible and safe to do so, report the location of the assailant.

**If Outside When a Shooting Occurs:**

- Drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place or cover, duck and run to it.
- Move or crawl away from gunfire, trying to utilize any obstructions between you and the gunfire. Remember that many objects of cover may conceal you from sight, but may not be bulletproof.
- When you reach a place of relative safety, stay down and do not move. Do not peek or raise your head in an effort to see what may be happening.
- Wait and listen for directions from Public Safety and/or law enforcement personnel.

**If a Suspect is in Close Proximity:**

- An individual must use his/her own discretion about when he or she must engage a shooter for survival.
- Generally, one can lie motionless and pretend to be unconscious or confront the individual.
- Make a plan as to how you will survive the situation.
- Make a total commitment to action and act as a team with others if possible.
- Do whatever is necessary to survive the situation.

**Help Out:**

- Warn others.
- Help others escape.
- Keep others away from the danger area.
- Help the injured.
- Help others stay calm.

**Calling for Help:**

- If safe to do so, call the appropriate authorities. Do not assume that someone else has reported the incident.

- On Campus: call the Department of Public Safety at (619) 260-2222
- Be persistent; phones may be jammed.
- Calmly identify yourself and your exact location. Remain calm and answer the dispatcher's questions. The dispatcher is trained to obtain the necessary and required information for an appropriate emergency response.
- If safe to do so, stop and take time to get a good description of the suspect. Note race, sex, age, height, weight, hair color, clothing descriptions, scars, marks, tattoos, direction of travel, and name if known.
- If the suspect is entering a vehicle, note color, make and model, body style (2-door, 4-door), license plate, and special details (like damage or bumper stickers). All of this takes only a few seconds and is of the utmost help to the responding officers.
- Although you are not expected to know all of the answers, answer them to the best of your ability. Even though you may think the questioning is wasting valuable time, the information you provide will enable Public Safety dispatchers to dispatch officers and other emergency personnel safely and effectively.

**During your call to Public Safety, you will be asked questions, such as:**

- Where are you? What is the specific location of occurrence?
- What exactly is happening and how do you know? Is it still happening?
- Suspect Description?
- Where is the suspect now? What was his/her last known direction of travel?
- Do you know who the suspect(s) is? If yes, identify them and provide any background knowledge you may have.
- What types of weapons were used? Describe the weapon(s) or other dangerous object(s) if possible, and any visible ammunition:
  - Rifle?
  - Shotgun?
  - Handgun: revolver or automatic?
  - Ammunition: describe type, amount and type of container (metal box, cardboard box, backpack pockets and others)?
  - Knife or other dangerous weapons?
- Were any shots fired? Can you describe the sound and the number of shots fired?
- Are there any wounded and how many? Where are they located?

**When Law Enforcement Arrives:**

- When law enforcement reaches you, do not run at them or make sudden movements.
- The priority of the first responders will be to identify the shooter. Law enforcement will need to ensure that you are not the shooter.
- Do not scream, yell, point, or wave your arms.
- Do not hold anything in your hands that could be mistaken for a weapon (including cell phones).
- Be quiet and compliant.
- Show the officers your empty hands and follow their instructions.
- Give the number of shooters.
- Give the location and physical description of the shooter.

- Give the number and types of weapons.
- When it is safe to do so, you will be given instructions as to how to safely exit your location.

**In the Event that there are Hostages:**

- Call Public Safety and be prepared to give the following information:
  - Identify hostage location in building or area
  - Number of assailants, if known
  - Number of hostages, if known
  - Identity of assailants, if known
  - Any description of assailants and weapons
  - Any demands made by the assailant(s)
- If you are at a distance, move away from the location to a safer area.
- If you can do so safely, evacuate the area to a safer location.
- If possible provide the above information to a Public Safety or Law Enforcement officer once you are in a secure location.

As soon as DPS is aware of an incident, officers will work quickly with other law enforcement officials to safely secure the campus. Situation status updates will be broadcast over the emergency mass notification and outdoor notification systems as soon as possible. The USD website will also be updated as soon as possible with critical information bulletins.

**...AN EARTHQUAKE:**

During an earthquake:

- DROP to the ground; take COVER by getting under a sturdy table or other piece of furniture; and HOLD ON until the shaking stops. If there isn't a table or desk near you, cover your face and head with your arms and crouch in an inside corner of the building.
- If you are in bed, stay there when the earthquake strikes. Hold on and protect your head with a pillow, unless you are under a heavy light fixture that could fall. In that case, move to the nearest safe place.
- If you are in a lab, exit the lab to the corridor. Duck and cover near an interior wall.
- If you are outside, stay in an open area away from buildings, power lines, trees or roadways.
- If you are in a vehicle, pull over and stop. Do not park under an overpass or near a building. Be cautious about driving again, in the event that roads are damaged.

After an earthquake:

- Put on enclosed shoes to protect against broken glass.
- If the power is out use a flashlight, not a match or candle.
- Be alert for safety hazards such as fire, electrical wires or gas leaks, etc. Also, be prepared for potential aftershocks.
- Check on others. If there are injuries or other urgent problems, report them to DPS at (619) 260-222. Give or seek first aid. Assist any disabled or mobility impaired persons with finding a safe place for them.

- Evacuate if the building seems unsafe or if instructed to do so. Use stairs, not elevators. Unplug small electrical appliances. Bring keys, purses/wallets, warm clothing and emergency kits if possible.
- Remain on campus until road conditions are known. The university will broadcast status updates as available over the emergency mass notification and outdoor notification systems. DO NOT use telephones and DO NOT use roadways unless necessary. Keep them open for emergency use.
- Cooperate with emergency personnel, keep informed, and remain calm.

### ...A TSUNAMI:

What to do Before *and* During a Tsunami:

- Turn on your radio or watch local news to learn if there is a tsunami warning or if an earthquake occurs and you are in a coastal area.
- Move inland to higher ground immediately and stay there. The University of San Diego is approximately 230ft above sea level and would be set up for those students living outside of the University that need to evacuate to higher ground.
- Stay away from the beach. Never go down to the beach to watch a tsunami come in. If you can see the wave you are too close to escape it.
- CAUTION - If there is noticeable recession in water away from the shoreline this is nature's tsunami warning and it should be heeded. You should move away immediately and head inland to higher ground.

What to Do After a Tsunami:

- Stay away from flooded and damaged areas until officials say it is safe to return.
- Stay away from debris in the water; it may pose a safety hazard to boats and people.
- Save yourself - not your possessions.

### ...A FIRE:

If you discover a fire in a building on campus:

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- Seek and assist any disabled or mobility impaired persons in evacuating the building. Exit via the stairway.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each occupant should report to their assigned assembly area. Building Safety

managers should report to their assigned assembly area and make sure that occupants have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

- Notify DPS at (619) 260-2222. They will notify the fire department and guide them as quickly as possible to the location of the fire.
- Keep roadways and walkways clear for emergency vehicles.
- Wait for the instructions from DPS or emergency personnel. **DO NOT REENTER THE BUILDING UNLESS INSTRUCTED TO DO SO** by DPS.

## **FIRE SAFETY**

### **Reporting a Fire on Campus**

Any community member who discovers a fire or other burning on campus should immediately contact DPS at (619) 260-2222. DPS will then notify the San Diego Fire Department and guide them quickly to the location of the fire. If a community member finds evidence of a fire that has been extinguished, they should also immediately contact DPS at (619) 260-2222 to ensure that DPS is aware of and has responded to and documented the incident for potential inclusion in the institution's fire statistics.

### **Fire Safety Systems**

Fire alarms or smoke detectors are installed in every campus building, including residential buildings, and alert the occupants of potential hazards when activated. These alarms are connected to control panels that are monitored 24/7 in the DPS Dispatch Center. Upon activation of a fire alarm, indicated by an audible siren, community members must immediately evacuate to their building or residence hall's predetermined evacuation area, exiting through stairwells not elevators. Community members should not reenter any building unless authorized to do so by SDFD or DPS personnel, or in some cases, authorized Residential Life personnel.

Since every building and residence hall is unique, specific evacuation procedures are in place and posted and/or discussed throughout the year.

Fire Safety emergency procedures are communicated through residence hall meetings, new student orientation meetings, and by placards detailing evacuation procedures and locations. New employees receive training and instructions on fire safety and evacuation procedures for their unique workplace during their orientations. In these fire safety education and training programs provided to students and employees, procedures that students and employees should follow in case of a fire are reviewed and include the following:

#### **Student Housing Evacuation Procedures In Case of a Fire:**

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to

the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.

- Residential Life staff members who are present on the floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds, Residential Life staff will shout (example: “there is an emergency in the building leave by the nearest exit”) and knock on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- Seek and assist any disabled or mobility impaired persons in evacuating the building. Exit via the stairway.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. Residential Life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.
- Notify DPS at (619) 260-2222. DPS will notify the fire department and guide them as quickly as possible to the location of the fire.
- Keep roadways and walkways clear for emergency vehicles.
- Wait for the instructions from DPS or emergency personnel. DO NOT REENTER THE BUILDING UNLESS INSTRUCTED TO DO SO BY DPS.

Employees are notified by their specific Building Manager, or the contact person responsible for overseeing the safety of building occupants, in the event of an evacuation or emergency. General evacuation procedures are included in the section of this publication titled “Emergency Response and Evacuation Procedures.”

All individuals are expected to follow fire evacuation procedures, regardless of the nature of the alarm (legitimate or false activation). Specifically for resident students, failure to follow fire evacuation procedures may result in disciplinary action and fines and may jeopardize campus housing privileges.

At this time, the University of San Diego has planned the following fire safety improvements for the upcoming academic year: Missions A Student Residential Suites will have fire sprinklers installed, and the Missions A Suites, Camino Hall and Founders Hall will have upgraded fire alarm systems.

For more information regarding fire detection, notification and suppression systems in residence halls, please refer to the “Fire Safety Amenities in Residential Facilities” section of this document.

### **Health & Safety Checks**

Health and safety checks are an important component to ensure that fire safety systems are in proper working order. The USD Environmental and Safety Specialist completes health and safety inspections on a monthly basis, looking for fire, safety and health hazards as well as inspecting fire protection and detection systems. Health and safety inspections of individual residences on campus are conducted by

Residential Life staff, and are conducted at a minimum of three times a year. Additional unannounced inspections by Residential Life staff are conducted throughout each semester, or as necessary.

These visual inspections by Residential Life staff specifically seek to identify all possible fire, safety and health hazards within residential facilities. Such fire hazards include, but are not limited to, burning incense, burning candles, halogen lamps, exposed heating elements, personal barbecues, and flammable liquids and solvents (i.e. gasoline, kerosene, lighter fluid, propane, etc.). Such items are strictly prohibited in or around any living area, as outlined in the Community Standards terms and conditions reviewed and signed by all resident students at time of check in. Utilization of electrical appliances, including portable electrical appliances, is subject to the evaluation and discretion of the Residential Life Staff.

The University of San Diego prohibits smoking and the use of any smoking or tobacco products at all times on or in any USD-owned or USD-leased property or facility, either indoor or outdoor. Additional fire safety components that are addressed in these inspections include ensuring that fire-rated, emergency exit and/or rolling steel fire doors are not propped open or tampered with, and any misuse and/or tampering of fire equipment (i.e. fire alarms, smoke detectors, fire extinguishers or hoses) has not occurred.

Inspections of safety and health standards in residence halls may include assessments of general room cleanliness, proper use of furniture (i.e. stacked bunks, closet doors, etc.), and properly secured window screens, among other expectations further detailed in the Community Standards. Students found in violation of these standards may be referred for possible disciplinary action.

The USD Environmental and Safety Specialist also conducts annual testing of all buildings outfitted with sprinkler systems. These tests are scheduled and announced to building managers and occupants impacted by the testing, and conducted in coordination with other representatives of the Office of Environmental Health & Safety.

## **NOTIFICATION FOR MISSING STUDENTS**

If a member of the university community has reason to believe that a student is missing, whether or not the student resides on campus, the university requires that individual to immediately contact the University's Department of Public Safety at (619) 260-7777. Public Safety will collaborate with the Division of Student Affairs, other university officials, and/or the appropriate law enforcement agency to make an effort to locate the student and determine his or her state of health and well-being. Public Safety will gather pertinent information about the student from the reporting person or others. Such information may include but is not limited to the student's description, cellular phone number, clothes last worn, vehicle description, information about the student's health or well-being, or an up-to-date photograph.

University officials also will endeavor to determine the student's whereabouts by contacting friends, associates, faculty members, and/or employers of the student, and/or determining whether the student has been attending classes, scheduled organizational or academic meetings, and work. If the student is an on-campus resident, DPS officers may make a welfare entry into the student's room. If the student resides off-campus, DPS may enlist the aid of the neighboring police agency having jurisdiction.

For students living in an on-campus housing facility, USD allows the option to identify a designated missing person contact or contacts whom the institution shall notify within 24 hours of the determination that the student is missing. Resident students can designate this contact person by logging in to [my.sandiego.edu](http://my.sandiego.edu) and clicking on “Torero Hub” then “Safety Check”. This contact information will be registered confidentially and will be accessed only by authorized campus officials and law enforcement and may not be disclosed outside of a missing person investigation.

For residential students and for students who live off-campus, notices will be made to each of the following individuals within 24 hours of Public Safety’s determination that the student is missing:

- The student’s parent or guardian. The university is required by law to notify the student’s custodial parent or guardian if the student is under age 18 and is not emancipated at the time he or she is determined to be missing. If the student is age 18 or over, notification may be provided to the student’s parent or guardian, in addition to any other person identified as the student’s designated emergency contact.
- Local law enforcement personnel, unless the local law enforcement agency was the entity that made the determination that the student is missing.
- The student’s designated emergency contact (if any). Students are given the opportunity through the [my.sandiego.edu](http://my.sandiego.edu) portal, to designate an individual to be contacted by the university if the student is determined to be missing or otherwise in the case of an emergency. The designation will remain in effect until changed or revoked by the student.

