2015
University of California, Davis
Annual Security and Fire Safety Report

UC Davis publishes an Annual Security and Fire Safety Report which includes important information about safety and security policies implemented to protect the welfare of our campus community. The report provides crime statistics for the previous three years regarding crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by the University, and contains information about fire safety policies and procedures. The report is available online at: http://police.ucdavis.edu/crime_statistics/index.html and http://safetyservices.ucdavis.edu/ps/fp/uc-davis-fire-safety-report/cleryActHigherEducation/. You may obtain a printed copy of the report by sending an email request to PublicRecords@ucdavis.edu or a written request addressed to the Information Practices Officer, Office of the Campus Counsel, University of California, Davis, One Shields Avenue, Davis, California 95616.

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

Notice of Non-discrimination
UC Davis does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, pregnancy, disability, medical condition, ancestry, marital status, age, citizenship or veteran status in its programs and activities. Questions may be directed to Chief Compliance Officer Wendi Delmendo, wjdelmendo@ucdavis.edu or (530) 752-6550. For information about the Department of Education Office for Civil Rights, visit http://wdcrlobeolp01.ed.gov/CFAPPS/OCR/contactus.cfm.
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THE UC DAVIS POLICE DEPARTMENT

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

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

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

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

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

California law requires campus security authorities who receive reports of a Part 1 violent crime (willful homicide, forcible rape, robbery, or aggravated assault), sexual assault, or hate crime from a victim to immediately, or as soon as practicably possible, disclose to the local law enforcement agency with which the institution has a written agreement. For crimes involving sexual assault, the identities of the victim and alleged assailant will not be disclosed to the local law enforcement agency unless the victim elects otherwise after being informed of their right to remain anonymous. The UC Davis Police Department has an agreement with the Yolo County Sheriff’s Department as the local law enforcement agency that will receive the appropriate notification.

REPORTING CRIMES AND EMERGENCIES

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

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

- If calling from a cell phone, dial 530-752-1230 to reach campus police; at UCDHS, call 916-734-2555. We encourage you to program this as a one-touch number on your phone
(if you dial 9-1-1 from some cell phones it may take longer to connect your call and determine your location).

- If calling from any land-line phone on the UC Davis campus or at UCDHS, including pay phones, dial 9-1-1 (this will connect you directly to the UC Davis Police Department’s Public Safety Dispatch Center).

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

**Non-Emergencies**

For NON-EMERGENCY calls for assistance:

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

**Confidential Reporting Process**

If victims do not wish to file a police report, they or others acting on their behalf can report crimes anonymously and confidentially to the Center for Advocacy, Resources and Education (CARE) at 530-752-3299. No names will be taken and no criminal investigation will be conducted, but aggregate data from the confidential reporting will be included in the crime statistics reported in the Annual Security and Fire Safety Report to ensure accuracy with respect to the type of incidents which have occurred. UC Davis encourages licensed counselors (including Sexual Assault Victim Advocates) and pastoral (religious) counselors to inform those they counsel, if and when they deem it appropriate, of these procedures for reporting crimes on a voluntary, confidential basis for inclusion in crime statistics.

**Reporting Hate Crimes**

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

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

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

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

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

In the event of an emergency, the University will notify affected members of the campus community without delay, taking into account the safety of the community unless issuing a notification will, in the professional judgment of the Police Chief, Fire Chief or their designees, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Notifications may be sent to specific groups of individuals if the emergency is isolated to specific campus locations.

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

For more information, see: [https://warnme.ucdavis.edu/emergency_communication_info.pdf](https://warnme.ucdavis.edu/emergency_communication_info.pdf)
Managing Emergencies
UC Davis has a comprehensive emergency management program under the guidance of a full-time Emergency Manager. It includes a formal emergency operations plan for preparing for, responding to and recovering from emergencies. Every University department is required to develop and maintain an emergency action plan which includes response protocols and a department evacuation plan. UC Davis uses an emergency operations center to coordinate response to major emergencies, and trains employees to staff the center.

UC Davis regularly conducts training sessions and emergency exercises, including table top exercises, field exercises and tests of the WarnMe system to assess and evaluate the emergency plans and the capabilities of the campus to respond to an emergency. Strategic Communications for the Davis campus publicizes information about testing of the WarnMe and Aggie Alert system a few days prior to the test, including information about how to register for the alerts. Tests on the Davis and Sacramento campuses are typically performed twice per year and some units perform their own internal tests to stay current on use of the system. UC Davis is part of a regional and statewide emergency management system, and it is in compliance with state and federal standards for managing emergencies. See information available at: http://safetyservices.ucdavis.edu/

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

The UC Davis Police Department has an e-mail-based Crime and Incident Alert Notification Service by which students, faculty, staff, parents, and any member of the general public can be notified when an Alert is issued. To subscribe to the Alert Notification Service, send an e-mail to sympa@ucdavis.edu. In the body of the message, type “sub ucavispolice your first name your last name.” For example, a student named James Bond would subscribe by sending the following message: sub ucavispolice James Bond. For questions, contact the UC Davis Police Department’s Crime Prevention Unit, 530-752-6589 or crimeprevention@ucdavis.edu.

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

**Daily Police Logs**

UC Davis Police logs for the past two years are available at the offices of the UC Davis Police Department (Davis campus and UCDHS). Police logs for the previous 60 days are available online at: [http://police.ucdavis.edu/crime-logs/index.html](http://police.ucdavis.edu/crime-logs/index.html).

**MISSING PERSONS NOTIFICATION POLICY**

**Missing Students Who Reside in On Campus Housing:**

UC Davis takes the safety and welfare of our students very seriously. To that end, each student living in a campus housing facility has the opportunity to register the name and contact information of a person he or she would like notified if the student is determined to be missing and cannot be located through reasonable outreach and investigation. Missing person contact information is registered confidentially and is accessible only to authorized campus officials in furtherance of a missing person investigation. Housing authorities will notify UC Davis Police in the event any resident student is discovered to be missing. The University Police Department will take any missing persons report which is reported to them without delay regardless of jurisdiction. A missing person report will be given investigative priority over non-emergency property crimes.

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

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

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment and violence. The University prohibits sexual violence, including sexual assault, dating violence, domestic violence and stalking; such behavior violates University policy (see Appendix A for the UC system-wide policy and Appendix B for the UC Davis policy) and may also violate the law.
UC Davis takes all complaints of sexual violence very seriously. The safety and well-being of our students, faculty, and staff are among the University’s highest priorities. Anyone who has been affected by sexual violence, whether on or off campus, is encouraged to utilize the support services listed here.

The following definitions apply:

**Sexual Harassment** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person’s employment or education or interferes with a person’s work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile, or offensive. Sexual harassment includes sexual violence (see definition below).

Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients). Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of the same sex or opposite sex. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

Consistent with the University of California Policies Applying to Campus Activities, Organizations, and Students, Policy 100.00 on Student Conduct and Discipline, Section 102.09, harassment of one student by another student is defined as unwelcome conduct of a sexual nature that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person’s access to University programs or activities that the person is effectively denied equal access to the University’s resources and opportunities.

**Sexual Violence** is defined as physical sexual acts engaged without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.

**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.

**Domestic Violence** is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.
**Dating Violence** is defined as abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

**Sexual Assault** occurs when physical sexual activity is engaged without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person’s intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person’s incapacitation (including voluntary intoxication).

**Consent** is *informed*. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is *revocable*. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is *incapacitated*. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

**Incapacitation** is defined as the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol, drugs or other medication are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person’s decision-making capacity, awareness of consequences, ability to make fully informed judgments, and inability to communicate. Being intoxicated by drugs, alcohol or other medication does not absolve one’s responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

**Stalking** is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others.
Reporting Sexual Assault, Domestic Violence, Dating Violence and Stalking

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

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

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

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

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

Seeking Medical Attention and Preserving Evidence

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

The University encourages victims to preserve all physical evidence. If the incident of sexual violence happened within 72 hours, individuals may choose to have an evidentiary exam in order to collect evidence of the assault. To preserve evidence, individuals should not change clothes, bathe or shower, brush their teeth or use mouthwash, comb their hair, or take other action to clean up before going to the hospital. If individuals feel they may have been administered drugs to facilitate an assault, it is best to wait to urinate until reaching the hospital where a urine sample can be collected. A CARE advocate and a police officer will accompany victims to the exam if they consent. Usually, law enforcement approves the exam for evidentiary purposes; however, if a victim is not sure they want to report the assault to the police, they may be eligible for an exam as specified by the Violence Against Women Act (VAWA). A VAWA exam may allow victims to have evidence collected while it’s still possible, and give them some time to think about whether to report the crime.