After the student has been located, Public Safety will attempt to verify the student’s state of health, well-being, and intention of returning to campus. When and where appropriate, a referral may be made to the Counseling Center, the Student Health Center, and/or a community provider. The University policy regarding Missing Student Notification can be found at: [www.sandiego.edu/legal/policies/community/safety/missingstudent.pdf](http://www.sandiego.edu/legal/policies/community/safety/missingstudent.pdf).

## **REGISTERED SEX OFFENDER INFORMATION**

The University of San Diego’s policy is to comply with the federal Campus Sex Crimes Prevention Act. This Act requires registered sex offenders to provide notice to the State “of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student...” Thus, any registered sex offenders who are currently employees, students, or carry on other vocations at USD will be required to notify the State of California of their status. In addition, such institutions of higher education are required to provide information to their campus community regarding where to obtain law enforcement information concerning such registered sex offenders (Megan’s Law sex offenders). The Office of the Attorney General of California maintains a website, [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov), which provides information regarding Megan’s Law and a registered sex offender locator. Please note, however, that it is illegal under California law to use any disclosed public information to commit a crime against any registrant or to engage in illegal discrimination or harassment against any registrant.

## **HIGHER EDUCATION OPPORTUNITY ACT VICTIM NOTIFICATION**



The University of San Diego 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 the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE REPORTING AND RESPONSE STANDARDS AND PROTOCOLS**

### **I. Introduction**

The University of San Diego is committed to upholding standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. Sexual misconduct and relationship violence in any form are antithetical to the university's mission and core values, violate university policy, and may also violate federal and state law.

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 et seq., is a federal law that prohibits discrimination on the basis of sex in education programs and activities by educational institutions that receive federal financial assistance. Prohibited sex discrimination includes sex harassment. Prohibited sex harassment, in turn, includes but is not limited to sexual assault and other forms of sexual violence.

The Violence Against Women Reauthorization Act of 2013 ("VAWA"), including the Campus Sexual Violence Elimination Act ("Campus SaVE Act") amending the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), is a federal law that requires colleges and universities to have procedures in place to respond to incidents of sexual assault, domestic violence, dating violence, and stalking. All such offenses are prohibited by the university.

The university maintains a Policy Prohibiting Discrimination and Harassment ([www.sandiego.edu/legal/policies/community/institutional/discrimination.pdf](http://www.sandiego.edu/legal/policies/community/institutional/discrimination.pdf)) that includes sexual harassment among its prohibited behaviors and that applies to all employees and students. Sexual Misconduct and Relationship Violence are forms of sex harassment prohibited by that policy, whether the conduct at issue occurred on or off campus. In order to address its responsibilities under Title IX and the VAWA, the university has implemented these reporting and response standards and protocols specifically to address incidents of Sexual Misconduct and Relationship Violence. In addition, and in compliance with the Clery Act, these standards are issued to inform the campus community of the university's programs to address and prevent sexual assault, domestic violence, dating violence, and stalking, as well as the procedures for institutional disciplinary action in cases that are reported to the university, whether the conduct occurs on or off campus.

All students, faculty, administrators and staff at the university are expected to be familiar with and to abide by these Standards and Protocols.

### **II. Key Definitions**

- "Alleged Offender" is any individual who is alleged to have committed an act or acts of Sexual Misconduct or Relationship Violence.

- “Complainant” is a person who reports that he or she has allegedly experienced an act or acts of Sexual Misconduct or Relationship Violence.
- “Consent” is an affirmative, conscious and voluntary agreement to engage in sexual activity. It is an informed decision made freely, actively and voluntarily by all parties. 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. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent cannot be obtained by threat, coercion, or force. Furthermore, a current or previous dating or sexual relationship between the persons involved should never by itself be assumed to be an indicator of consent. Being intoxicated does not diminish one’s responsibility to obtain consent.

A person cannot give consent if he or she (1) is a minor (under age 18); (2) has a mental disorder or developmental or physical disability that renders him or her incapable of giving consent, and this is known or reasonably should have been known to the Alleged Offender; (3) is unconscious of the nature of the act, and this is known to the Alleged Offender; or (4) is incapacitated from alcohol or other drugs, and this condition is known or reasonably should have been known to the Alleged Offender. Some indicators that an individual is or may be incapacitated due to intoxication may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, or inability to perform other physical or cognitive tasks without assistance.

For the purpose of this policy, “consent” also includes conduct defined under California Penal Code Section 261.6. California Penal Code definitions are found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).

In the evaluation of any complaints in any University disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the Alleged Offender accused believed that the Complainant consented to the sexual activity under either of the following circumstances: (a) the Alleged Offender’s belief in affirmative consent arose from the intoxication or recklessness of the Alleged Offender; or (b) the Alleged Offender did not take reasonable steps, in the circumstances known to the Alleged Offender at the time, to ascertain whether the Complainant affirmatively consented.

In the evaluation of any complaints in any University disciplinary process, it shall not be a valid excuse that the Alleged Offender believed that the Complainant affirmatively consented to the sexual activity if the Alleged Offender 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.

- “Dating Violence” means 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. 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. Dating violence also includes conduct that is in violation of California Penal Code Section 13700. California Penal Code definitions are found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).

- “Domestic Violence” means 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. Domestic violence also includes conduct that is in violation of California Penal Code Section 13700. California Penal Code definitions are found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).
- “Relationship Violence” includes Dating Violence and Domestic Violence.
- “Sexual Assault” is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Physical contact of a sexual nature includes, but is not limited to, touching or attempted touching of another person's breasts, buttocks, inner thighs, groin, or genitalia, either directly or indirectly, or sexual penetration (however slight) of another person's oral, anal or genital opening. Sexual assault includes, but is not limited to, rape, sodomy, oral copulation, sexual battery, sexual penetration with an object, forcible fondling (e.g. unwanted touching or kissing for purposes of sexual gratification), or threat of sexual assault. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely.

For the purpose of this policy, “sexual assault” also includes any sexual offense, as defined by the Clery Act, which meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Those definitions are as follows:

- “Rape” is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- “Fondling” is defined as the touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
- “Incest” is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by laws.

- “Statutory rape” is defined as sexual intercourse with a person who is under the statutory age of consent.

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 the consent of the victim, including instances where the victim is incapable of giving consent.”

For the purpose of this policy, sexual assault also includes any conduct in violation of California Penal Code Sections 261, 285, or 243.4. California Penal Code definitions are found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).

- “Sexual Exploitation” is sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her own advantage or benefit or for the benefit or advantage of anyone other than the exploited party; and that behavior does not otherwise constitute sexual assault. Examples of sexual exploitation include, but are not limited to, videotaping or photographing of any type (web-cam, camera, Internet exposure, etc.) without knowledge and consent of all persons; prostituting another person; knowingly transmitting HIV or a sexually transmitted disease to an unknowing person or to a person who has not consented to the risk; or inducing incapacitation with the intent to commit sexual assault, without regard to whether sexual activity actually takes place.
- “Sexual Harassment” is a form of sex discrimination prohibited by Title IX. It is unwelcome conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of the person’s employment or education; submission to or rejection of such conduct by a person is used as the basis for a decision affecting the person’s employment or education; or such conduct has the purpose or effect of unreasonably interfering with a person’s employment or education or creating an intimidating, hostile, or offensive employment or educational environment. Prohibited conduct can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature.
- “Sexual Misconduct” includes Sexual Harassment, Sexual Assault, Sexual Exploitation and Stalking.
- “Stalking” means 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 to suffer substantial emotional distress. For the purpose 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.

Stalking also includes any conduct that is in violation of California Penal Code Section 646.9(a). California Penal Code definitions are found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).

- “Student” shall have the same meaning as that contained in the Student Code of Rights and Responsibilities. “Student” is also defined in Appendix B.

### III. Privacy and Confidentiality

The university is committed to protecting the privacy of all individuals involved in a report of Sexual Misconduct or Relationship Violence. In any report made under these Standards and Protocols, the privacy interests of those involved will be protected in a manner consistent with the need to respond to and to conduct a thorough review of the incident reported. Information will be shared only with those individuals who have a legitimate need to know the information in order to assist in the response to, investigation and/or resolution of the complaint. By only sharing personally identifiable information with individuals on a need-to-know basis, the university will maintain as private any accommodations or protective measures to the extent that doing so would not impair the ability of the university to provide those accommodations or protective measures. Please see Section IV below for information about reporting procedures and options.

Confidentiality, on the other hand, is not the same as privacy. Confidentiality means that the information shared with a certain university employee or outside professional cannot be disclosed to others without the express permission of the individual who shared the information.

Individuals who wish to obtain confidential assistance without making a report to USD may do so by speaking confidentially with professionals who are obligated by law to maintain confidentiality, subject to the stated terms of confidentiality by that office. At USD, students may speak confidentially with any of the following:

- **Counseling Center** psychologists, psychiatric providers, care coordinators, or psychology trainees  
Serra Hall 300  
(619) 260-4655  
[www.sandiego.edu/usdcc](http://www.sandiego.edu/usdcc)
- **Center for Health and Wellness Promotion** providers and psychology trainees  
Hahn University Center 161  
(619) 260-4618  
[www.sandiego.edu/chwp](http://www.sandiego.edu/chwp)
- **University Ministry** pastoral counselors or members of the clergy who work for USD (provided that the communication occurs with the counselor or clergy member in his/her pastoral role).  
Hahn University Center 238

(619) 260-4735  
www.sandiego.edu/ministry

Information shared with these confidential sources will not be shared with USD without consent, unless the disclosure is specifically permitted or required by law, such as when the circumstances pose an imminent risk of harm to self or others or where the report involves the suspected abuse of a minor under the age of 18.

The university does not publish the names of crime victims or other identifiable information regarding victims in its daily crime log or in the annual crime statistics that are disclosed in compliance with the Clery Act. Furthermore, if a timely warning is issued pursuant to the Clery Act on the basis of a report of sexual assault, domestic violence, dating violence, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

For further information about on-campus and off-campus resources, see Section XIV below.

#### **IV. Reporting Procedures and Options**

USD strongly encourages all members of the university community to report information about any incident of Sexual Misconduct or Relationship Violence as soon as possible, whether the incident occurred on or off campus. Reports can be made either to USD or to law enforcement.

USD *requires* all faculty members, administrators, supervisors, and any employees who have responsibility for student welfare to promptly report information about any incident of Sexual Misconduct or Relationship Violence to USD as provided below, unless the employee is required by law to keep that information confidential by virtue of his or her professional role (e.g. the employee received the information in his or her role as a psychological counselor or a pastoral counselor). In addition, those employees who have been informed by the Department of Public Safety that they are “Campus Security Authorities” under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) are legally required to report such incidents to the Department of Public Safety. All such employees to whom an incident is reported should strongly encourage the reporting party, whether it is the individual who allegedly experienced the act or acts of Sexual Misconduct or Relationship Violence or a third party, to speak directly with the Title IX Coordinator, a CARE Advocate, and/or the Department of Public Safety.

- **Reporting to the University of San Diego**

A report to USD of an incident of Sexual Misconduct or Relationship Violence should be made to any of the following:

- **Title IX Coordinator.** The Title IX Coordinator can be reached in Maher Hall 101 in the Department of Human Resources or at (619) 260-4594. For more information about the Title IX Coordinator, please see [www.sandiego.edu/titleix](http://www.sandiego.edu/titleix).
- **Trained Campus Assault Resources and Education (CARE) Advocate.** You may reach a CARE Advocate at any time, 24 hours a day/7 days a week, through the Department of Public Safety’s Dispatch Office at (619) 260-2222. When you call, you should ask specifically to speak with a CARE Advocate and you may do

so without providing any information other than your contact information so that a CARE Advocate can contact you.

CARE Advocates are specially trained to provide support to USD students who are impacted by Sexual Misconduct or Relationship Violence. For more information about the CARE Advocate Program, including a list of CARE Advocates with their direct contact information during regular business hours, please see [www.sandiego.edu/CARE](http://www.sandiego.edu/CARE).

- **USD's Department of Public Safety.** You may reach USD's Department of Public Safety in Hughes 150 or by calling (619) 260-2222 at any time, 24 hours a day/7 days a week. For more information about the Department of Public Safety, please see [www.sandiego.edu/safety](http://www.sandiego.edu/safety).

Where the matter involves allegations of sexual assault or other criminal conduct and/or the matter involves the safety of any member of the USD community, the Department of Public Safety will notify law enforcement of a report of Sexual Misconduct or Relationship Violence. If the incident is alleged to have been perpetrated against an individual under age 18, appropriate notifications will be made as required by California law addressing the mandatory reporting of incidents of child abuse and neglect.

In every case, the CARE Advocate or the Department of Public Safety will inform the Title IX Coordinator of the report. In addition, if the incident involves a university employee, the Chief Human Resources Officer will be informed of the report.

An individual who has experienced an incident of Sexual Misconduct or Relationship Violence may report the incident at any time, regardless of how much time has elapsed since the incident occurred. USD is committed to supporting the rights of a person reporting an incident of Sexual Misconduct or Relationship Violence to make an informed choice among options and services available.

USD will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

- **Reporting to Law Enforcement**

An incident of Sexual Misconduct or Relationship Violence can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911.

At the Complainant's request, USD will assist the Complainant in contacting law enforcement. If the Complainant decides to pursue the criminal process, USD will cooperate with law enforcement agencies to the extent permitted by law. A Complainant has the option to decline making his or her report to law enforcement but is strongly encouraged to do so.

As stated above, where the matter involves allegations of sexual assault or other criminal

conduct and/or the matter involves the safety of any member of the USD community, the Department of Public Safety will notify law enforcement of a report of Sexual Misconduct or Relationship Violence. A Complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement.

- **Making an Anonymous Report**

An individual may report an incident of Sexual Misconduct or Relationship Violence anonymously at [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php).