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

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

**How to Obtain Support, Assistance, Resources and Referrals**

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

The CARE Advocate can provide individual crisis counseling, and will accompany victims as desired during medical treatment, interviews by law enforcement or university investigators, student judicial proceedings, court hearings, and other proceedings associated with their complaint. In addition, the CARE Advocate serves in an advocacy role for the interests and needs of the victim, and will discuss options and procedures regarding academic assistance, housing, safety, transportation, employment, and medical and counseling needs. With respect to academic matters, the CARE Advocate serves as liaison between the victim and instructors, departments, and dean's offices to make necessary arrangements for accommodations. The CARE Advocate also serves as liaison for issues of housing and safety, and will assist in
changing on-campus housing if necessary. A CARE Advocate can explain the availability of, and provide assistance with, orders of protection, no contact orders, and/or restraining orders. These services are available regardless of whether the victim chooses to report to the university, campus police or local law enforcement.

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

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

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

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

Whether someone chooses to report an incident or not, they are encouraged to contact CARE, where all intervention services are confidential, free, and available to any UC Davis student, staff, or faculty. The Victim Advocate from CARE will arrange for the victim to meet with someone from the campus Harassment & Discrimination Assistance and Prevention Program (HDAPP). The HDAPP representative will explain the UC Davis administrative procedures for responding to complaints of sexual violence. Staff from HDAPP and CARE will also help with any interim protections that may be needed.

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

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

- Taking steps to increase the victim’s sense of safety and security while they continue with classes, work and other activities.

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

After meeting with HDAPP, a victim’s complaint is reviewed to determine if a formal investigation should be conducted. Most allegations of sexual violence that are reported to the University are investigated. If an investigation is warranted, the Title IX Officer will appoint a University investigator. Investigators receive annual training on issues related to sexual assault, domestic violence, dating violence and stalking and how to conduct an investigation that protects the safety of victims and promotes accountability. Both the victim and the accused individual will be notified of the investigation, and each will have the same rights during it, including, but not limited to, the right to: (1) be accompanied by an adviser of choice at any investigatory interview, and (2) be simultaneously informed in writing of the outcome of the investigation.

The University investigator will separately meet with the victim and accused individual, and other potential witnesses, to gather information. When the fact-gathering portion of the investigation is complete, the investigator will prepare and submit a report addressing whether or not University policy was violated. If the investigator concludes that the University’s policy was violated, disciplinary action is considered according to the procedures described in the appropriate policy (see Appendix II of the UC Sexual Harassment and Sexual Violence Policy, found in Appendix A of this report). The investigation report may be used as evidence in disciplinary hearings. The University will simultaneously inform both parties (1) of the procedures and deadlines associated with any disciplinary proceeding; (2) the outcome of the proceeding; (3) the procedures and deadlines for appealing the outcome, if applicable, (4) any change to the outcome of the disciplinary action before the action becomes final, and (5) when the action becomes final.

If the investigation report finds no violation of University policy, the matter will be closed. If necessary, measures will continue to be taken to ensure that a victim feels safe.

If there is a finding of a policy violation, the University will refer the matter to the appropriate office for consideration of disciplinary action against the accused. The University will also consider whether any other action should be taken, such as remedies that may be appropriate for the victim.

When the accused is a student, the matter is referred to Student Judicial Affairs (SJA) for possible disciplinary action. SJA informs both the victim and the accused of its discipline
procedures. If the matter proceeds to a hearing, a University hearing officer will be appointed. University hearing officers receive annual training on issues related to sexual assault, domestic violence, dating violence and stalking and how to conduct a hearing that protects the safety of victims and promotes accountability. If a formal student disciplinary hearing is held, both the alleged victim and the accused have the same rights to be present at the hearing, and both have the same right to be accompanied by an advisor at any stage of the process. Both will be simultaneously informed of the outcome of any disciplinary proceeding, the procedures for appealing the results of the disciplinary proceeding, of any change to the results that occurs before the results become final and when such results become final. If the incident involved an alleged sex offense, both the victim and the accused student are notified of the final decision in the disciplinary proceeding and any sanctions imposed.

Following a final determination of an institutional procedure regarding domestic violence, dating violence, sexual assault or stalking, the University may impose the following sanctions on students:

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

A finding that the violation was intentional, forcible, violent, or motivated by hatred or bias normally results in a sanction of Suspension or Dismissal.

UC Davis staff or faculty members may be subject to disciplinary action under applicable personnel policies or collective bargaining agreements. Possible sanctions the University may impose on faculty/staff:

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

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

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

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

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

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

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

At the conclusion of the investigation, the Title IX Officer will notify the accused student and the alleged victim about the outcome of the investigation. The Title IX Officer will also inform the parties about how to obtain a copy of the report if either party wishes to do so. If the accused is a UC Davis student, the investigation report will be released to Student Judicial Affairs. SJA will review the report to determine whether to proceed with the disciplinary process. If SJA conducts a formal hearing, the investigation report will become part of the evidence that will be reviewed at a disciplinary hearing as described above. Those who are
involved in the hearing process will also know about the report.

It may be helpful to know that certain University officials – supervisors, faculty, coaches and other authorities -- have an obligation to respond to reports of sexual harassment and sexual violence, even if the person making the report requests that no action be taken. If an individual prefers to seek assistance that will not lead to a report he or she should consider talking with one of the University’s confidential resources before making an official complaint. A list of confidential resources, which for the campus include CARE, Counseling Services, ASAP, WRRC, LGBTQIA, and the Ombuds Office, is available at: https://sexualviolence.ucdavis.edu/resources.html, and may also be found in the Sexual Violence Support Services and Reporting Options handout found in Appendix C.

SEXUAL VIOLENCE PREVENTION EDUCATION & AWARENESS PROGRAMS

The Center for Advocacy, Resources and Education (CARE) provides mandatory in-person training for all incoming freshmen and transfer students. This education includes information about the nature, dynamics and common circumstances and effects associated with sexual assault, domestic violence, dating violence and stalking. The program includes information about risk reduction and bystander intervention strategies. If incoming students do not complete this training within the time period established by the campus, a registration hold is placed on the student’s record and the student is not able to register for classes until the training is completed. In addition to these programs, each year CARE presents and sponsors an average of 200 to 250 sexual violence prevention programs, lectures, training sessions and workshops to classes, residence halls, student organizations, athletic teams, sororities and fraternities. The office also maintains an extensive library pertaining to violence and sexual assault. CARE also prepares and widely distributes numerous educational brochures and other publications.

UC Davis provides periodic training relating to the prevention and handling of sexual assault, domestic violence, dating violence and stalking to all relevant personnel including UC Davis police officers and dispatchers, student judicial affairs staff and hearing officers, university investigators and other staff associated with the Title IX program. The Harassment and Discrimination Assistance and Prevention Program provides education relating to sexual harassment prevention for a wide variety of audiences including student groups, staff and faculty. All instructor-led programs include information about the prevention and handling of sexual violence.

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

- Website for information on sexual assault, domestic violence, dating violence and stalking, http://sexualviolence.ucdavis.edu
- Website for Center for Advocacy Resources and Education (CARE), http://care.ucdavis.edu
- Website for Harassment and Discrimination Assistance and Prevention Program (HDAPP), http://hdapp.ucdavis.edu

PUBLIC INFORMATION REGARDING SEX OFFENDERS

The State of California requires sex offenders to register with the police in the jurisdiction in which they reside, as well as with campus police departments if they are employed, carrying on a vocation, or attending school. Information on registered sex offenders is available on the Megan's Law website at http://www.meganslaw.ca.gov.

KEEPING THE CAMPUS SAFE: SAFETY PRECAUTIONS

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

Access to and Maintenance of Campus Buildings and Grounds
UC Davis is a large campus, situated on 5,500 acres. During the school year, our daily population of over 55,000 students, staff, and faculty makes us a small city in itself with its own crime problems. The nature of the study, service, and research conducted at UC Davis and UCDHS requires that many of our buildings and facilities be open and accessible 24 hours a day. Since the campus and UCDHS are open, many individuals find it easy to access the buildings and grounds and a few may engage in criminal activity. So, regardless of time, day or night, no matter where you are on campus or at UCDHS, be alert, aware of your surroundings and use common-sense safety precautions.

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

**Residential Buildings**

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

**Non-Residential Buildings**

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

**Parking, Biking, or Walking on Campus**

If you park on campus, lock your vehicle and consider using a steering wheel locking device and/or auto alarm. Place all valuables in your trunk or in another location where they will not be visible when viewed from the outside. Similarly, always lock your bicycle, even if you will be gone only a few minutes, and secure it to a fixed bike rack/pod if possible. If you are out at night on campus or walking to campus parking lots, use the Safety Escort Service. Most important, if you need assistance, do not hesitate to ask any staff member, Cal Aggie Host, or Police Officer.

**Weapons on Campus**

State law and University policy prohibit the possession or use of weapons on University property. It is a felony punishable by up to four years in prison to possess any firearm on University property, whether in a book bag, in the car, or in an office, classroom, or apartment. Possessing a concealed weapon or automatic weapons of any kind is illegal, whether on campus

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or in the community. Campus policies prohibit bringing on campus weapons such as knives with blades longer than 2 1/2 inches, switchblades, dirks, daggers, stun guns, BB-gun, air guns, metal knuckles, nun chaku, and similar items.

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

EDUCATION & PREVENTION SERVICES AND PROGRAMS

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

Center for Advocacy, Resources and Education
Center for Advocacy, Resources and Education (CARE) provides violence intervention and prevention services to the UC Davis campus and UC Davis Health System in Sacramento. Intervention services include confidential crisis counseling, advocacy and accompaniment services are available to any UC Davis student, faculty and staff who are survivors of sexual assault, intimate partner violence or stalking regardless of gender, sexual orientation, ethnicity, religion, age or (dis)ability. Prevention services include educational programming and professional training for campus and community partners, including students and student staff, professional staff in various departments, administrators, law enforcement, medical professionals, community service providers and prosecutors. CARE staff also facilitate the mandatory Violence Intervention & Prevention (VIP) Workshop that is required for all incoming undergraduate students. Additionally, CARE educates the campus and UCDHS communities about available services and violence prevention via marketing, social networking, printed materials and other outreach efforts.

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

COLLECTION OF STATISTICS FOR CAMPUS SECURITY REPORT

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

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

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

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

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

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

**Criminal Homicide – Murder and Nonnegligent Manslaughter** – The willful (nonnegligent) killing of one human being by another.

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

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

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

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

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

**Weapons: Carrying, Possessing, Etc.** – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

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

**Liquor Law Violations** – The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
Sex Offense – Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapability.

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

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

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

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

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

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

Hate Crime – Any crime committed in whole or in part, because one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.
## UC Davis Clery Act Statistics for 2012, 2013 & 2014

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

### Grand Total

(All locations)

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<th>2013</th>
<th>2014</th>
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<tr>
<td>Negligent manslaughter</td>
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<td>Robbery</td>
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### Other Arrests & Disciplinary Actions

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There were no Unfounded Crimes to report in 2014
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<th>Student Residences 2014</th>
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<th>Other on Campus 2014</th>
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<th>Subtotal On Campus 2013</th>
<th>Subtotal On Campus 2014</th>
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# Hate Crimes

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<td>One on campus destruction/damage/vandalism of property incident(s) characterized by race bias&lt;br&gt;One on campus destruction/damage/vandalism of property incident(s) characterized by sexual orientation bias&lt;br&gt;One on campus intimidation incident(s) characterized by race bias&lt;br&gt;One student residence simple assault incident(s) characterized by ethnicity bias</td>
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## Medical Center

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SUBSTANCE ABUSE: POLICY, SANCTIONS, & LAWS

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

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

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

Federal Laws and Sanctions
Under Federal law, it is a felony offense to sell or intend to sell, manufacture, or distribute Schedule I and II illicit drugs or mixtures containing them (e.g. cocaine, methamphetamines, heroin, Ecstasy, GHB, Ketamine, LSD, PCP, and so-called "designer drugs", as well as "counterfeits" purported to be such drugs), or to traffic in marijuana or hashish. Depending upon the quantity of drugs involved, penalties for first offenses range from 5 years to life (20 years to life if death or serious injury involved) and fines up to $10 million or more, and for second offenses from 10 years to life (life if death or serious injury involved) and fines up to $20 million. Illegal trafficking in over-the-counter or prescription drugs (including anabolic steroids) have maximum terms of 1 year for first offenses and 4 years for second offenses, and heavy fines. Illegal possession of controlled substances can trigger federal prison sentences and fines of at least $1,000 for first offenses, more for second offenses. Those convicted of possession or distribution of controlled substances can be barred from receiving benefits of federal programs, including student grants and loans, contracts, and professional and commercial...
licenses; may be subject to forfeiture of property used in or traceable to illegal controlled substance transactions; and, if non-citizens, subject to deportation.

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

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

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

Campus programs, services, and resources include:

- **Health Education and Promotion (HEP)** – is focused on preventing and reducing alcohol, tobacco and other drugs issues in the student population, developing, managing and evaluating strategies to aid students in making informed decisions in these areas. This program is a lead partner in the Safe Party Initiative, a campus and community evidence-based strategy that aims to reduce problems related to college student drinking at parties in the Davis community. Student "party goers” and "party throwers” can visit the Safe Party website, safeparty.ucdavis.edu, to find tips on how to reduce the risks of alcohol-related problems.
taking the eCHECKUP TO GO self-assessment located on the safeparty.ucdavis.edu website is required of all incoming UC Davis students, any student can complete this brief confidential survey at any time at no charge. The eCHECKUP TO GO feedback helps identify personal risk patterns and offers harm reduction strategies related to alcohol use. More information is available at https://shcs.ucdavis.edu/services/wellnessconcerns.html#safeParty or by calling 530-754-4878.

- **Alcohol, Tobacco and Other Drugs Intervention Services (ATODIS)** – provides free and confidential individual assessment and intervention services for UC Davis students who can meet with a Safe Zone trained ATOD Intervention Services professional. Services and referrals are provided in collaboration with Counseling Services, Student Health and Counseling Services’ medical staff, Neighborhood Court or self-referrals. Free, 90-minute group sessions are also provided in a confidential and non-judgmental environment for students referred from the conduct system or students who self-refer. More information is available at https://shcs.ucdavis.edu/services/atod.html or by calling 530-752-6334. Smoking cessation services are also available to students free of charge. If the student meets with the ATODIS Coordinator they can receive one month of the following Nicotine Replacement Therapies for free: gum, patches, or lozenges. For more information call 530-752-6334.

- **New Collegiate Recovery Group (Aggies in Recovery)** – meets every Tuesday from 5-6 PM in the Student Health and Wellness Center. This group is open to any UC Davis undergraduate or graduate student who is choosing not to use any mind altering substances. This is not a 12-step meeting but a support group for students in recovery.

- **Counseling Services** - provides short-term counseling at no cost to UC Davis registered students and referrals to other providers and services; also provides on-line anonymous self-assessment and screening for alcohol and related issues. More information is available at https://shcs.ucdavis.edu/services/counseling.html, or by calling 530-752-0871.

- **Academic & Staff Assistance Program (ASAP)** - offers confidential, cost free assessment, intervention, consultation and referral services to all UCD faculty, staff and their immediate families. More information is available at http://www.hr.ucdavis.edu/asap/, or by calling 530-752-2727.