An anonymous report does not require the disclosure of the name of the person making the report or the names of individuals involved, and the anonymous report may, but need not, request any particular action. Depending on the amount of information available about the incident or the individuals involved, USD's ability to respond may be limited.

## **V. Preservation of Evidence and Identification of Witnesses**

Any individual who has experienced an act or acts of Sexual Misconduct or Relationship Violence is encouraged to take steps to preserve evidence, as doing so may be necessary to the proof of a criminal act or to obtain a protection order from the court.

In order to preserve evidence, the urge to change clothes, bathe, shower, douche, change clothing or clean the bed or linens where the incident occurred should be resisted. If clothing is changed, each garment should be placed in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g. pictures, texts, social media posts, videos, etc.), preserve copies.

Additional steps that can be taken to preserve evidence include, but are not limited to, the following:

- **Medical-Legal Evidence Collection (SART Exam)**

A person who has experienced an incident of Sexual Misconduct or Relationship Violence (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails a police report and interaction with the police and the County's Sexual Assault Response Team (SART) at an off-campus medical facility. Prompt collection of physical evidence through an exam is important should a person later decide to pursue criminal prosecution and/or a civil action. For more information regarding the SART exam, or if you wish to get a SART exam without reporting the incident to USD, please contact the Center for Community Solutions Hotline (888-385-4657) ([www.ccssd.org/get-help/hotline](http://www.ccssd.org/get-help/hotline)).

- **Non Investigative Report (NIR)**

A person who wishes to have physical evidence collected pursuant to an incident of Sexual Misconduct or Relationship Violence, but does not wish to have law enforcement investigate the incident, may have this evidence collected at one of the SART facilities in San Diego County. This non-investigative SART reporting process is to allow DNA and other physical evidence to be collected and stored in the event a victim decides to initiate the investigative process at a later time. This evidence may include SART kits, clothing, or other items collected, sexual assault exam report forms, and photographs. For more information regarding the NIR option, or if you wish to pursue the NIR option without reporting the incident to USD, please contact the Center for Community Solutions Hotline



(888-385-4657) ([www.ccssd.org/get-help/hotline](http://www.ccssd.org/get-help/hotline)).

In addition, an individual who has experienced an act or acts of Sexual Misconduct or Relationship Violence is encouraged to identify potential witnesses.

## **VI. Medical and Mental Health Treatment**

A person who has experienced or otherwise been impacted by an incident of Sexual Misconduct or Relationship Violence is urged to seek appropriate medical and/or mental health treatment as soon as possible. When the incident is reported to USD, USD will help the individual get to a safe place and seek medical attention.

The following medical treatment options are available:

- For emergency situations, contact 911 or go to the nearest hospital emergency room.
- A list of local hospitals can be found on the USD Student Health Center website at [www.sandiego.edu/healthcenter/resources](http://www.sandiego.edu/healthcenter/resources).
- For non-emergency situations during regular business hours, students may visit the USD Student Health Center, located in Maher Hall, Room 140, (619) 260-4595, [www.sandiego.edu/healthcenter](http://www.sandiego.edu/healthcenter). To contact a provider after regular business hours, contact the Department of Public Safety at 619-260-2222.
- For other resources offered at USD or in the San Diego community, please see Section XIV below.

## **VII. Protective Orders and Restraining Orders**

A Complainant may seek a protective order, a restraining order, or other similar order issued by the court. At the Complainant's request, the Department of Public Safety will assist the Complainant in making the request. If an order is issued by the court, and if USD is notified of the order, the Department of Public Safety will take appropriate action to support its enforcement on USD property or at USD-sponsored events. Additional information about protective orders and restraining orders that can be obtained through the court is available through the Center for Community Solutions ([www.ccssd.org](http://www.ccssd.org)) and through the San Diego Superior Court ([www.sdcourt.ca.gov](http://www.sdcourt.ca.gov)).

## **VIII. Accommodations, Safety Measures and Interim Measures**

After a report is made and prior to a final determination, USD will provide written notification to the Complainant of options for accommodations, safety measures, and interim measures. USD will implement appropriate accommodations, safety measures, and interim measures to protect the Complainant and the needs of others involved in the incident, if so requested by the Complainant or others involved in the incident and if such measures are reasonably available, regardless of whether the Complainant chooses to make his or her report to local law enforcement or participate in any law enforcement investigation. The implementation of these measures typically is coordinated by or under the supervision of the Title IX Coordinator or the Dean of Students.

These measures may include, but are not limited to:

- the implementation of a USD-issued no-contact order

- academic accommodations
- residential accommodations
- transportation accommodations
- employment accommodations
- safety consultations with the Department of Public Safety
- personal protection devices
- on-campus escorts

If USD receives a report that a USD-issued no-contact order has been violated, USD will investigate the report and initiate appropriate disciplinary proceedings and sanctions if the individual is found responsible for the violation.

Referrals also may be made to on-campus offices for information regarding student financial aid, immigration and visa assistance, leaves of absence, or other matters relating to the student's enrollment.

Until the matter is resolved, and when necessary and appropriate to protect the safety and well-being of the parties involved, the Dean of Students, in consultation with the Title IX Coordinator, may limit an Alleged Offender's access to certain USD facilities or activities or may impose an interim suspension. Interim measures taken with respect to USD employees will be implemented in consultation with the Title IX Coordinator in a manner consistent with the university's processes applicable to the employee.

## **IX. Investigation**

USD will respond promptly and equitably to all reports of Sexual Misconduct or Relationship Violence to ensure the safety of the individuals involved and the USD community, in order to provide an environment that is free from gender and sex discrimination.

When a report is made, USD will initiate an investigation which typically will be conducted either by or under the supervision of the Title IX Coordinator, the Department of Public Safety, or one of their designees.

If a Complainant requests that his or her name or other identifiable information not be shared with the Alleged Offender or that USD not pursue an investigation or take any other action, USD will balance this request with its obligation to protect the Complainant and provide a safe and non-discriminatory environment for all USD community members. In these circumstances, USD will take all reasonable steps to investigate and respond to the report consistent with the request for confidentiality or request not to pursue an investigation, but its ability to respond may be limited by the request for confidentiality. USD will weigh the request for confidentiality against various factors, including but not necessarily limited to the following: the seriousness of the alleged conduct, any potential threats to campus safety, the respective ages and positions of the Complainant and Alleged Offender, whether there have been other complaints against the Alleged Offender, whether the Alleged Offender has a record of any prior acts of violence, and whether the circumstances suggest there is an increased risk of future acts of sexual violence under similar circumstances. USD will seek to respect the request of the Complainant, and where it cannot do so, USD will keep the Complainant informed about USD's chosen course of action. The Title IX Coordinator and the Dean of Students

are responsible for evaluating confidentiality requests.

Upon the conclusion of the fact-finding investigation, the findings are shared with those individuals at USD who have a legitimate need to know the information in order to respond to or resolve the complaint.

### **X. USD Disciplinary Procedures**

Complaints of Sexual Misconduct or Relationship Violence against a USD student will be addressed pursuant to the Student Conduct Procedures contained in USD's Student Code of Rights and Responsibilities ([www.sandiego.edu/conduct/the-code](http://www.sandiego.edu/conduct/the-code)). A copy of the Student Conduct Procedures can be found in Appendix C.

Complaints of Sexual Misconduct or Relationship Violence against a USD employee will be addressed pursuant to USD's Policy Prohibiting Discrimination and Harassment ([www.sandiego.edu/legal/policies/community/institutional/discrimination.pdf](http://www.sandiego.edu/legal/policies/community/institutional/discrimination.pdf)) and the procedures applicable to the employee. If termination of a faculty member is contemplated, applicable rules governing dismissal for serious cause will be followed.

Typically, the period from commencement of an investigation through resolution will not exceed sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement for a temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for USD breaks or vacations, to account for the complexities of a case, including the number of witnesses and amount of information provided by the parties, and for other legitimate reasons. The Complainant and the Alleged Offender will be provided with periodic updates as to the status of the investigation.

### **XI. Possible Sanctions**

The sanctions generally applicable to a student who is found responsible for violating USD's Student Code of Rights and Responsibilities is found within the Sanctions section ([www.sandiego.edu/conduct/the-code/sanctions.php](http://www.sandiego.edu/conduct/the-code/sanctions.php)) of the Code. Possible sanctions can also be found in Appendix D. Engaging in Sexual Misconduct or Relationship Violence is a violation of USD's Student Code of Rights and Responsibilities and will result in the imposition of one or more such sanctions against the Alleged Offender, up to and including suspension or expulsion.

Sanctions against an employee who is found to have engaged in Sexual Misconduct or Relationship Violence may include, but are not limited to, verbal or written warnings, suspension, or termination from employment with USD. If termination of a faculty member is contemplated, applicable rules governing dismissal for serious cause will be followed.

### **XII. No Retaliation**

USD prohibits retaliation against any person who makes a good faith complaint of an incident of Sexual Misconduct or Relationship Violence or any other person who participates in the investigation of any such complaint. Any incident of retaliation should be promptly reported to the Title IX Coordinator, the Dean of Students, the Department of Public Safety, or the Chief Human Resources Officer.

### **XIII. Timely Warnings**

When an incident of Sexual Misconduct or Relationship Violence that is reported to USD discloses an alleged crime that constitutes an ongoing or continuing threat to the USD campus community, USD may issue a timely warning in a manner consistent with the requirements of the Clery Act and USD's Timely Warning Policy:

[www.sandiego.edu/legal/policies/community/safety/timelywarning.pdf](http://www.sandiego.edu/legal/policies/community/safety/timelywarning.pdf).

### **XIV. On-Campus and Off-Campus Resources**

Any individual who has been impacted by Sexual Misconduct or Relationship Violence is encouraged to seek appropriate help, whether or not the individual chooses to report the incident to USD. Specific on-campus and off-campus resources for counseling, health, mental health, victim advocacy, legal assistance and other services are listed below, and information about those resources is provided in writing to students and employees.

- **USD Campus Resources**

- **CARE Advocates**, (619) 260-2222 (Public Safety Dispatch)  
[www.sandiego.edu/CARE](http://www.sandiego.edu/CARE)  
Specially trained USD community members are available to support students impacted by Sexual Misconduct or Relationship Violence. CARE Advocates will help students understand reporting options, access support services, and identify concerns and accommodations. In addition, CARE Advocates will facilitate a report to the Title IX Coordinator, the Department of Public Safety and/or law enforcement.
- **Counseling Center**, Serra 300, (619) 260-4655  
(for after hours emergencies, call (619) 260-2222)  
[www.sandiego.edu/usdcc](http://www.sandiego.edu/usdcc)  
Students may access confidential counseling services from licensed professionals and interns through the USD Counseling Center. See Privacy and Confidentiality, Section III above.
- **Student Health Center**, Maher 140, (619) 260-4595  
(for after hours emergencies, call (619) 260-2222)  
[www.sandiego.edu/healthcenter](http://www.sandiego.edu/healthcenter)  
Student Health Center professional staff members are available to provide primary health care to and promote the health and well-being of USD students. If a Student Health Center health practitioner treats a student who is suffering from a physical injury that is the result of assaultive or abusive conduct, reports to local law enforcement will be made as required by California Penal Code Section 11160.
- **Center for Health and Wellness Promotion**, Hahn University Center 161  
(619) 260-4618  
[www.sandiego.edu/chwp](http://www.sandiego.edu/chwp)  
The Center for Health and Wellness Promotion provides USD students with a comprehensive array of health and wellness promotion initiatives and clinical alcohol and other drug services. See Privacy and Confidentiality, Section III above.

- **Title IX Coordinator**, Department of Human Resources, Maher 101, (619) 260-4594  
[www.sandiego.edu/titleix](http://www.sandiego.edu/titleix)  
 The Title IX Coordinator monitors and oversees USD's compliance with Title IX and the prevention of sex harassment and discrimination, including the coordination of education and training activities and the response to Title IX complaints. The Title IX Coordinator receives complaints of sex harassment and participates in the coordination of accommodations and interim measures for parties impacted by an incident, including those described in Section VIII above and facilitating access to on-campus resources and offices.
- **University Ministry**, University Center 238, (619) 260-4735  
[www.sandiego.edu/ministry](http://www.sandiego.edu/ministry)  
 University ministers are available to provide support and confidential pastoral care to students in need. See Privacy and Confidentiality, Section III above.
- **Office of the Dean of Students**, University Center 232, (619) 260-4588  
[www.sandiego.edu/studentaffairs](http://www.sandiego.edu/studentaffairs)  
 The Assistant Vice President for Student Affairs/Dean of Students or his/her designee is available to provide support to students and to facilitate the response to and resolution of any complaints made under USD's Student Code of Rights and Responsibilities.
- **Department of Public Safety**, Hughes Administration Center 150  
 (619) 260-2222 (available 24/7)  
[www.sandiego.edu/safety](http://www.sandiego.edu/safety)  
 The Department of Public Safety is responsible for a wide range of activities that contribute to the safety and security of the campus community, including but not limited to crime prevention programs, responding to reports of crimes and medical emergencies, facilitating reports made to the law enforcement, and providing other general assistance.
- **Women's Center**, Student Life Pavilion 420, (619) 260-2396  
[www.sandiego.edu/womenscenter](http://www.sandiego.edu/womenscenter)  
 The Women's Center is a student-centered learning community that provides resources and engages women and men in educational dialogue around gender-related issues. The Women's Center advocates for a safe, supportive campus environment that promotes equity among all voices.
- **San Diego Community Resources**
  - **Center for Community Solutions**, (858) 272-5777  
[www.ccssd.org](http://www.ccssd.org)  
 The Center for Community Solutions (CCS) is an organization whose mission is to end relationship and sexual violence by being a catalyst for caring communities and social justice. CCS provides a wide range of prevention and education programs and response services for those impacted by domestic violence and sexual assault. CCS provides a 24 hour hotline and legal, victim advocacy, counseling, and shelter and

transitional services.

- **San Diego Domestic Violence Hotline**, (888) 385-4657
- **San Diego Community Medical Resources.**  
See Section VI above.
- **San Diego Family Justice Center**, (866) 933-4673  
[www.sandiego.gov/sandiegofamilyjusticecenter](http://www.sandiego.gov/sandiegofamilyjusticecenter)  
Located in downtown San Diego at 1122 Broadway, Suite 200, San Diego, CA 92101, the San Diego Family Justice Center is a public safety initiative launched by the City of San Diego to assist victims of family violence.

### **XV. Education and Prevention**

USD provides prevention and awareness programs on Sexual Misconduct and Relationship Violence to the campus community in order to create and maintain an environment that is safe and inclusive and that respects the dignity of each USD community member. USD is committed to the prevention of Sexual Misconduct and Relationship Violence through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related education. USD also provides programs addressing safe and positive options for risk reduction and bystander intervention.

USD strongly encourages all USD community members to take reasonable and prudent actions to prevent or stop an act of Sexual Misconduct or Relationship Violence. Taking action may include direct intervention (where doing so does not present a safety risk), calling USD's Department of Public Safety or law enforcement, or seeking assistance from a person in authority.

### **EDUCATIONAL PROGRAMS AND CAMPAIGNS RELATED TO DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING**

The University of San Diego engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking. These programs 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. Additionally these programs consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The below list of educational programs and campaigns promote awareness of dating violence, domestic violence, sexual assault, and stalking and include both primary prevention and awareness programs for all incoming students and new employees, as well as ongoing awareness and prevention campaigns, sustained over time, directed at students and employees.

These programs include:

- A statement that the University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by the Clery Act. Clery Act definitions can be found in the “Sexual Misconduct and Relationship Violence Reporting and Response Standards and Protocols – Key Definitions” section above
- Reference to the definitions of dating violence, domestic violence, sexual assault, stalking, and consent (in reference to sexual activity) as defined by the California Penal Code. California Penal Code definitions can be found in Appendix A and online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).
- A description of safe and positive options for bystander intervention. Bystander intervention means 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
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Information on risk reduction in no way encourages victim blaming.

## 2015 Educational Programs and Campaigns

- **You are USD**  
*January 2015 and August 2015; New Undergraduate and Transfer Students<sup>1,3,4</sup>*  
You are USD is an orientation program and campaign for all new undergraduate and transfer students. The program includes a presentation, video, and discussion which provides new students with information about sexual and relationship violence, sexual assault, sexual exploitation, bystander intervention, risk reduction, consent, and reporting protocols.
- **MyStudentBody Essentials Course**  
*July-August 2015; New Undergraduate and Transfer Students<sup>1,3,4</sup>*  
The MyStudentBody Essentials Course is an online training required of all incoming first year and transfer students the summer before arriving on campus. Topics include sexual assault/violence awareness, reporting protocols, risk reduction strategies, and bystander intervention. Additionally there is a required 60 day follow-up to the MyStudentBody course which includes a sexual assault/violence awareness follow-up module.
- **Third Week Check-in**  
*September 2015; New Undergraduate and Transfer Students<sup>1,3,4</sup>*  
All first year students are required to attend a wellness check-in during the third week of classes. Information provided relates to recognizing the impact of sexual violence, the importance of consent, the responsibility for bystander intervention to protect our community, and identifying CARE as a resource for those impacted by sexual violence. Topics addressed - sexual violence, sexual assault, relationship violence, bystander intervention, risk reduction, consent, and reporting protocols.
- **Student Athlete Orientation**

*August 2015; New Undergraduate and Transfer Student Athletes*<sup>1, 3, 4</sup>

This presentation served to help students recognize sexual assault as an issue within our community, how to be an effective bystander, and presented information about campus and community resources available for those impacted by sexual or relationship violence.

- **First-Year Student Community Dialogue**

*October 2015; New Undergraduate Students Living in the Maher and 'Missions A' Residence Halls*<sup>1, 3, 4</sup>

Resident Assistants in the Maher and 'Missions A' Residence Halls hosted a community dialogue event for first-year residents centered on healthy behaviors regarding alcohol use, relationships, and being an active bystander. Each topic was presented in a short workshop format. Resources, including information for the Center for Health and Wellness Promotion and CARE, were distributed.

- **Graduate Student Orientation**

*August 2015; New Graduate Students (College of Arts and Sciences, School of Leadership and Education Sciences, Law and Paralegal, Business, Nursing, and Peace and Justice Studies)*<sup>1, 3, 4</sup>

New Graduate Students attended a presentation about wellness concerns to ensure success in Graduate School. Topics included information about sexual violence/assault, CARE and reporting protocols

- **New Faculty Orientation**

*August 2015; New Tenure Track Faculty, New College of Arts and Sciences Faculty, New Full-time Faculty, and New Adjunct Faculty*<sup>1</sup>

At new faculty orientation, faculty members received a "Faculty Orientation Guide" which included the university's policy prohibiting discrimination and harassment, and procedures for complaints. Additionally, information was provided about federal and state law relating to sexual misconduct and relationship violence and the university's private and confidential resources and reporting protocols. Finally, wellness resources were provided to faculty including information regarding sexual violence and reporting protocols as well as a "Faculty and Staff Action Guide to Helping Students in Distress" folders.

- **New Temporary Employee Orientation**

*Fall 2015; New Temporary Employees*<sup>1</sup>

This orientation training is offered to all new temporary hires. In this orientation, the university's policy preventing harassment and discrimination are reviewed and distributed, including an explanation of where to go if there is a complaint.

- **Campus Assault Resources Education (C.A.R.E.)**

*On-going; Entire Campus Community*<sup>1, 2, 3, 4</sup>

Campus Assault Resources and Education (C.A.R.E.) is the University of San Diego's primary effort to provide support, resources and education to the student community pertaining to sexual assault and sexual exploitation. The C.A.R.E. website, business cards, and brochures are designed to provide USD community members with important information about support and resources available to all USD students who have been or may be impacted by sexual assault, dating and domestic violence, stalking, and sexual exploitation.

- **Sexual Assault Awareness Week**



*April 2015; Entire Campus Community*<sup>2,3,4</sup>

Sexual Assault Awareness Week is an annual week in April that serves to raise awareness about sexual violence and the profound impact it has on the USD community, empower survivors of sexual violence, and call for an end to all forms of sexual violence. During Sexual Assault Awareness Week community members could participate in the following:

- **Clothesline Project** - Displayed in various locations across campus, the clothesline offers space for those affected by sexual or relationship violence to express their emotions by decorating a shirt. They then hang the shirt on a clothesline to be viewed by others as testimony to the problem of violence against women.
- **"Hunting Ground" Documentary and Panel Discussion** - The panel discussion following the viewing of the documentary included information about the university's efforts in preventing and responding to sexual assault, an overview of the reporting process, and community member perspectives on the issue.
- **"I Am Rising"** - Photo Exhibit
- **"Shatter the Silence"** - Open Mic Night
- **My Masculinity Helps** - Documentary & Discussion. This workshop focused specifically on the role of black men in addressing and preventing sexual assault.
- **Take Back the Night** - An annual event that serves to empower survivors of sexual violence and call for an end to all forms of sexual violence.

- **Walk a Mile in Her Shoes**

*October 2015; Entire Campus Community*<sup>2</sup>

USD students demonstrated their commitment to putting an end to sexual and relationship violence by participating in an international movement called "Walk a Mile in Her Shoes." "Walk a Mile in Her Shoes" is a men's march to stop rape, sexual assault, and gender violence. It invites men to bring attention, in a playful way, to the serious issue of domestic violence by walking in women's high heels. This event highlights that taking a stand against domestic violence can be uncomfortable, intimidating and even isolating.

- **Red Flag Campaign**

*October 2015; Entire Campus Community*<sup>2,3</sup>

The Red Flag Campaign is a public awareness campaign designed to address dating violence and promote the prevention of dating violence on college campuses. The campaign was created using a bystander intervention strategy, encouraging friends and other campus community members to "say something" when they see warning signs ("red flags") for dating violence in a friend's relationship.

- **Domestic Violence Awareness Campaign**

*October 2015; Entire Campus Community*<sup>2</sup>

An effort to raise awareness about the issue of domestic violence, fans at the USD Homecoming Game were given purple ribbons and "End the Silence. Stop Domestic Violence" wristbands as they entered the football stadium. During half-time, fans were provided with statistics about domestic violence amongst college-age students.

- **"Take the Pledge" Campaign**

*October 2015; Entire Campus Community*<sup>2,3</sup>

Offered throughout the month of October, campus community members were invited to sign

a pledge on display in the Student Life Pavilion as well as at the Homecoming game that read, "This pledge is a personal commitment to help keep women and men safe from sexual assault and relationship violence. It is a promise not to be a bystander to the problem, but to be a part of the solution. I pledge to recognize that non-consensual sex is sexual assault, even in a relationship; to intervene in situations where sexual assault or relationship violence may occur; to create an environment in which sexual assault and relationship is unacceptable and survivors are supported; to not be a bystander."

- **Raise the Red Flag: An Interactive Dinner and Discussion**

*October 2015; Entire Campus Community*<sup>2</sup>

The Women's Center hosted a dinner centered on discussing dating violence and healthy relationships using examples seen in current media to explore how relationship behaviors are demonstrated and perceived.

- **Sexual Violence Prevention Bulletin Boards**

*On-going, Residential Students*<sup>2,3</sup>

Sexual Violence Prevention Bulletin Boards have been put up by Resident Assistants in every Residence Hall on campus.

- **Sexual Violence: Let's Talk About It, Let's END It event**

*September 2015, Open to All Students*<sup>2,3</sup>

A campus-wide program/performance highlighting what consent is and how students can be an active bystander. Talked about sexual violence and how to prevent it through an examination of cultural ideologies, attitudes and behaviors that allow it to flourish.

- **Pi Kappa Phi Presentation on Bystander Intervention**

*November 2015; Pi Kappa Phi Members*<sup>2,3</sup>

The presentation addressed basic information about bystander intervention and gave an overview of resources available for USD students impacted by sexual and relationship violence.

- **Delta Tau Delta Presentation on Sexual Assault Prevention**

*November 2015; Delta Tau Delta Members*<sup>2,3</sup>

Presentation to Delta Tau Delta. The presentation covered bystander intervention, consent, and USD resources for those impacted by sexual and relationship violence.

- **Student Athlete Speaker Series: Healthy Relationships/Sexual Violence**

*October 2015; Men's Basketball Team and Men's Baseball Team*<sup>2,3</sup>

Information presented about healthy relationships and sexual violence. Content included indicators of healthy relationships, how to give/receive affirmative consent, tips for bystander intervention, and information on campus resources.

- **Viewing and Discussion of Escalation Film Trailer from the One Love Foundation.**

*November 2015; Student Athlete Advisory Committee*<sup>2,3</sup>

The movie trailer depicts a relationship that portrays male-on-female violence from the euphoric beginning to the tragic end. The group discussion following the trailer pointed out examples and discussed how those directly involved (friends and bystanders) can be blind to

clues, hints and controlling behavior. Such a simple phrase (I Love You) can take on a different meaning in an unhealthy relationship; escalating from a statement of care/adoration to one of control. Drew attention to the warning signs of an unhealthy and potentially dangerous relationship scenarios. Student athlete shared and role played how one might intervene when encountering these issues.

- ***Bridges: Building a Supportive Community Online Training***

*Started October 2015 and On-Going; Faculty, Staff, Administrators*<sup>2</sup>

This 45 minute online training was implemented to provide further education to the campus community about the Campus SaVE Act and sexual violence and other forms of sexual harassment.

- ***Think About It Online Training***

*Started September 2015 and On-Going; Students*<sup>2</sup>

This 45 minute online training was implemented to provide further education to the campus community about the Campus SaVE Act and sexual violence and other forms of sexual harassment.

- ***Rape Aggression Defense (R.A.D.)***

*On-going; All Community Members*

R.A.D. is a unique crime prevention program that focuses on women's safety and self-defense techniques. The R.A.D. program focuses on the realistic development of self-defense options for women in situations of imminent or actual attack. The techniques taught in a R.A.D. course require no special equipment or skills, and become instinctive with repetition. R.A.D. is for women only and is open to all community members. Classes are taught continuously throughout the year.

- ***You are USD Website***

*On-going; Entire Campus Community*<sup>2,3,4</sup>

The "You are USD" website houses content and resources for healthy relationships which include topics on sexual violence, relationship violence, bystander intervention, risk reduction and highlights C.A.R.E. resources.

- ***Alcala Bazaar***

*February 2015 and September 2015; All Students*<sup>2</sup>

Tabling event for all students regarding campus and community resources.

- ***Preceptorial Assistant Training***

*August 2015; Preceptorial Assistants*<sup>2</sup>

Training for new and returning Preceptorial Assistants. Discussed Student Wellness Services and highlighted C.A.R.E.

- ***Resident Assistant Training***

*January 2015, Summer 2015, August 2015; Resident Assistants*<sup>2,3</sup>

Training designed to increase awareness of sexual assault and its scope within the USD community; review and practice protocol for reporting an incident of sexual or relationship violence; discuss approaches to bystander intervention; and offer space for RAs to ask

questions.

- **Resident Minister Training**

*November 2015; Resident Ministers*<sup>2</sup>

Training for USD Resident Ministers on the CARE program, and responding to disclosures of sexual and relationship violence as a responsible employee. Resource cards were distributed to those in attendance.

- **Residential Life Professional Staff Training**

*August 2015; Assistant Directors, Community Directors, and Assistant Community Directors*<sup>2</sup>

In this presentation, information was provided about federal and state law relating to sexual misconduct and relationship violence, the current landscape of sexual assault on college campuses, the impact that sexual assault and relationship violence on victim/survivors and the university's private and confidential resources and reporting protocols.