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

- **Marijuana Anonymous** – 800-766-6779; https://www.marijuana-anonymous.org/
- **Cocaine Anonymous** – 916-469-6588; www.ca.org
- **Al-Anon/Alateen** – email: wso@al-anon.org; http://www.al-anon.org/or-alateen
- **Sacramento County Department of Health & Human Services Alcohol & Drug Services** www.dhhs.saccounty.net
- **Yolo County Alcohol, Drug and Mental Health Services** – 888-965-6647 (no charge, 24 hrs)
- **Yolo County Alcohol & Drug Information and Treatment Services** – Davis 530-757-5530, Woodland 530-666-8630, West Sacramento 916-375-6350, Crisis 888-965-6647; http://www.namiyolo.org/ycadmhservices.html
HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE

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

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

- Alcohol https://shcs.ucdavis.edu/topics/alcohol.html
- Alcohol poisoning https://shcs.ucdavis.edu/topics/alcohol-poisoning.html
- Illegal Drug Use https://shcs.ucdavis.edu/topics/drugs.html
- Smoking Cessation https://shcs.ucdavis.edu/topics/nicotine.html
- Hookah https://shcs.ucdavis.edu/topics/hookah.htm
- Marijuana https://shcs.ucdavis.edu/topic/marijuana
- Opiates https://shcs.ucdavis.edu/topics/opiates.html
- Stimulants https://shcs.ucdavis.edu/topics/stimulants.html
- Prescription Drug Abuse https://shcs.ucdavis.edu/topics/prescription-drug-abuse.html
- Heroin https://shcs.ucdavis.edu/topics/heroin.html

You may obtain a printed copy of this report and information regarding substance abuse policies, laws, sanctions, consequences, and/or resources by sending an email request to PublicRecords@ucdavis.edu or a written request addressed to the Information Practices Officer, Office of the Campus Counsel, University of California, Davis, One Shields Avenue, Davis, California 95616.
UC DAVIS FIRE SAFETY REPORT

The UC Davis campus is served by the UC Davis Fire Department for emergency response in Fire and EMS, and by Safety Services-Fire Prevention Services for state regulated code enforcement and life and property protection on behalf of the California State Fire Marshal. The mission of the UC Davis Fire Department is to protect and enhance the safety and well-being of our community with pride and excellence. UCDFD presently employs 23 full-time personnel and 15 Student Resident Firefighters. Emergency response is provided from Fire Station 34, the UCDFD Fire/Police Building. The UCDFD crew has an engine, a tiller truck with a 100 foot aerial ladder and a hazardous materials unit.

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

POLICIES §668.49(b)

a. Safety Policies §668.49(b)(4)

All Student Housing policies are described in the Guide to Residence Hall Life which is given to every resident electronically upon signing of the residence contract, and is available on the Student Housing website at http://www.housing.ucdavis.edu/publications/guides/residencehalls/. All residents are responsible for being familiar with the information contained in the handbook. Other
campus policies are published by the UC Davis Fire Prevention Services and are available online at http://safetyservices.ucdavis.edu/ps/fp/fn.

i. Use of Electrical Appliances

Guide to Residence Hall Life: Appliances, Food Preparation
Section 3: Residence Hall & University Policies/ B. Policies/ 8. Appliances, Food Preparation

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

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

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

- Electrical Safety- Modifications to or changes in electrical wiring are prohibited as are splices, octopuses, or modification devices used to add plugs. Only UL approved, grounded power strips with fuses may be used.
- Evacuation- Residents must evacuate the building when a fire alarm has sounded.
- False Alarm- Residents may not intentionally or recklessly activate an alarm in a non-emergency situation.
- Fire- Causing, attempting to cause, or contributing to the continuation of a fire is prohibited.
- Fireplaces- Unauthorized use of a Student Housing fireplace is prohibited.
- Flammable Liquids- Flammable liquids and other hazardous materials may not be stored or used in Student Housing buildings. This includes, but is not limited to, gasoline and lighter fluid.
- Room Decorations- Large wall hangings must be treated with flame retardant. Exterior room doors may not be more than 33% covered. Student Housing reserves the right to adjust this percentage and will notify residents is any change is made. Paper or plastic may not be used to cover any light or fixture. Lighting fixtures, including holiday lights, may not be hung on any surface outside rooms or suites including windows or doors.
- Tampering- Tampering with fire suppression equipment, including but not limited to fire extinguishers, smoke detectors, fire alarm pull stations, automatic door closers, and sprinklers, is prohibited. Tampering includes covering smoke detectors, hanging items from sprinklers or sprinkler pipes, or otherwise disabling fire suppression equipment.

ii. Smoking

Guide to Residence Hall Life: Smoking and Incense
Section 3: Residence Hall & University Policies/ B. Policies/ 28. Smoking

Smoking and tobacco use are not permitted on University property or in any Student Housing building or dining facility. Tobacco use includes inhaling, smoking, chewing, dipping or any other assimilation of tobacco products. Smoking or tobacco use within 25 feet of any building entry, courtyard, stairway, passageway, pool area, patio, balcony, or operable window is considered violation of Student Housing policy as is possession of use of any tobacco product (e.g. hookah, electronic cigarette, vapor pen).

iii. Open Flames

Guide to Residence Hall Life: Fire Safety
Section 5: Fire Safety/ C. Torchiere Halogen Lamps

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

Guide to Residence Hall Life: Fire Safety
Section 3: Section 3: Residence Hall & University Policies/ B. Policies/ 6. Candles, Incense

Candles, incense, and items that produce an open flame are prohibited regardless of the reason for use.
Candle and Other Open-Flame Guidelines, REV JAN 2013 UCDFPS Fire Net/ Campus Directive

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

Title 19, the California Fire Code and UC Davis Campus policy require candles and other open-flame decorative devise to be used, when permitted, in accordance with the following rules and guidelines:

1) Hand-held open flame devices are prohibited inside buildings.
2) Flammable and Combustible liquids and LP-gas shall not be used.
3) Liquid or solid-fueled lighting devices containing more than 8 ounces (236.6 ml) must self-extinguish and not leak fuel at a rate of more than 1/4 teaspoon per minute (1.26 ml per minute) if tipped over.
4) The devices or holder shall be constructed to prevent the spillage of liquid fuel or wax at the rate of no more than 1/4 teaspoon per minute (1.26 ml per minute) when the device or holder is not in an upright position.
5) The device or holder shall be designed so that it will return to the upright position after being tilted to an angle of 45 degrees from vertical.
   EXCEPTION: Units that self-extinguish if tipped over and do not spill fuel or wax at the rate of more than 1/4 teaspoon per minute (1.26 ml per minute) if tipped over.
6) The flame shall be enclosed except as follows:
   a) Openings on the side shall not be more than 3/8 inch (9.5 mm) diameter.
   b) Openings on the top of the candle holder and the distance to the top of the flame shall be 1 inch and such that a piece of tissue paper placed on the top will not ignite in 10 seconds.
7) Floating candles must still keep the top of the flame at least one inch below the glass top.
8) Chimneys shall be made of noncombustible materials. Such chimneys shall be securely attached to the open-flame device.
   EXCEPTION: The chimney need not be attached to any open-flame device that will self-extinguish if the device is tipped over.
9) Fuel canisters shall be safely sealed for storage.
10) Storage and handling of combustible liquids shall be in accordance with Chapter 34 of the California Fire Code, Flammable and Combustible Liquids. Contact the UC Davis Fire Prevention at (530) 752-2059.
11) Shades, if used, shall be made of noncombustible materials and securely attached to the open-flame device holder or chimney.
12) Candelabras with flame-lighted candles shall be securely fastened in place to prevent overturning and located away from occupants using the area and away from possible contact with drapes, curtains or other combustibles.

13) Open flames such as candles shall not be located on or near decorative material or similar combustible material (exception: linen tablecloths).

14) Candles shall be prohibited in areas where occupants stand, or in an aisle or exit.

15) Permittees will be required to have a fire extinguisher in the room where the candles are being used. For events where only one or two candles are used, and a fire extinguisher is not immediately available, the Fire Department MAY authorize the use of a one-gallon bucket of water to be kept in close proximity to the open flames.

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

**Guide to Residence Hall Life: Fire alarms, smoke detectors, and fire sprinklers**

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

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

Each resident needs to be aware of the sensitivity of smoke detectors (and fire sprinklers in Thoreau, Bixby, Gilmore, Malcolm, Ryerson, Alder, Thompson, Miller, Regan, Kearney, Laben, Wall, Campbell and Potter Halls) in their rooms and hallways. They can be activated by foreign materials (e.g. water, smoke, aerosol sprays) or sudden shock (e.g. being hit or touched). They cannot properly respond to smoke or fire if they are covered, taken down, or have objects hanging from them. As a result, such activity is not permitted. **Tampering with or activating an alarm in a non-emergency situation, or the presence of illegal cooking devices that cause an activation of the system, will result in disciplinary action as well as the assessment of a charge for costs attributed to the false alarm.**
c. Fire Safety Education and Training §668.49(b)(6)

Guide to Residence Hall Life: Fire Safety

Section 5: Fire Safety

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

d. Fire Education Training

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

Residents in Student Housing receive the following safety education: Participation in Fire Drills; Fire Safety information in the Guide to Student Life; Fire Safety videos that plays on Student Housing closed circuit television, one of which is narrated by the Campus Fire Marshal; and educational material regarding college fire safety that are distributed at the Freshman Orientation
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<td>Residential Facilities</td>
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<td>8th and Wake South</td>
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1Leach Hall closed permanently in June 2014, the area occupied will be redeveloped into a 3-Hall facility by fall 2017.

**UC Davis Standard Policy***

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

**Fire Separations**

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

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

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<tr>
<td>Thoreau (Dorm)</td>
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<tr>
<td>Webster (Dorm)</td>
<td>1</td>
</tr>
<tr>
<td>Regan Complex (Dorm)</td>
<td>8</td>
</tr>
<tr>
<td>Segundo - North (Dorm)</td>
<td>3</td>
</tr>
<tr>
<td>Segundo – 5 Story (Dorm)</td>
<td>4</td>
</tr>
<tr>
<td>Tercero North (Dorm)</td>
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<tr>
<td>Tercero Kearney/Laben (Dorm)</td>
<td>2</td>
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<tr>
<td>Tercero South (Dorm)</td>
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<tr>
<td>Primero Grove (Apts)</td>
<td>4</td>
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<tr>
<td><strong>Total</strong></td>
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</tbody>
</table>

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

REPORTING LIST

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

<table>
<thead>
<tr>
<th>Location</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerson (Dorm)</td>
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<tr>
<td>Thoreau (Dorm)</td>
<td>1</td>
</tr>
<tr>
<td>Webster (Dorm)</td>
<td>1</td>
</tr>
<tr>
<td>Regan Complex (Dorm)</td>
<td>8</td>
</tr>
<tr>
<td>Segundo - North (Dorm)</td>
<td>3</td>
</tr>
<tr>
<td>Segundo – 5 Story (Dorm)</td>
<td>4</td>
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<tr>
<td>Primero Grove (Apts)</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>34</strong></td>
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</table>

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

UC Davis Dispatch Emergency Number (530) 752-1234

Report to Resident Advisor of Housing Unit
FUTURE IMPROVEMENTS

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

<table>
<thead>
<tr>
<th>School Year</th>
<th>System</th>
<th>Action</th>
<th>Building</th>
<th>Building Type</th>
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<tbody>
<tr>
<td>2016/2017</td>
<td>All</td>
<td>Build</td>
<td>Tercero Phase 4</td>
<td>4 Story Dormitory</td>
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<td>2017/2018</td>
<td>All</td>
<td>Build</td>
<td>Leach Hall Replacement</td>
<td>3 Hall Dormitory</td>
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STATISTICS

Statistics for on campus student housing facilities for the three most recent calendar years (2012, 2013, 2014)

DISCLOSURE OF INFORMATION

<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Injuries that Required Treatment at Medical Facility</th>
<th>Deaths Related to Fire</th>
<th>Value of Property Damage</th>
<th>Incident Number</th>
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Location of UC Davis Annual Fire Safety Report for calendar year 2014:

Location of UC Davis Annual Security Report:
http://police.ucdavis.edu/crime_alerts.html
APPENDIX A
For assistance with incidents of dating violence, domestic violence, sexual assault, sexual harassment, sexual violence, and stalking, please contact your local CARE Advisor or Title IX, at http://sexualviolence.universityofcalifornia.edu/get-help/index.html

I. POLICY SUMMARY

The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Every member of the community should be aware that the University prohibits sexual harassment and sexual violence, and that such behavior violates both law and University policy. The University will respond promptly and effectively to reports of sexual harassment and sexual violence, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy on Sexual Harassment and Sexual Violence (hereafter referred to as Policy).
This Policy applies to all University of California employees and students at its campuses, the Lawrence Berkeley National Laboratory, the Medical Centers, the Office of the President ("locations"), Agriculture and Natural Resources, and its University programs and activities. This Policy furthers the University’s commitment to compliance with the law and to the highest standards of ethical conduct as outlined in the University’s Statement of Ethical Values and Standards of Ethical Conduct.

It is the policy of the University not to engage in discrimination against or harassment of any person associated with the University of California.

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For questions about this policy, please contact:

<table>
<thead>
<tr>
<th>Academic</th>
<th>Student</th>
<th>Staff</th>
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<tr>
<td>Contact: Janet Lockwood</td>
<td>Eric Heng</td>
<td>Jeannene Whalen</td>
</tr>
<tr>
<td>Email: <a href="mailto:Janet.Lockwood@ucop.edu">Janet.Lockwood@ucop.edu</a></td>
<td><a href="mailto:Eric.Heng@ucop.edu">Eric.Heng@ucop.edu</a></td>
<td><a href="mailto:Jeannene.Whalen@ucop.edu">Jeannene.Whalen@ucop.edu</a></td>
</tr>
<tr>
<td>Phone: (510) 987-9499</td>
<td>(510) 987-0239</td>
<td>(510) 987-0853</td>
</tr>
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</table>
II. DEFINITIONS

**Sexual Harassment** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person’s employment or education or interferes with a person’s work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile, or offensive. Sexual harassment includes sexual violence (see definition below). The University will respond to reports of any such conduct in accordance with the Policy.

Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors, and patients). Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of the same sex or opposite sex. To determine whether the reported conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and to the totality of the circumstances, including the context in which the conduct occurred.

Consistent with the University of California Policies Applying to Campus Activities, Organizations, and Students, Policy 100.00 on Student Conduct and Discipline, Section 102.09, harassment of one student by another student is defined as unwelcome conduct of a sexual nature that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person’s access to University programs or activities that the person is effectively denied equal access to the University’s resources and opportunities.

**Sexual Violence** is defined as physical sexual acts engaged without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.

**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.

**Domestic Violence** is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.

**Dating Violence** is defined as abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
Sexual Assault occurs when physical sexual activity is engaged without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).

Consent is informed. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is revocable. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

For purposes of this Policy, the age of consent is consistent with California Penal Code Section 261.5.

Incapacitation is defined as the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol, drugs or other medication are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person’s decision-making capacity, awareness of consequences, ability to make fully informed judgments, and inability to communicate. Being intoxicated by drugs, alcohol or other medication does not absolve one’s responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

Stalking is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others.
Executive Officer: The University President, Chancellor, Lawrence Berkeley National Laboratory Director, or Vice President of Agricultural and Natural Resources.

III. POLICY STATEMENT

A. General
The University prohibits sexual harassment and sexual violence. Such behavior violates both law and University policy. The University will respond promptly and effectively to reports of sexual harassment and sexual violence and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this Policy.

B. Prohibited Acts
This Policy prohibits sexual harassment and sexual violence as defined in Section II. Conduct by an employee that is sexual harassment or sexual violence in violation of this Policy is considered to be outside the course and scope of employment.

C. Consensual Relationships
This Policy covers unwelcome conduct of a sexual nature. Consensual romantic relationships between members of the University community are subject to other University policies. For example, policies governing faculty-student relationships are detailed in The Faculty Code of Conduct.\(^1\) Locations may have local policies pertaining to consensual relationships. While romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to charges of sexual harassment or sexual violence.

D. Gender Identity, Gender Expression, or Sexual Orientation Discrimination
Harassment that is not sexual in nature but is based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation also is prohibited by the University’s nondiscrimination policies\(^2\) if it denies or limits a person’s ability to participate in or benefit from University educational programs, employment, or services. While discrimination based on these factors may be distinguished from sexual harassment, these types of discrimination may contribute to the creation of a hostile work or academic environment. Thus, in determining whether a hostile environment due to sexual harassment exists, the University may take into account acts of discrimination based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation.