- **Faculty/Staff Outreach**

*On-going; Law School Faculty/ Staff, Study Abroad Faculty/ Staff, Copley Library Faculty/ Staff, Auxiliary Staff, Board of Trustees, School of Nursing Faculty/ Staff, Student Affairs Staff and Development Team and the Law School Administration, SOLES Staff Members, Emerging Leaders Staff, School of Engineering Faculty, School of Business Administration Faculty*<sup>2</sup>

Provided wellness resources to faculty via in person training, including information regarding sexual violence and reporting. The “Faculty and Staff Action Guide to Helping Students in Distress” folders were also provided.

- **Campus Wide Awareness Video**

*On-going; Entire Campus Community*<sup>2</sup>

Video geared to raise awareness by sharing information on the prevalence of sexual assault and relationship violence and available campus resources.

- **Greek Life Peer Discussions**

*On-going; Greek Life Community*<sup>2</sup>

Outcomes of the sessions were that participants would recognize how their socialization of gender impacts their understanding of sexual violence; recall definitions related to relationship and sexual violence; participate in a restorative justice dialogue circle; practice facilitation skills in restorative justice dialogue circles; and be aware of USD policies regarding sexual violence and can refer others to support services available.

- **Man Up? Masculinity and Pop Culture**

*September 2015; Male Students*<sup>2</sup>

This men's workshop provided a cultural analysis of how masculinity is represented, and how that representation so frequently has negative repercussions in men's lives. The discussion also explored the role men play in addressing sexual violence within our community.

- **Sexual Assault Awareness Training for Greek Life Student Leaders**

*January 2015; Greek Life Student Leaders*<sup>2</sup>

Outcomes of the sessions were that participants would recognize how their socialization of gender impacts their understanding of sexual violence; recall definitions related to relationship

and sexual violence; participate in a restorative justice dialogue circle; practice facilitation skills in restorative justice dialogue circles; and be aware of USD policies regarding sexual violence and can refer others to support services available.

- **Student Support Services - Bridge Mentor Training**

*August 2015; Student Support Services Mentors*<sup>2</sup>

Session outcomes were for mentors to engage in dialogue around gender socialization, sexual assault and relationship violence, behaviors around alcohol and other drugs, and recognize campus resources pertaining to sexual assault and relationship violence

Key:

<sup>1</sup> Primary prevention and awareness programs for new employees and new students.

<sup>2</sup> On-going prevention and awareness campaigns for students and employees

<sup>3</sup> Programs provided information on “How to be an Active Bystander”

<sup>4</sup> Program provided information on “Risk Reduction”

### **How to Be an Active Bystander**

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk. 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. Bystanders play a critical role in the prevention of sexual misconduct and relationship violence. At the University of San Diego we are a community of Active Bystanders who strive to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

We encourage all community member to learn to recognize the warning signs when someone is in danger and step in to prevent it. Active bystanders learn how to recognize and safely intervene in potentially dangerous situations. Sometimes this means distracting someone who appears to be targeting someone who is too drunk to consent. Other times, it means reaching out to USD staff or the police for help.

Some simple steps to becoming an Active Bystander include:

- Notice the situation: Be aware of your surroundings.
- Interpret it as a problem: Do I recognize that someone needs help?
- Feel responsible to act: See yourself as being part of the solution to help.
- Know what to do: Educate yourself on what to do.
- Intervene safely: Take action but be sure to keep yourself safe.

How to Intervene Safely:

- Tell another person. Being with others is a good idea when a situation looks dangerous.
- Ask the individual if they are okay. Provide options and a listening ear.
- Ask the person if they want to leave. Make sure that they get home safely.
- Call the police (911)
- Call the Department of Public Safety at (619) 260-2222 for support and options.

Acting as a community helps USD to be a safe place. Remember these tips when you are out:

- **Have a plan.** Talk with your friends about your plans for the night **BEFORE** you go out. Do you feel like *drinking*? Are you interested in *hooking up*? Where do you want to go? Having a clear plan ahead of time helps friends look after one another.
- **Go out together.** Go out as a group and come home as a group; never separate and never leave your friend(s) behind.
- **Watch out for others.** If you are walking at night with friends and notice a woman walking by herself in the same direction, ask her to join you so she doesn't have to walk alone.
- **Diffuse situations.** If you see a friend coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract, or redirect the situation. If you are too embarrassed or shy to speak out, get someone else to step in.
- **Trust your instincts.** If a situation or person doesn't seem "right" to you, trust your gut and remove yourself, if possible, from the situation.<sup>1</sup>

For further information regarding how to be an active bystander visit: [www.sandiego.edu/care](http://www.sandiego.edu/care)

### Risk Reduction Strategies

Risk reduction strategies can be helpful in understanding the context of violence, but are never meant to attribute blame to victims for their behavior, decisions, or judgments. The perpetrator of abuse and violence is always the one responsible. There are strategies to assist with reducing risk, safety planning and recognizing abusive behaviors as harmful.

The adapted list below comes from RAINN, the nation's largest anti-sexual violence organization:

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time earn your trust before relying on them.
- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Protect your drink.** Don't leave your drink unattended, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out.
- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a

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<sup>1</sup> University of New Hampshire Sexual Harassment & Rape Prevention Program. (n.d.). *Be an Active Bystander*. Retrieved September 2, 2014, from <http://unh.edu/sharpp/bystander>

situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't.

For more information about risk reduction strategies visit:  
[www.rainn.org/articles/staying-safe-campus](http://www.rainn.org/articles/staying-safe-campus) or [www.sandiego.edu/care](http://www.sandiego.edu/care)

## **ALCOHOL, DRUG & WEAPONS POLICIES**

### **Alcohol and Other Drugs**

Under various University of San Diego policies the illegal use, possession or sale of alcohol and other drugs is strictly prohibited on campus. The University of San Diego also strictly prohibits violations of state underage drinking laws. The University of San Diego complies with the requirements of the Drug-Free Schools and Campuses Act and the Drug-Free Workplace Act.

The Department of Public Safety has the primary responsibility for the enforcement of both federal and state alcohol and drug laws on-campus, including enforcement of state underage drinking laws. The Department of Public Safety strictly enforces federal and state drug laws, which are also a violation of USD Policies and Procedures. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. For information concerning what conduct is or is not prohibited, please contact Student Affairs, Dining Services or Human Resources. Individuals, organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

### **Additional Information Regarding Alcohol**

- The university expects all members 21 years of age or older to conduct themselves in a reasonable manner while consuming alcohol, and consuming only an amount that would keep that person within the level appropriate for maintaining a clear level of reason. Possession or consumption of alcohol is permitted only in designated areas approved by the university, and by person(s) 21 years of age or older.
- All students of the University of San Diego and their guests and visitors are subject to California State Law and the University of San Diego's alcohol policy regarding possession and consumption of alcohol.
- Possession and consumption of alcohol is permitted by persons 21 years of age or older only in private rooms within university residence halls, where at least one assigned resident is 21 years of age or older, except as noted below. Possession, consumption and storage of alcohol is prohibited in all residential common areas, e.g., lobbies, public lounges, hallways, stairwells, common bathrooms, landings, common kitchens, balconies, patios, closets or outdoor areas.
- It is a violation to be in the presence of anyone using a controlled substance (this includes alcohol if it is being consumed illegally).
- Furnishing alcohol to a person under the age of 21 years on university property or at a

university-sponsored event is prohibited.

- No possession or consumption of alcohol is permitted by anyone in private residence rooms, within university residence halls where all of the assigned residents are under 21 years of age.
- No possession or consumption of alcohol is permitted in the Camino/Founders or Maher Residence Halls.
- In a room where alcohol consumption is permitted, no more than six (6) guests, 21 years of age or older, may be present while alcohol is being consumed, and no guests under 21 years of age may be present in the room while alcohol is being consumed. When alcohol is being consumed, all room doors must be closed.
- Movement between residence rooms where alcohol consumption is permitted with any type of receptacle containing alcohol is prohibited.
- Public display of intoxication while on university property or at a university-sponsored event is prohibited. Behavior on campus or at a University-sponsored event that is disruptive or destructive as the result of intoxication will subject the offender to corrective action.
- Harm to persons or damage to university property arising from the actions of intoxicated individuals on the premises of the university will be the full and sole responsibility of such individuals.
- Establishment of a private bar, storage of excessive quantities of alcohol or possession and/or use of a tap or keg is prohibited in all Residence Hall areas.
- Compliance with all requests by Residential Life or Public Safety personnel for proof of 21-year-old status is required. Failure to comply with such a request will subject an individual to serious disciplinary sanctions up to and including expulsion from the university.
- Any student who encourages another to consume alcoholic beverages or any substance as a means to induce that individual to engage in behavior that would otherwise be against that person's will is subject to disciplinary action.
- Driving while under the influence of alcohol is prohibited.
- Under special circumstances, granted by the Vice President for Student Affairs/Dean of Students or his/her designee, in advance of a function, permission for alcohol consumption may be granted if:
  - The event is sponsored by a registered campus organization and violations of the University Alcohol Policy are the responsibility of the individual and the sponsoring organization(s) or its representatives.
  - The facility being utilized is to be scheduled through Campus Scheduling.
  - The sponsoring organization(s) and its representative(s) establish and maintain strict controls for the events and will ensure that no minors consume, are served, or transport alcoholic beverages to the facility or area.
  - The event shall be considered a closed function open to the members of the sponsoring group and their invited guests *only*.
  - Required administrative procedures will be followed and forms completed.
  - Associated Students and the Office of Student Affairs will not allocate funds to student organizations for off-campus events where alcohol is served, with the exception of instances where a proprietor with a liquor license assumes full responsibility for the selling, dispensing and control of any alcohol available to guests or participants at the event.
  - Any and all types of advertising for any event, on or off campus, must not include information that alcohol will be served. This includes public media such as *The Vista*,



campus calendars, student newsletters, flyers, banners, posters or invitations. The mention of alcoholic beverages cannot be included in advertising for the event, in any manner (i.e., words or phrases).

### **Alcohol in Residence Halls**

No one under 21 years of age may drink alcohol. Also, no more than six guests may be present when alcohol is being consumed. Students of legal age can consume alcohol in the following areas according to policy:

- San Buenaventura apartments
- San Antonio de Padua apartments
- Alcalá Vista apartments
- Manchester Village apartments
- Presidio Terrace apartments
- University Terrace apartments

Compliance with all requests by Residential Life or Public Safety personnel for proof of 21 year-old status is required, and failure to comply with such a request will subject an individual to sanctions from the university.

Absolutely no alcohol consumption is permitted in the following residence halls:

- Camino Hall
- Founders Hall
- Maher Hall
- Missions A and B Halls
- First-year floors of the San Antonio de Padua apartments

### **Alcohol and Other Drug Abuse Information**

The University of San Diego strives to prevent alcohol and other drug- related problems by educating students about personal and social consequences associated with the abuse of alcohol and other drugs. The Center for Health & Wellness Promotion (CHWP) is committed to advancing knowledge of alcohol and other drug related issues at USD through the implementation of evidence-based prevention practices, programs, and services. As part of the Wellness Area, the department is committed to creating a welcoming and inclusive community characterized by opportunities for physical, social, spiritual, emotional, and cultural growth. The Center for Health and Wellness Promotion provides individual clinical consultations, group sessions, 12-step facilitation and support, and referrals. For a complete listing of student services, and to view the University's biennial review, please visit [www.sandiego.edu/chwp](http://www.sandiego.edu/chwp).

In addition, confidential counseling services are available to students at the Center for Health and Wellness Promotion ([www.sandiego.edu/chwp](http://www.sandiego.edu/chwp)) and the Counseling Center ([www.sandiego.edu/usdcc](http://www.sandiego.edu/usdcc)). Any University community member, who is concerned about substance use, abuse, and/or rehabilitation, is strongly encouraged to contact his or her family physician or health plan. Employees may seek help through the University's Employee Assistance Program. For information about the University's Employee Assistance Program, please contact the Department of Human Resources ([www.sandiego.edu/hr](http://www.sandiego.edu/hr)).

## **Annual Notice**

In compliance with the Drug-Free Schools and Communities Act of 1989, the University distributes annually in writing to employees and students information regarding:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees
- A list of applicable legal sanctions under federal, state, or local laws for the unlawful possession or distribution of illicit drugs and alcohol
- A description of the health risks associated with the abuse of alcohol or use of illicit drugs
- A list of drug and alcohol programs (counseling, treatment, rehabilitation, and re-entry) that are available to employees or students
- A clear statement that the institution will impose disciplinary sanctions on students and employees for violations of the standards of conduct and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution.

For more information regarding this notice for employees please visit: [www.sandiego.edu/hr](http://www.sandiego.edu/hr)

For more information regarding this notice for students please visit:

[www.sandiego.edu/chwp/documents/Part86.pdf](http://www.sandiego.edu/chwp/documents/Part86.pdf)

## **Weapons**

Possession of weapons (including but not limited to: fireworks, explosive devices, dirks, daggers, knives (whether fixed or folding having a blade length longer than 2.5 inches; unless the knife is being used lawfully in or around a residence or residential facility or for lawful use in food preparation or consumption), firearms of any type, air rifles, air pistols, pellet/BB guns, paintball guns, or other devices capable of expelling a projectile with force of air pressure or spring action, any type of non-functional replica weapon, potato guns, blow guns, spear guns, sling shots, bows and arrows, swords, any other form of weapon, sporting instrument, self-defense instrument, ammunition for any purpose (live or inert) and or any weapon possessed or used in violation of the California Penal Code) are absolutely prohibited. As a private university, USD is permitted to impose a more stringent weapons policy than on public property. Please note that certain items and behaviors that are legal under California law are prohibited on the USD campus, and that appropriate disciplinary measures will be pursued in the event that an individual is found to have violated University of San Diego weapons policy.

## **ANNUAL DISCLOSURE OF CRIME & FIRE STATISTICS**

### **Annual Security & Fire Safety Report**

All reported Clery Act crimes, which occurred on or within the institution's identified Clery Geography, are included as a statistic in this publication, which is compiled and published by the Department of Public Safety on a calendar year basis pursuant to the requirements of the *Clery Act*. Statistical information is compiled from Campus Security Authorities as well as anonymous reports submitted to DPS. Statistical information for identified non-campus buildings or property, as well as public property immediately adjacent to and accessible from campus is requested and compiled from local law enforcement agencies and included in this publication. Additionally, statistical information from confidential resources is requested and may be voluntarily provided to DPS by Professional and Pastoral Counselors, though they are not required by law to provide this statistical information for inclusion in this report.

All crime statistics included in this publication are also submitted by DPS on an annual basis to the Department of Education.

By October 1 of each year, the campus community is made aware of the Annual Security & Fire Safety Report by email notification that offers a brief summary of the contents, as well as information on how to view the report. The report is available online at [www.sandiego.edu/safety/documents/annualreport.pdf](http://www.sandiego.edu/safety/documents/annualreport.pdf). A hard copy of the report may also be obtained by calling the Department of Public Safety at (619) 260-7777 or by visiting the Department of Public Safety in the Hughes Administration Center, Room 150.

### **Reportable Crime Definitions**

The following are offenses that the University is required to report under the *Clery Act*. Criminal Offenses (i.e. Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations) are defined from the *Summary Reporting System (SRS) User Manual* from the FBI's Uniform Crime Report (UCR) Program. Fondling, Incest and Statutory Rape are defined from the FBI's *National Incident-Based Reporting System (NIBRS) Data Collection Guidelines* edition of the UCR. Hate Crimes are classified according to the FBI's *UCR Hate Crime Data Collection Guidelines and Training Manual*. Domestic Violence, Dating Violence and Stalking are defined by the *Violence Against Women Act of 1994*.

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**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

**Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**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.

**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.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

**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.

**Hate Crime:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Includes crime classification listed above (murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson), as well as incidents of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. Under the *Clery Act* the following eight categories of bias are reported: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

**Larceny-Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

**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.

**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.

**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;
- 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.

**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.

**Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws:** The University is required to disclose the number of arrests and the number of persons referred for disciplinary action for the following law violations:

**Weapons: Carrying, Possessing, Etc.:** 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.

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

**Liquor Law Violations:** 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.

### **Reportable Geographic Areas**

The following are the required geographic parameters as identified by the *Clery Act*:

**On-Campus:** 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

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) 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)

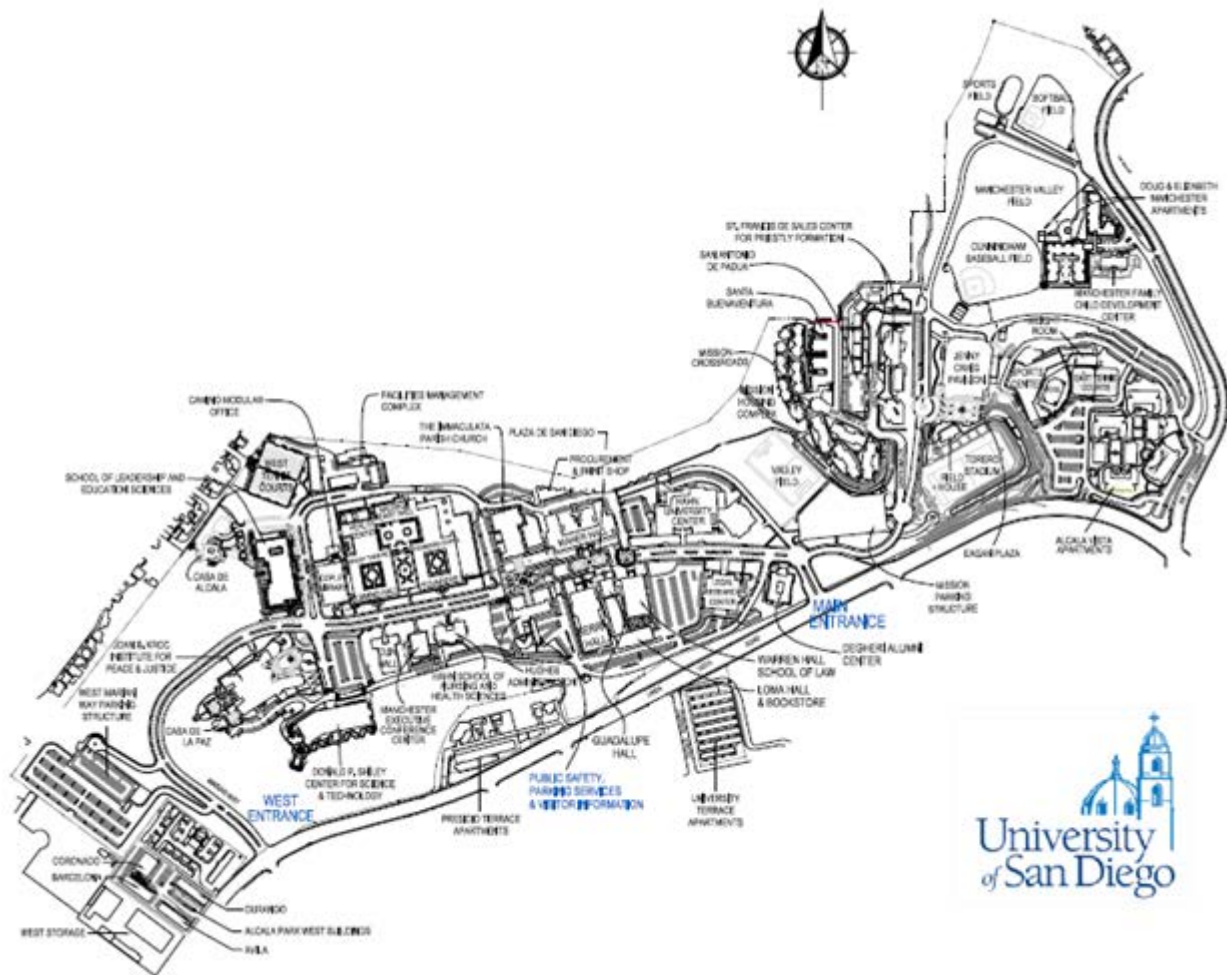
**On-campus Student Housing Facility:** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**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.

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

**Separate Campus:** A location is considered a separate campus if it meets all of the following criteria: the institution owns or controls the site, it is not reasonably geographically contiguous with the main campus, it has an organized program of study, and there is at least one person on site acting in an administrative capacity.

## PUBLIC SAFETY RESPONSE AND PATROL AREA MAP



The above map indicates the Public Safety response and patrol area along with the reporting area for on-campus crime statistics. The Department of Public Safety does not have jurisdictional authority on Public Property, at identified Non-Campus Buildings or Property, and at any identified Separate Campus.

## CRIME STATISTICS CHARTS

Please note the following:

- Crime statistics below include all *Clergy Act* crimes that were reported to the Department of Public Safety (either directly by a reporting party or by a Campus Security Authority), and local law enforcement agencies.
- Crime statistics for 2013 are shown separately from crime statistics for 2014 and 2015. Crime statistics for 2014 and 2015 include additional crimes as required under the *Violence Against Women Act*.
- As indicated below with an asterisk (\*), Residential Facility statistics are a subset of the On Campus category (i.e. they are counted in both categories) for the University of San Diego Main Campus.

- In 2014, USD formally established the University of San Diego Madrid Center as a Separate Campus. As a result, crime statistics for the University of San Diego Madrid Center are reported separately from the USD Main Campus. Additionally, the University of San Diego Madrid Center does not have any Residential Facilities.
- Reported crimes may involve individuals not associated with the institution.
- Hate Crimes at the University of San Diego Main Campus:
  - 2013: No Hate Crimes reported
  - 2014: One on-campus vandalism incident characterized by racial bias
  - 2015: No Hate Crimes reported
- Hate Crimes at the University of San Diego Madrid Campus:
  - 2014: No Hate Crimes reported
  - 2015: No Hate Crimes reported
- Unfounded Crimes.
  - There were no unfounded crimes at the University of San Diego Main Campus for the years 2013, 2014, and 2015
  - There were no unfounded crimes at the University of San Diego Madrid Campus for the years 2014 and 2015



University of San Diego Main Campus			
Criminal Offense Statistics Chart		Arrests & Disciplinary Statistics Chart	
<b>On-Campus</b>	<b>2013</b>	<b>Arrests - On Campus</b>	<b>2013</b>
Murder/Non-Negligent Manslaughter	0	Liquor Law Violations	0
Negligent Manslaughter	0	Drug Law Violations	3
Total Forcible Sex Offenses	5	Weapons Law Violations	2
Total Non-Forcible Sex Offenses	0	<b>Disciplinary Actions/Judicial Referrals -</b>	
Robbery	0	<b>On Campus</b>	<b>2013</b>
Aggravated Assault	0	Liquor Law Violations	252
Burglary	12	Drug Law Violations	74
Motor Vehicle Theft	13	Weapons Law Violations	1
Arson	4		
<b>On-Campus, Residential Facilities*</b>	<b>2013</b>	<b>Arrests - On Campus, Residential Facilities*</b>	<b>2013</b>
Murder/Non-Negligent Manslaughter	0	Liquor Law Violations	0
Negligent Manslaughter	0	Drug Law Violations	2
Total Forcible Sex Offenses	4	Weapons Law Violations	0
Total Non-Forcible Sex Offenses	0	<b>Disciplinary Actions/Judicial Referrals -</b>	
Robbery	0	<b>On Campus, Residential Facilities*</b>	<b>2013</b>
Aggravated Assault	0	Liquor Law Violations	212
Burglary	7	Drug Law Violations	59
Motor Vehicle Theft	5	Weapons Law Violations	1
Arson	4		
<b>Non Campus Buildings</b>	<b>2013</b>	<b>Arrests - Non Campus Buildings</b>	<b>2013</b>
Murder/Non-Negligent Manslaughter	0	Liquor Law Violations	0
Negligent Manslaughter	0	Drug Law Violations	0
Total Forcible Sex Offenses	0	Weapons Law Violations	0
Total Non-Forcible Sex Offenses	0	<b>Disciplinary Actions/Judicial Referrals -</b>	
Robbery	0	<b>Non Campus Buildings</b>	<b>2013</b>
Aggravated Assault	0	Liquor Law Violations	0
Burglary	0	Drug Law Violations	0
Motor Vehicle Theft	0	Weapons Law Violations	0
Arson	0		
<b>Public Property</b>	<b>2013</b>	<b>Arrests - Public Property</b>	<b>2013</b>
Murder/Non-Negligent Manslaughter	0	Liquor Law Violations	0
Negligent Manslaughter	0	Drug Law Violations	3
Total Forcible Sex Offenses	1	Weapons Law Violations	0
Total Non-Forcible Sex Offenses	0	<b>Disciplinary Actions/Judicial Referrals -</b>	
Robbery	0	<b>Public Property</b>	<b>2013</b>
Aggravated Assault	0	Liquor Law Violations	0
Burglary	0	Drug Law Violations	0
Motor Vehicle Theft	1	Weapons Law Violations	0
Arson	0		

University of San Diego Main Campus						
Criminal Offenses	Year	Geographic Locations				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Murder/Non Negligent Manslaughter	2015	0	0	0	0	0
	2014	0	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0	0
	2014	0	0	0	0	0
Rape	2015	3	0	0	3	2
	2014	6	0	0	6	6
Fondling	2015	0	0	0	0	0
	2014	3	0	0	3	1
Incest	2015	0	0	0	0	0
	2014	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0
	2014	1	0	0	1	1
Robbery	2015	0	0	0	0	0
	2014	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0
	2014	1	0	1	2	0
Burglary	2015	10	0	0	10	5
	2014	5	0	0	5	4
Motor Vehicle Theft	2015	1	0	1	2	0
	2014	5	0	2	7	0
Arson	2015	0	0	0	0	0
	2014	2	0	0	2	2

VAWA Offenses (Not Reported by Hierarchy)	Year	Geographic Locations				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Domestic Violence	2015	0	0	0	0	0
	2014	0	0	0	0	0
Dating Violence	2015	4	0	0	4	2
	2014	0	0	0	0	0
Stalking	2015	5	0	0	5	2
	2014	6	0	0	6	2

Arrests and Disciplinary Referrals	Year	Geographic Locations				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Arrests: Liquor Law Violations	2015	0	0	0	0	0
	2014	0	0	0	0	0
Arrests: Drug Abuse Violations	2015	1	0	0	1	0
	2014	2	0	0	2	2
Arrests: Weapons: Carrying, Possessing, Etc.	2015	0	0	1	1	0
	2014	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	355	0	0	355	325
	2014	273	0	1	274	228
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0	0
	2014	83	0	0	83	75
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2015	6	0	0	6	5
	2014	3	0	0	3	3

University of San Diego Madrid Center Campus					
Criminal Offenses	Year	Geographic Locations			
		On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2015	0	0	0	0
	2014	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0
	2014	0	0	0	0
Rape	2015	0	0	0	0
	2014	0	0	0	0
Fondling	2015	0	0	0	0
	2014	0	0	0	0
Incest	2015	0	0	0	0
	2014	0	0	0	0
Statutory Rape	2015	0	0	0	0
	2014	0	0	0	0
Robbery	2015	0	0	0	0
	2014	0	0	0	0
Aggravated Assault	2015	0	0	0	0
	2014	0	0	0	0
Burglary	2015	0	0	0	0
	2014	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2014	0	0	0	0
Arson	2015	0	0	0	0
	2014	0	0	0	0
VAWA Offenses (Not Reported by Hierarchy)					
	Year	Geographic Locations			
		On Campus	Non-Campus	Public Property	Total
Domestic Violence	2015	0	0	0	0
	2014	0	0	0	0
Dating Violence	2015	0	0	0	0
	2014	0	0	0	0
Stalking	2015	0	0	0	0
	2014	0	0	0	0
Arrests and Disciplinary Referrals					
	Year	Geographic Locations			
		On Campus	Non-Campus	Public Property	Total
Arrests: Liquor Law Violations	2015	0	0	0	0
	2014	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2014	0	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2015	0	0	0	0
	2014	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2014	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2014	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2015	0	0	0	0
	2014	0	0	0	0