\(^1\) The Faculty Code of Conduct may be found in the Academic Personnel Manual (APM) Section 015.
E. Retaliation
This Policy prohibits retaliation against a person who reports sexual harassment or sexual violence, assists someone with a report of sexual harassment or sexual violence, or participates in any manner in an investigation or resolution of a sexual harassment or sexual violence report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

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

G. Dissemination of the Policy, Educational Programs, and Employee Training
As part of the University’s commitment to providing a working and learning environment free from sexual harassment and sexual violence, this Policy shall be disseminated widely to the University community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. The locations shall make preventive educational materials and prevention training available to all members of the University community to promote compliance with this Policy and familiarity with local procedures. The locations shall designate University employees responsible for reporting sexual harassment and sexual violence and make available prevention training to designated employees. In addition, the University will provide annual training to investigators and hearing officers. Each location shall post a copy of this Policy in a prominent place on its website (See Section V. Procedures).

H. Reporting Sexual Harassment or Sexual Violence
Any member of the University community may report conduct that may constitute sexual harassment or sexual violence to any supervisor, manager, or Title IX Officer (Sexual Harassment Officer). Supervisors, managers, and other designated employees are responsible for promptly forwarding such reports to the Title IX Officer (Sexual Harassment Officer) or other local official designated to review and investigate sexual harassment and sexual violence complaints. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment or sexual violence who knew about the incident and took no action to stop it or failed to report the prohibited act may be subject to disciplinary action.

Each location shall identify confidential resources, including but not limited to the CARE Advocate and Campus Ombuds, with whom members of the University community can consult for advice and information regarding making a report of sexual harassment or sexual violence. Requests regarding the confidentiality of reports of sexual harassment or sexual violence will be considered in determining an appropriate response; however, such requests will be considered in the dual contexts of the University’s obligation to ensure a working and learning environment free from sexual harassment and sexual
violence and the due process rights of the accused to be informed of the allegations and their source. See Section V.E and F for more information regarding confidentiality and privacy. Also, an individual may file a complaint or grievance alleging sexual harassment or sexual violence under the applicable University complaint resolution or grievance procedure (Section V. Procedures; Appendix I: University Complaint Resolution and Grievance Procedures).

**I. Response to Reports of Sexual Harassment or Sexual Violence**

The locations shall provide prompt and effective response to reports of sexual harassment or sexual violence, which may include Early Resolution, Formal Investigation, and/or targeted prevention training or educational programs. See Section V, Procedures for more information.

If an individual reports to the University that the individual has been a victim of domestic violence, dating violence, sexual assault, or stalking, s/he shall be provided with a written explanation of the individual’s rights and options whether the offense occurred on- or off-campus or on any University location.

Upon a finding of sexual harassment or sexual violence, the University may offer remedies to the individual or individuals harmed by the harassment and/or violence consistent with applicable complaint resolution and grievance procedures (Appendix I: University Complaint Resolution and Grievance Procedures). Such remedies may include counseling, an opportunity to repeat course work without penalty, changes to student housing assignments, or other appropriate interventions, such as changes in academic, living, transportation, or working situations.

Any member of the University community who is found to have engaged in sexual harassment or sexual violence is subject to disciplinary action including dismissal in accordance with the applicable University disciplinary procedure (Appendix II: University Disciplinary Procedures) or other University policy. Generally, disciplinary action will be recommended when the conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from educational programs.

**J. Free Speech and Academic Freedom**

As participants in a public university, the faculty and other academic appointees, staff, and students of the University of California enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. This Policy is intended to protect members of the University community from discrimination, not to regulate protected speech. This Policy shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression. The University also has a compelling interest in free inquiry and the collective search for knowledge and thus recognizes principles of academic freedom as a special area of protected speech. Consistent with these principles, no provision of this Policy shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public
commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

K. Additional Enforcement Information
The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate complaints of unlawful harassment, including sexual violence, in employment. The U.S. Department of Education Office for Civil Rights (OCR) investigates complaints of unlawful harassment and sexual violence by students in educational programs or activities. These agencies may serve as neutral fact finders and attempt to facilitate the voluntary resolution of disputes with the parties. For more information, contact the nearest office of the EEOC, DFEH or OCR.

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy
Responsible Officers have the authority to develop procedures or other supplementary information to support the implementation of this Policy. Responsible Officers may apply appropriate and consistent interpretations to clarify the Policy provided that the interpretations do not result in substantive changes to the Policy.

The Executive Officer at each location is authorized to establish and is responsible for local procedures to implement the Policy. Local procedures must be consistent with the Policy. Exceptions to procedures required by the Policy must be approved by the Executive Officer.

Executive Officers and Responsible Officers are authorized to determine responsibilities and authorities at secondary administrative levels to establish local procedures necessary to implement the Policy.

Each location is responsible for describing each type of disciplinary proceeding used by the location. This includes the steps, anticipated timelines, and decision-making process for each type of disciplinary proceedings. The procedures must also describe how the location determines which type of proceeding to use based on the circumstances of an allegation.

B. Revisions to the Policy
The President approves the Policy and has the authority to approve revisions upon recommendation by the Responsible Officers.

The Responsible Officers have the authority to initiate revisions to the Policy consistent with approval authorities and applicable Bylaws, Standing Orders, and Policies of The Regents.
C. Approval of Actions
Actions within the Policy must be approved in accordance with local procedures.

D. Compliance with the Policy
The Executive Officer at each location will designate the local management office responsible for monitoring, enforcing, and reporting Policy compliance.

The Senior Vice President – Chief Compliance and Audit Officer will periodically audit and monitor compliance with the Policy.

E. Noncompliance with the Policy
Noncompliance with the Policy is managed in accordance with the Policy on Student Conduct and Discipline, Personnel Policies for Staff Members 61, 62, 63, 64, 65, and 67 pertaining to disciplinary and separation matters, and in accordance with other University policies, including but not limited to, The Faculty Code of Conduct (APM - 015) and University Policy on Faculty Conduct and the Administration of Discipline (APM - 016), Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150) or, as applicable, collective bargaining agreements. Reference Section VI and Appendices I and II.

V. REQUIRED PROCEDURES

A. Location Responsibilities
The locations shall:

1. Establish an independent, confidential Advocacy Office for sexual misconduct (sexual violence, dating violence, domestic violence, stalking, and sexual assault) called CARE: Advocacy Office for Sexual and Gender-Based Violence and Misconduct;

2. Provide mandatory sexual harassment prevention training and education to the University community. Additionally consistent with California Government Code 12950.1, provide sexual harassment and abusive conduct prevention training and education to each supervisory employee;

3. Provide mandatory prevention education programs to all incoming students and new employees, and ongoing prevention and awareness campaigns to the University community, to promote awareness of rape and acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, including the
definition of consent, options for bystander intervention, and risk reduction awareness information;

4. Provide mandatory comprehensive annual training on issues related to responding to sexual violence as defined in this Policy, including trauma-informed approaches, for individuals conducting formal investigations of reports or conducting hearings;

5. Provide all members of the University community with a process for reporting sexual harassment or sexual violence in accordance with the Policy;

6. Identify internal and external resources for reporting sexual harassment or sexual violence, including law enforcement, medical, and victim support services;

7. Provide prompt and effective response to reports of sexual harassment, sexual violence, or reports of retaliation related to reports of sexual harassment or sexual violence in accordance with the Policy;

8. Provide written notification as outlined in Section V.B.1 of the Policy; and

9. Designate trained individuals, including, or other than, the Title IX Officer (Sexual Harassment Officer) to serve as resources for members of the University community who have questions or concerns regarding behavior that may be sexual harassment or sexual violence.

10. Proceedings will incorporate these additional elements:

   a. Timely notice of meetings at which the accused or complainant, or both, may be present.

   b. Timely access to the complainant, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings.

   c. Is conducted by officials who do not have a conflict of interest or bias for or against the complainant or the accused.