## FIRE STATISTICS FOR ON CAMPUS STUDENT RESIDENTIAL FACILITIES

2013								
Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries <sup>1</sup>	Deaths <sup>2</sup>	Property Damage <sup>3</sup>
<b>Alcala Vista Apts</b>	<b>Borrego</b>	1520 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	<b>Cuyamaca</b>	1506/1508 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	<b>Laguna</b>	1502/1504 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	<b>Palomar</b>	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
<b>San Antonio de Padua Apartments</b>		1624 Santa Paula	0	N/A	N/A	N/A	N/A	N/A
<b>Camino Hall</b>		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
<b>Founders Hall</b>		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
<b>Maher Hall</b>		5770 Marian Way	1	1	Unintentional Cooking	0	0	<\$400.00
<b>Missions A Suites</b>		5909-5981 San Dimas	0	N/A	N/A	N/A	N/A	N/A
<b>Missions B Suites</b>	<b>San Juan</b>	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	<b>San Luis</b>	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	<b>San Miguel</b>	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	<b>San Rafael</b>	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
<b>Manchester Village Apts</b>	<b>Bldg, 1</b>	1714 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	<b>Bldg, 2</b>	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
<b>Presidio Terrace Apts</b>		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
<b>San Buenaventura</b>		6030 San Dimas	1	1	Unintentional Cooking	0	0	\$0.00
<b>University Terrace Apartments</b>		1301 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1309 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1317 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1325 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1333 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1341 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1349 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
	1357 Goshen St.	0	N/A	N/A	N/A	N/A	N/A	

**KEY:**

<sup>1</sup> Number of persons who received fire related injuries that resulted in treatment at a medical facility

<sup>2</sup> Number of deaths related to fire

<sup>3</sup> Value of property damage caused by fire

2014								
Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries <sub>1</sub>	Deaths <sub>2</sub>	Property Damage <sub>3</sub>
Alcala Vista Apts	Borrogo	1520 Via Las Cumbres	2	1	Unintentional Cooking	0	0	\$0.00
				2	Intentional Fire	0	0	\$0.00
	Cuyamaca	1506/1508 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Laguna	1502/1504 Via Las Cumbres	1	1	Unintentional Cooking	0	0	\$0.00
	Palomar	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
San Antonio de Padua Apartments		1624 Santa Paula	0	N/A	N/A	N/A	N/A	N/A
Camino Hall		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Founders Hall		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Maher Hall		5770 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Missions A Suites		5909-5981 San Dimas	1	1	Intentional Fire	0	0	\$0.00
Missions B Suites	San Juan	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Luis	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Miguel	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Rafael	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Manchester Village Apts	Bldg, 1	1714 Via Las Cumbres	1	1	Unintentional Cooking	0	0	\$0.00
	Bldg, 2	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
Presidio Terrace Apts		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
San Buenaventura		6030 San Dimas	0	N/A	N/A	N/A	N/A	N/A
University Terrace Apartments	1301 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1309 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1317 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1325 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1333 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1341 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
	1349 Goshen St.		0	N/A	N/A	N/A	N/A	N/A
1357 Goshen St.		0	N/A	N/A	N/A	N/A	N/A	

**KEY:**

<sup>1</sup> Number of persons who received fire related injuries that resulted in treatment at a medical facility

<sup>2</sup> Number of deaths related to fire

<sup>3</sup> Value of property damage caused by fire

2015								
Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries <sub>1</sub>	Deaths <sub>2</sub>	Property Damage <sub>3</sub>
Alcala Vista Apts	Borrego	1520 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Cuyamaca	1506/1508 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Laguna	1502/1504 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Palomar	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
San Antonio de Padua Apartments		1624 Santa Paula	1	1	Unintentional Electrical	0	0	\$1,000 – 9,999
Camino Hall		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Founders Hall		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Maher Hall		5770 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Missions A Suites		5909-5981 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Missions B Suites	San Juan	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Luis	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Miguel	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Rafael	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Manchester Village Apts	Bldg, 1	1714 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Bldg, 2	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
Presidio Terrace Apts		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
San Buenaventura		6030 San Dimas	0	N/A	N/A	N/A	N/A	N/A
University Terrace Apartments		1301 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1309 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1317 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1325 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1333 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1341 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1349 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
	1357 Goshen St.	0	N/A	N/A	N/A	N/A	N/A	

**KEY:**

<sup>1</sup> Number of persons who received fire related injuries that resulted in treatment at a medical facility

<sup>2</sup> Number of deaths related to fire

<sup>3</sup> Value of property damage caused by fire

## FIRE SAFETY AMENITIES IN RESIDENTIAL FACILITIES

Residential Facility		Address	Fire Alarm System <sup>1</sup>	Smoke Detection	Fire Extinguisher Devices <sup>2</sup>	Posted Evacuation Plans & Placards	Number of Fire Drills per Calendar Year
Alcala Vista Apts	Borrego*	1520 Via Las Cumbres	Yes	C and R	X	X	2
	Cuyamaca*	1506/1508 Via Las Cumbres	Yes	C	X	X	2
	Laguna*	1502/1504 Via Las Cumbres	Yes	C	X	X	2
	Palomar*	1510/1512 Via Las Cumbres	Yes	C	X	X	2
San Antonio de Padua Apartments		1624 Santa Paula	Yes	C	X	X	2
Camino Hall		5600 Marian Way	Yes	C and R	X	X	2
Founders Hall		5690 Marian Way	Yes	C and R	X	X	2
Maher Hall		5770 Marian Way	Yes	C and R	X	X	2
Missions A Suites		5909-5981 San Dimas	Yes	C and R	X	X	2
Missions B Suites	San Juan*	6025 San Dimas	Yes	C and R	X	X	2
	San Luis*	6065 San Dimas	Yes	C and R	X	X	2
	San Miguel*	6045 San Dimas	Yes	C and R	X	X	2
	San Rafael*	6015 San Dimas	Yes	C and R	X	X	2
Manchester Village Apts	Bldg, 1*	1714 Via Las Cumbres	Yes	C and R	X	X	2
	Bldg, 2*	1720 Via Las Cumbres	Yes	C and R	X	X	2
Presidio Terrace Apts		5702 Linda Vista Road		R+	X		2
San Buenaventura*		6030 San Dimas	Yes	C and R	X	X	2
University Terrace Apartments		1301 Goshen Street		C+	X		2
		1309 Goshen Street		C+	X		2
		1317 Goshen Street		C+	X		2
		1325 Goshen Street		C+	X		2
		1333 Goshen Street		C+	X		2
		1341 Goshen Street		C+	X		2
		1349 Goshen Street		C+	X		2
		1357 Goshen Street		C+	X		2
<b>KEY:</b>							
* Denotes Residential Facility that has a full sprinkler system, defined as complete coverage of common areas and individual rooms. There are no partial sprinkler systems in USD Residential Facilities							
<sup>1</sup> Denotes Fire Alarm System defined as being connected to a control panel that is monitored 24/7 by the Department of Public Safety Dispatch							
C indicates smoke detection in the common room							
R indicates smoke detection in a sleeping or residential room							
+ indicates battery operated, stand along smoke detectors							
<sup>2</sup> Denotes Fire Extinguishing Device is stored in the common area only							

## APPENDICES

### Appendix A – California Penal Code Definitions

Below are the California Penal Code definitions of Sexual Assault (Rape, Sexual Battery, Incest, and Statutory Rape), Dating Violence, Domestic Violence, Stalking, and Consent

#### **Rape - California Penal Code Section 261 (relevant excerpts)**

- (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. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
- (b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.



- (c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

**Consent - California Penal Code Section 261.6**

In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

[Note that California Education Code Section 67386 sets forth an "affirmative consent" standard that must be applied in university policies addressing sexual assault, domestic violence, dating violence, and stalking.]

**Statutory Rape - California Penal Code Section 261.5 (relevant excerpts)**

- (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.
- (b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.
- (c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.
- (d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

**Incest - California Penal Code Section 285**

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

**Domestic Violence and Dating Violence - California Penal Code Section 13700 (relevant excerpts)**

- (a) "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.
- (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.

#### **Sexual Battery - California Penal Code Section 243.4**

- (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- (b) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- (c) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- (d) 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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- (e) (1) 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, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor

- sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.
- (2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.
- (f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.
- (g) As used in this section, the following terms have the following meanings:
- (1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.
  - (2) "Sexual battery" does not include the crimes defined in Section 261 or 289.
  - (3) "Seriously disabled" means a person with severe physical or sensory disabilities.
  - (4) "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.
  - (5) "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.
  - (6) "Minor" means a person under 18 years of age.
- (h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.
- (i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.
- (j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars (\$10,000).

**Stalking - California Penal Code Section 646.9 (relevant excerpts)**

- (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.
- (b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in

subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.

...

- (e) 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.
- (f) 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."
- (g) 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, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably 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. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of "credible threat."
- (h) For purposes of this section, the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

...

- (l) For purposes of this section, "immediate family" means any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

## **Appendix B – Definition of Student**

Below is the definition of “Student” as contained in the Student Code of Rights and Responsibilities:

- **Student** - The term “student” includes (a) all persons taking courses or otherwise enrolled at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies; (b) persons who withdraw after alleged to have violated the Code; (c) persons who are not officially enrolled for a particular term but who have a continuing relationship with the University; and (d) persons who are living in University residence halls, although not enrolled in this institution. The University may, at its sole discretion, apply the conduct procedures described in the Code to students who have accepted an offer of admission and have not yet begun classes. The Code applies to all students of the University and applies to students registered or enrolled in academic programs in another country or state.

## Appendix C – Student Conduct Procedures

### 1. COMPLAINTS

- a. Any current student, faculty, administrator or staff member of the University of San Diego may file a complaint against any student alleging a violation of the Code. Complaints shall be prepared in writing and directed to the Assistant Vice President for Student Affairs/Dean of Students or his/her designee (“Assistant Vice President for Student Affairs/Dean of Students”). A complaint should be submitted as soon as possible after the event takes place, generally within 30 days of the alleged incident. At the discretion of the Assistant Vice President for Student Affairs/Dean of Students, the time permitted to file a complaint may be extended. In addition to complaints from those identified above, an incident report from a University department (including but not limited to Public Safety, Residential Life, or Human Resources) may initiate these procedures. The Assistant Vice President for Student Affairs/Dean of Students may request that Public Safety investigate the incident.
- b. In addition to on-campus conduct, acts committed off-campus, but related to the security of the University or a member of the University community, the well-being or reputation of the University, or the educational mission of the University are subject to these student conduct procedures as determined by the Assistant Vice President for Student Affairs/Dean of Students or his/her designee.

### 2. INTERIM MEASURES

- a. Suspension

The Assistant Vice President for Student Affairs/Dean of Students may suspend the Alleged Offender from the University and/or from the residence halls on an interim basis prior to the hearing.

  - i. An interim suspension may be imposed to ensure the safety or well-being of any member of the University community; to preserve or protect University of San Diego property; to ensure the student’s own physical or emotional safety and well-being; or if the Alleged Offender poses an ongoing threat to, disruption to, or interference with the normal operations of the University.
  - ii. During the interim suspension, the Assistant Vice President for Student Affairs/Dean of Students, in his or her discretion, may restrict or deny access by the Alleged Offender to the residence halls and/or to the campus (including classes) and/or any or all other University activities or privileges for which the Alleged Offender might otherwise be eligible.
  - iii. A student who is placed on interim suspension shall continue to be subject to these student conduct procedures.

The student will be notified in writing of this action and the reasons for the suspension. The notice will also include instructions regarding the process in which they may show cause why his or her continued presence on campus does not constitute a threat.

- b. Change in Living Arrangements

As stated in the Campus Housing and Dining Services Agreement, the University reserves the right to assign roommates, to change room or hall assignments, and/or to consolidate vacancies by requiring residents to move from one accommodation to another in the event such reassignments are determined to be necessary by the University.

### **3. CONFERENCES, HEARINGS AND BOARDS**

- a. The Assistant Dean of Students or his/her designee (“Assistant Dean of Students”) may assign an Alleged Offender to appear before a hearing officer in a Community Standards Conference or an Administrative Hearing, or to appear before a Peer Review Board or a Critical Issues Board (each referred to as a “Board”). The Assistant Dean of Students shall determine which hearing officer or hearing Board will hear each matter. When an Alleged Offender is assigned to appear before a hearing Board, the Assistant Dean of Students shall convene the Board. In circumstances when a Board cannot reasonably be convened in a timely manner (for example, prior to training, during the last two weeks of the fall and spring semesters, or during intersession and summer sessions), complaints are generally resolved through the administrative hearing process.
- b. Community Standards Conference  
For minor residential life violations that are alleged to violate the Community Standards contract (i.e. noise, pets, screens, smoking), a Community Standards Conference is conducted by a Residential Life professional, whose duties include:
  - i. Determining the allegations.
  - ii. Reviewing all information available to the residence life professional.
  - iii. Determining whether the Alleged Offender has violated the Residential Life Community Standards.
  - iv. Determining appropriate sanctions when necessary.
  - v. Allowing for reflection and education.
  - vi. Documenting the decision and any sanctions.
- c. Administrative Hearings  
Hearings of alleged violations of the Student Code that occur on campus or off campus are conducted by the Assistant Dean of Students or his/her designee (which includes but is not limited to the Director of Student Conduct) who shall be the administrative hearing officer. The administrative hearing officer will determine whether the charges will be resolved administratively, or may refer the matter to a Peer Review Board or Critical Issues Board for adjudication. When a charge will be resolved administratively and not referred to a Board for adjudication, an administrative hearing officer’s responsibilities include:
  - i. Determining the allegations.
  - ii. Reviewing all information available to the administrative hearing officer.
  - iii. Determining whether the Alleged Offender has violated the Code
  - iv. Determining appropriate sanctions when necessary.
  - v. Creating an opportunity for student reflection and education.
  - vi. Documenting the decision and any sanctions.

d. Peer Review Board

A Peer Review Board hears all cases referred to it by the Assistant Dean of Students or his/her designee. The responsibilities of the Board include:

- i. Reviewing the charges.
- ii. Reviewing all information available to the Board.
- iii. Determining whether the Alleged Offender has violated the Code.
- iv. If a violation has occurred, recommending appropriate sanctions to the Assistant Dean of Students.
- v. Creating an opportunity for reconciliation and reflection.