Title IX Officer (Sexual Harassment Officer)

Each location shall designate a single Title IX Officer (Sexual Harassment Officer). The names and contact information for the Title IX Officer (Sexual Harassment Officer) and any designated trained sexual harassment or sexual violence advisors shall be posted with the Policy and local procedures on the location’s website and be readily accessible to the University community. The responsibilities of the Title IX Officer (Sexual Harassment Officer) include, but may not be limited to, the duties listed below:
(a) Coordinate with other responsible units to ensure that local sexual harassment and sexual violence prevention education and training programs are offered and provided as required by the Policy;

(b) Disseminate the Policy widely to the University community;

(c) Provide educational materials to promote compliance with the Policy and familiarity with local reporting procedures;

(d) Train University employees responsible for reporting or responding to reports of sexual harassment;

(e) Provide prompt and effective response to reports of sexual harassment or sexual violence in accordance with the Policy;

(f) Maintain records of reports of sexual harassment and sexual violence at the location and actions taken in response to reports, including records of investigations, voluntary resolutions, and disciplinary action, as appropriate; and

(g) Identify and address any patterns or systemic problems that arise during the review of sexual harassment and sexual violence complaints.

B. Procedures for Reporting and Responding to Reports of Sexual Harassment or Sexual Violence

All members of the University community are encouraged to contact the Title IX Officer (Sexual Harassment Officer) if they observe or encounter conduct that may be subject to the Policy. This includes conduct by employees, students, or third parties. Reports of sexual harassment or sexual violence may be brought to the Title IX Officer (Sexual Harassment Officer), or to any manager, supervisor, or other designated employee responsible for responding to reports of sexual harassment or sexual violence. If the person to whom harassment normally would be reported is the individual accused of harassment, reports may be made to another manager, supervisor, or designated employee. Managers, supervisors, and designated employees are required to notify the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints when a report is received.

Reports of sexual harassment or sexual violence should be brought forward as soon as possible after the alleged conduct occurs. While there is no stated timeframe for reporting, prompt reporting will better enable the University to respond to the report, determine the issues, and provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed. However, delaying a report may impede the University’s ability to conduct an investigation and/or to take appropriate remedial actions.
1. Required Notifications For Reports of Sexual Violence

The University will provide a written explanation of available rights and options, including procedures to follow, when the University receives a report that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the offense occurred in connection with any University program. The written information shall include:

(a) How and to whom the alleged offense should be reported;

(b) options for reporting to law enforcement and University authorities, including the option to notify local or University law enforcement authorities; the right to be assisted by University authorities in notifying law enforcement authorities if the complainant so chooses and the right to decline to notify such authorities;

(c) the rights of complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts and the University's responsibilities regarding such orders;

(d) the importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protection order;

(e) existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available both within the institution and the community;

(f) options for, and available assistance to, change academic, living, transportation, and working situations, if requested by the complainant and if reasonably available, regardless of whether the victim chooses to report the crime to University police or local law enforcement;

(g) Any applicable procedures for institutional disciplinary action.

2. Options for Resolution

Individuals reporting sexual harassment or sexual violence shall be informed about options for resolving potential violations of the Policy. These options shall include procedures for Early Resolution, procedures for Formal Investigation, and filing complaints or grievances under applicable University complaint resolution or grievance procedures. Individuals making reports also shall be informed about policies applying to confidentiality of reports under this Policy (see Section V.G below). Locations shall respond to the greatest extent possible to reports of sexual harassment and sexual violence brought anonymously or brought by third parties not directly involved in the asserted offenses. However, the response to such reports may be limited if information contained in the report cannot be verified by independent facts.
Individuals reporting sexual harassment and sexual violence shall be informed about the range of possible outcomes of the report, including interim protections, remedies for the individual harmed by the incident, and disciplinary actions that might be taken against the accused as a result of the report, including information about the procedures leading to such outcomes.

An individual who is subjected to retaliation (e.g., threats, intimidation, reprisals, or adverse employment or educational actions) for having made a report of sexual harassment or sexual violence in good faith, who assisted someone with a report of sexual harassment or sexual violence, or who participated in any manner in an investigation or resolution of a report of sexual harassment or sexual violence, may make a report of retaliation under these procedures. The report of retaliation shall be subject to the procedures in Section V.B.3 and Section V.B.4 below.

3. Procedures for Early Resolution

The goal of Early Resolution is to resolve concerns at the earliest stage possible with the cooperation of all parties involved. Locations are encouraged to utilize Early Resolution options when the parties desire to resolve the situation cooperatively and/or when a Formal Investigation is not likely to lead to a satisfactory outcome. Participation in the Early Resolution process is voluntary. Early Resolution may include an inquiry into the facts, but typically does not include a formal investigation. Means for Early Resolution shall be flexible and encompass a full range of possible appropriate outcomes.

Early Resolution includes options such as mediating an agreement between the parties, separating the parties, referring the parties to counseling programs, negotiating an agreement for disciplinary action, conducting targeted preventive educational and training programs, or providing remedies for the individual harmed by the offense. Early Resolution also includes options such as discussions with the parties, making recommendations for resolution, and conducting a follow-up review after a period of time to assure that the resolution has been implemented effectively. Early Resolution may be appropriate for responding to anonymous reports and/or third party reports. Steps taken to encourage Early Resolution and agreements reached through Early Resolution efforts should be documented.

While the University encourages Early Resolution of a complaint, the University does not require that parties participate in Early Resolution prior to the University’s decision to initiate a Formal Investigation. Some reports of sexual harassment or sexual violence may not be appropriate for mediation but may require a Formal Investigation at the discretion of the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints. The University will not compel a complainant to engage in mediation. Mediation, even if voluntary, may not be used in cases involving sexual violence.
4. Procedures for Formal Investigation

In cases where Early Resolution is inappropriate or in cases where Early Resolution is unsuccessful, the location may conduct a Formal Investigation. In such cases, the individual making the report may be encouraged to file a written request for Formal Investigation. The wishes of the individual making the request shall be considered, but are not determinative, in the decision to initiate a Formal Investigation of a report of sexual harassment or sexual violence. In cases where there is no written request, the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints, potentially in consultation with the administration, may initiate a Formal Investigation after making a preliminary inquiry into the facts.

In cases where a complainant states he or she does not want to pursue a Formal Investigation, the Title IX Officer (Sexual Harassment Officer) should inform the complainant that the ability to investigate may be limited. When determining whether to go forward with a Formal Investigation, the Title IX Officer (Sexual Harassment Officer) may consider: 1) the seriousness of the allegation, 2) in the case of a student complainant, the age of the student, 3) whether there have been other complaints or reports against the accused, and 4) the rights of the accused individual to receive information about the complainant and the allegations if formal proceedings with sanctions may result from the investigation. Even if a complainant does not want to pursue an investigation, under some circumstances, the Title IX Officer (Sexual Harassment Officer) may have an obligation to investigate a complaint, such as when there is a risk to the University community, if the accused remains on campus or at the University location. The complainant should be made aware of this independent obligation to investigate the complaint.

(a) In order to provide a prompt, fair, and impartial investigation and resolution, any Formal Investigation of reports of sexual harassment and/or sexual violence shall incorporate the following standards:

i. The individual(s) accused of conduct violating the Policy shall be provided a copy of the written request for Formal Investigation or otherwise given a full and complete written statement of the allegations, and a copy of the Policy; and

ii. The individual(s) conducting the investigation shall be familiar with the Policy, have training or experience in conducting investigations, and as relevant to the investigation, be familiar with policies and procedures specific to students, staff, faculty, academic appointees, and visitors. For cases involving allegations of sexual violence, the individual(s) conducting the investigation must receive annual training on issues related to sexual violence. Such training includes how to conduct an investigation that protects the safety of the complainants and promotes accountability.
(b) If the alleged conduct is also the subject of a criminal investigation, the location may not wait for the conclusion of the criminal investigation to begin an investigation pursuant to this Policy. However, the location may need to coordinate its fact-finding efforts with the police investigation. Once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any criminal charges), the location must promptly resume and complete its fact-finding for the sexual harassment or sexual violence investigation.