The Peer Review Board shall be composed of three students trained in the University's conduct procedures. The Peer Review Board will be advised by a Student Affairs professional, appointed by the Assistant Dean of Students.

e. Critical Issues Board

A Critical Issues Board hears all the cases referred to it by the Assistant Dean of Students or his/her designee. These hearings usually involve allegations of a more serious nature that may result in suspension or expulsion. The responsibilities of the Board include:

- i. Reviewing the charges.
- ii. Reviewing all information available to the Board.
- iii. Determining whether the Accused Offender has violated the Code.
- iv. If a violation has occurred, recommending appropriate sanctions to the Assistant Dean of Students.
- v. Creating an opportunity for student reconciliation and reflection.

The Critical Issues Board is composed of one administrator, one faculty member and one student. The Assistant Dean of Students or his/her designee serves as the Board's advisor and is present during all Board hearings and deliberations. The Chair shall be the administrator or faculty member serving on the Critical Issues Board. Members of the Board shall be selected by the Assistant Dean of Students from a group of students, faculty, and administrators who are trained in the University's conduct procedures.

Hearing Board members who hear a matter involving allegations of Sexual Misconduct or Relationship Violence (see Rules of Conduct #7) will receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

#### **4. HEARINGS CONDUCTED BY THE PEER REVIEW BOARD AND THE CRITICAL ISSUES BOARD**

Peer Review Board and Critical Issues Board hearings are conducted according to the guidelines set forth in this Section D. See Section E below for additional requirements that



apply to matters involving allegations of Sexual Misconduct or Relationship Violence (see Rules of Conduct #7).

- a. A student against whom the complaint is filed shall be given notice of the hearing date and the specific allegations against him or her at least five (5) business days in advance of the hearing.
- b. In most circumstances, the Board shall be convened within ten (10) business days of the date on which the administrator receives the final investigative documents regarding the allegations.
- c. The Alleged Offender will be given the opportunity to examine all documents available to the Board prior to the start of the hearing or as information is presented to the Board. The complainant will be given the opportunity to examine all documents available to the Board that relate specifically to the complainant's connection with the allegations or as information relating to the complainant is presented to the Board
- d. Hearings shall be conducted in private.
- e. In Board hearings involving more than one Alleged Offender, the Assistant Vice President for Student Affairs/Dean of Students, in his or her discretion, may permit the hearings concerning each student to be conducted either separately or jointly.
- f. The Complainant and the Alleged Offender have the right to be accompanied at the hearing by an advisor. Unless the matter involves allegations of Sexual Misconduct and Relationship Violence (see Section E.3 below), the advisor must be a member of the University community and shall not be an attorney or parent/guardian of the complainant or the Alleged Offender, and shall not speak or participate directly in any hearings before the Board.
- g. Witness accounts, pertinent records, exhibits and written statements may be accepted as evidence for consideration by the Board at the discretion of the Chair. Formal rules of evidence shall not apply to any hearings or other proceedings conducted pursuant to the Code.
- h. A Board member may ask the Alleged Offender, the Complainant, and any witnesses any questions that Board member deems appropriate and relevant to the hearing.
- i. All procedural questions are subject to the final decision of the Chair of the Board.
- j. After the hearing, the Board shall determine, by majority vote, whether the Alleged Offender has violated each section of the Code that the student is alleged to have violated.
- k. The Board's determination shall be made on the basis of a preponderance of the evidence standard (i.e. whether it is more likely than not that the Alleged Offender has violated the Code).
- l. In the case of a hearing by the Critical Issues Board only, there shall be a single recording. The record shall be the property of the University. Peer Review Board hearings are not recorded.
- m. If the Alleged Offender fails to appear for a scheduled hearing or refuses to cooperate with the Board during the course of the hearing, information relating to the charges shall nevertheless be presented and considered by the Board. The Board will then determine findings and propose sanctions. The Alleged Offender retains the right to appeal the outcome as provided for in Section F.
- n. The Alleged Offender will be notified in writing of the outcome of the hearing. Consistent with the requirements of FERPA and its implementing regulations, the final results of a disciplinary proceeding conducted with respect to an

alleged offense of violence or a non-forcible sex offense may be disclosed to a member of the University community who was alleged to be the victim of the offense.

## **5. ADDITIONAL REQUIREMENTS IN MATTERS INVOLVING ALLEGATIONS OF SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE**

In matters involving allegations of Sexual Misconduct or Relationship Violence (see Rules of Conduct #7), the additional requirements set forth below shall apply. For the purpose of this section, “Complainant” shall refer to the member of the University community who believes (s)he has been a victim of an act of Sexual Misconduct or Relationship Violence committed by the Alleged Offender.

- a. Both the Alleged Offender and the Complainant will have the same opportunity to present evidence at the hearing.
- b. Both the Alleged Offender and the Complainant may be present for the entirety of the hearing. Neither party may be present during the deliberations of the Board or administrative hearing officer.
- c. Both the Alleged Offender and the Complainant are entitled to the same opportunities to have others present during the hearing, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Neither the Alleged Offender nor the Complainant shall be limited in his/her choice of advisor or presence in any meeting or proceeding; however, the advisor shall not speak or participate directly in any proceeding and must comply with any other restrictions placed by the institution on the extent to which he or she may participate in the proceeding, as long as such restrictions apply equally to both parties.
- d. Neither the Alleged Offender nor the Complainant may personally (or through their advisors) question one another at any time during the hearing. All proposed questions from the Alleged Offender and the Complainant must be submitted to the Board or administrative hearing officer.
- e. Questions about the Complainant’s past sexual history with anyone other than the Alleged Offender, or about the Alleged Offender’s past sexual history with anyone other than the Complainant, are not permitted. Past consent between the parties does not imply present or future consent.
- f. The Alleged Offender and the Complainant will be simultaneously informed, in writing, of the result of the hearing, the procedures for the Alleged Offender and/or the Complainant to appeal the results of the hearing, any change to the results that occurs before the results become final, and when the results become final.
- g. The notice of the outcome to the Complainant must include whether or not the alleged conduct was found to have occurred, any individual remedies offered or provided to the Complainant, and any sanctions imposed on the Alleged Offender that directly relate to the Complainant, the rationale for the result and sanctions, and any other steps taken to eliminate any hostile environment found to exist.
- h. Both the Alleged Offender and the Complainant are entitled to the appeal rights described in Section F below. Each party shall be entitled to submit no more than one appeal arising from the decision of the Board or administrative hearing officer.
- i. A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence or stalking will not be subject to disciplinary sanctions for a violation of the Code at or near the time of the incident, unless the university 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.

## **6. CONDUCT APPEALS PROCESS**

- a. An Alleged Offender may appeal a decision by a Critical Issues Board. In addition, an Alleged Offender may appeal a decision by any hearing body in which the sanction imposed includes removal from housing, suspension or expulsion.
- b. An appeal must be submitted by the Alleged Offender in writing to the Assistant Vice President for Student Affairs/Dean of Students within five (5) business days of the decision. The written appeal must identify one or more purposes for the appeal, as set forth in Paragraph 5 below. The Assistant Vice President for Student Affairs/Dean of Students or his or her designee may uphold the sanction(s) until the appeal process is completed.
- c. Appeals shall be considered by an Appeals Board.
- d. The Appeals Board shall be comprised of one student, one faculty member, and one administrator. Members of the Appeals Board shall be selected by the Assistant Vice President for Student Affairs/Dean of Students from a group of faculty, administrators and students who have been trained in the University's conduct procedures.
- e. Except as required to explain the basis of new information, an appeal shall be limited to a review of the record of the hearing board or administrative hearing officer and supporting documents for one or more of the following purposes:
  - i. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with applicable procedures. Deviations from applicable procedures will not be a basis for sustaining an appeal unless the deviation resulted in significant prejudice to the Alleged Offender.
  - ii. To determine whether the decision reached regarding the Alleged Offender was reasonably based on the information made available to the hearing Board or hearing officer (i.e. whether there were facts in the case that, if believed by the hearing Board or hearing officer, were sufficient to establish that a violation of the Code occurred).
  - iii. To consider new and significant information that is sufficient to alter a decision because such information was not known to the Alleged Offender and could not have been reasonably discovered at or before the time of the original hearing.
  - iv. To determine whether the sanction imposed was inappropriate and excessive under the circumstances. (This criterion is only to be considered in cases where the sanction is suspension, expulsion, or the loss of the privilege to live in University housing).
- f. Following its review, the Appeals Board may:
  - i. Uphold the original decision of the hearing Board or hearing officer.
  - ii. Conclude that the Alleged Offender has not violated any, or all, of the specific policies in the Code determined by the hearing Board or hearing officer. The Appeals Board may determine that different policies were violated.
  - iii. Recommend a change to the sanction(s) imposed.

- g. The Appeals Board decision, including any recommended changes to the sanction imposed, shall be forwarded in writing to the Vice President of Student Affairs. The Vice President of Student Affairs or his/her designee shall communicate the final decision in writing to the Alleged Offender.
- h. When a Peer Review Board or administrative hearing officer decision is not appealable, the Peer Review Board or administrative hearing officer may reconsider its/his/her prior decision only where the Alleged Offender presents new and significant information that is sufficient to alter the prior decision because such information was not known to the Alleged Offender and could not have been reasonably discovered at or before the original hearing. The request for reconsideration must be made by the Alleged Offender to the Assistant Vice President for Student Affairs/Dean of Students within five (5) calendar days of the Alleged Offender's first knowledge of the information, but in no event more than ninety (90) days from the original decision.

## **7. CONDUCT FILES AND RECORDS**

- a. Records of individuals processed through the University's conduct procedures shall be subject to the provisions of the Family Education Rights and Privacy Act of 1974. Disposition of cases involving student organizations is not considered confidential.
- b. Student conduct records will be retained in a manner consistent with the University's Record Retention Policy ([www.sandiego.edu/legal/policies/community/institutional/recordretention.pdf](http://www.sandiego.edu/legal/policies/community/institutional/recordretention.pdf)).
- c. No student shall receive a diploma while an allegation of a Code violation is pending against him/her.

No student shall receive a diploma without first fulfilling the terms of the disciplinary sanctions. Participation in the graduation ceremony by an Accused Offender who has not yet fulfilled the terms of any disciplinary sanctions is at the discretion of the Assistant Vice President for Student Affairs/Dean of Students or his or her designee.

## Appendix D – Sanctions

Student conduct sanctions at the University of San Diego are intended to be educational and consistent with the mission and values of the institution. Student conduct is understood to be a learning experience for students and the community. When students are found in violation of the Student Code of Rights and Responsibilities, efforts are made to reconcile the student to the community via a multitude of sanction options. In some circumstances a student's behavior warrants suspension or expulsion from the university. The sanctions listed below may be applied separately or in combination. Other appropriate sanctions, which would enhance the educational value of disciplinary proceedings, may be applied in a given case.

- *Warning* - Written or oral notification that certain conduct or actions are in violation of University policies, rules, or procedures and that continuation of such conduct or actions may result in further disciplinary action.
- *Educational Sanctions* - A requirement to conduct research, complete a reading and response paper, prepare and present a program, attend an educational program, seek counseling or engage in other educational activities related to the violation.
- *Fines* - Payment of a specific amount of money as determined by the circumstances of a particular case.
- *Restitution* - Reimbursement for damage to, or misappropriation of property or cost of University resources. This may take the form of monetary or material replacement not in excess of the loss incurred.
- *Disciplinary Work Program* - Assignment to work for a specific period of time under supervision as reparation within the community where the violation occurred.
- *Loss of Privileges*
  - Limitation on University-related activities or services for a specific period of time, consistent with the offense committed, including but not limited to:
  - eligibility to serve as an officer or member of any University organization, to participate in intercollegiate competition or to receive any award from the University;
  - housing probation;
  - removal from housing;
  - restriction from using specific facilities and services;
  - denial of on-campus use of an automobile;
  - hold on enrollment;
  - hold on forwarding personal records to external institution or individuals until satisfactory completion of disciplinary sanctions.
- *Parental or Guardian Notification* - Parents or guardians may be notified of a violation of the Code and the assigned sanction, if the student is under 21 years of age.

- *University Probation* - A designated period of time which includes the probability of more severe disciplinary sanctions, including suspension or expulsion, if the student is found in violation of any institutional policy(s) during the probationary period.
- *Non-Academic Suspension* - A designated period of time during which a student may attend only classes and other academic activities. Academic activities will be defined by the Assistant Vice President for Student Affairs/Dean of Students or his or her designee.
- *Suspension* - Separation of the student from the University community for a designated period of time, which may include specific requirements that must be fulfilled prior to reinstatement within the University community.
- *Expulsion* - Permanent separation of the student from the University.

In addition to the sanctions imposed under the University conduct system, individual faculty members are vested with the power to lower a student's grade on a paper, exam, or other graded product and for the course as a whole for academic dishonesty.

The Annual Campus Security Report is published in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)* and is also available at [www.sandiego.edu/safety/documents/annualreport.pdf](http://www.sandiego.edu/safety/documents/annualreport.pdf). It is presented in a Portable Document Format (pdf) file format and can be viewed using Adobe Acrobat Reader. A hard copy of the report may also be obtained by calling the Department of Public Safety at (619) 260-7777 or visiting the Department of Public Safety in the Hughes Administration Center, Room 150.