(c) The investigation generally shall include interviews with the parties if available, interviews with other witnesses as needed, and a review of relevant documents as appropriate. Disclosure of facts to parties and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation shall be advised that maintaining confidentiality is essential to protect the integrity of the investigation.

(d) The investigator shall apply a preponderance of evidence standard to determine whether there has been a violation of this Policy.

(e) Upon request, the complainant and the accused may each have a representative present when he or she is interviewed, and at any subsequent proceeding or related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by applicable University policy or collective bargaining agreement.

(f) At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate University officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative working or student housing arrangements. Failure to comply with the terms of interim protections may be considered a separate violation of this Policy.

(g) The investigation shall be completed as promptly as possible and in most cases within 60 working days of the date the request for formal investigation was filed. This deadline may be extended on approval by a designated University official. Extensions of timeframes will only be made for good cause, with written notice to the complainant and the accused of the delay, and the reason for the delay.

(h) Generally, an investigation results in a written report that at a minimum includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence, findings of fact, and a determination by the investigator whether this Policy has been violated. The report also may contain a recommendation for actions to resolve the complaint, including preventive educational programs, remedies for the complainant, and a referral to disciplinary procedures as appropriate. The report is submitted to a designated University official with authority to implement the actions necessary to resolve the complaint. The
report may be used as evidence in other related procedures, such as subsequent complaints, grievances and/or disciplinary actions.

(i) The complainant shall be informed if there were findings made that the Policy was or was not violated and of actions taken to resolve the complaint, if any. At the conclusion of any University disciplinary proceeding, the complainant and the accused will be informed of the outcome of that proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed against the accused, and the rationale for the result and sanctions, consistent with Section V.E.

(j) The complainant and the accused may request a copy of the investigative report pursuant to University policy governing privacy and access to personal information. However, in accordance with University policy, the report shall be redacted to protect the privacy of personal and confidential information regarding all individuals other than the individual requesting the report.

(k) At the conclusion of any disciplinary proceeding the complainant and the accused will be simultaneously informed in writing of:

i. The outcome of any University disciplinary proceeding, including the final determination with respect to the alleged offense, any sanction that is imposed against the accused, and the rationale for the result and the sanction, consistent with Section V.E.;

ii. Any right and any procedures for both the complainant and accused to appeal the outcome of any University disciplinary proceeding;

iii. Any change to the results that occur prior to the time that such results become final; and

iv. When results become final.

C. Complaints or Grievances Involving Allegations of Sexual Harassment or Sexual Violence

An individual who believes he or she has been subjected to sexual harassment or sexual violence may file a complaint or grievance pursuant to the applicable complaint resolution or grievance procedure listed in Appendix I: University Complaint Resolution and Grievance Procedures. Such complaint or grievance may be filed either instead of or in addition to making a report of sexual harassment to the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment and sexual violence complaints under this Policy. A complaint or

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3 UC Business and Finance Bulletin RMP-8, Legal Requirements on Privacy of and Access to Information.
grievance alleging sexual harassment or sexual violence must meet all the requirements under the applicable complaint resolution or grievance procedure, including time limits for filing.

If a complaint or grievance alleging sexual harassment or sexual violence is filed in addition to a report made to the Title IX Officer (Sexual Harassment Officer) or other appropriate official designated to review and investigate sexual harassment complaints under this Policy, the complaint or grievance shall be held in abeyance subject to the requirements of any applicable complaint resolution or grievance procedure, pending the outcome of the Early Resolution or Formal Investigation procedures. If the individual wishes to proceed with the complaint or grievance, the Early Resolution or Formal Investigation shall constitute the first step or steps of the applicable complaint resolution or grievance procedure.

An individual who has made a report of sexual harassment or sexual violence also may file a complaint or grievance alleging that the actions taken in response to the report of sexual harassment or sexual violence did not follow Policy. Such a complaint or grievance may not be filed to address a disciplinary sanction imposed upon the accused. Any complaint or grievance regarding the resolution of a report of sexual harassment or sexual violence must be filed in a timely manner. The time period for filing begins on the date the individual was notified of the outcome of the sexual harassment or sexual violence investigation or other resolution process pursuant to this Policy, and/or of the actions taken by the administration in response to the report of sexual harassment or sexual violence, whichever is later.

D. Remedies and Referral to Disciplinary Procedures
Findings of Policy violations may be considered to determine remedies for individuals harmed by the sexual harassment or sexual violence and shall be referred to applicable local disciplinary procedures (Appendix II). Procedures under this Policy shall be coordinated with applicable local complaint resolution, grievance, and disciplinary procedures to avoid duplication in the fact-finding process whenever possible. Violations of the Policy may include engaging in sexual harassment or sexual violence, retaliating against a complainant reporting sexual harassment or sexual violence, or violating interim protections. Investigative reports made pursuant to this Policy may be used as evidence in subsequent complaint resolution, grievance, and disciplinary proceedings as permitted by the applicable procedures.

E. Privacy
The University shall protect the privacy of individuals involved in a report of sexual harassment or sexual violence to the extent permitted by law and University policy. A report of sexual harassment or sexual violence may result in the gathering of extremely sensitive information about individuals in the University community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual harassment or sexual violence. In such cases, every effort shall be made to redact the records in order to protect the privacy of
individuals. Absent exceptional circumstances, the complainant shall be informed of the final results of a disciplinary proceeding against the accused, including information regarding disciplinary action taken against the accused. Any exception to this disclosure requirement must be approved by the Executive Officer.

**F. Confidentiality of Reports of Sexual Harassment and Sexual Violence**

Each location shall identify confidential resources with whom members of the University community can consult for advice and information regarding making a report of sexual harassment or sexual violence. These resources provide individuals who may be interested in bringing a report of sexual harassment or sexual violence with a safe place to discuss their concerns and learn about the procedures and potential outcomes involved. These resources shall be posted on the location’s website. Confidential resources could include campus ombuds, the CARE advocacy office and/or licensed counselors in employee assistance programs or student counseling centers. Individuals who consult with confidential resources shall be advised that their discussions in these settings are not considered reports of sexual harassment or sexual violence and that without additional action by the individual, the discussions will not result in any action by the University to resolve their concerns.

The locations shall notify the University community that certain University employees, such as the Title IX Officer (Sexual Harassment Officer), managers, supervisors, and other designated employees have an obligation to respond to reports of sexual harassment or sexual violence, even if the individual making the report requests that no action be taken. An individual’s requests regarding the confidentiality of reports of sexual harassment or sexual violence will be considered in determining an appropriate response; however, such requests will be considered in the dual contexts of the University’s legal obligation to ensure a working and learning environment free from sexual harassment and sexual violence and the due process rights of the accused to be informed of the allegations and their source. Some level of disclosure may be necessary to ensure a complete and fair investigation, although the University will comply with requests for confidentiality to the extent possible.

**G. Retention of Records Regarding Reports of Sexual Harassment and Sexual Violence**

The office of the Title IX Officer (Sexual Harassment Officer) is responsible for maintaining records relating to sexual harassment and sexual violence reports, investigations, and resolutions. Records shall be maintained in accordance with University records policies. Records that fall under the purview of the Clery Act will be retained for 7 years in accordance with federal law. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.
VI. RELATED INFORMATION

- Violence Against Women Reauthorization Act (VAWA) of 2013
- University of California Statement of Ethical Values
- Standards of Ethical Conduct
- Academic Personnel Manual (APM) Section 015, The Faculty Code of Conduct (referenced in Section III.D, footnote 1)
- Academic Personnel Manual (APM) Section 016, University Policy on Faculty Conduct and the Administration of Discipline (referenced in Section III.D, footnote 1)
- Academic Personnel Manual (APM) Section 035, Affirmative Action and Nondiscrimination in Employment (referenced in Section III.D, footnote 2)
- Academic Personnel Manual (APM) Section 150, Non-Senate Academic Appointees/Corrective Action and Dismissal
- Nondiscrimination Policy Statement for University of California Publications Regarding Student-Related Matters (referenced in Section III.D, footnote 2)
- Personnel Policies for Staff Members 12 (Nondiscrimination in Employment) (referenced in Section III.D, footnote 2)
- Policy on Student Conduct and Discipline
- Student-Related Policy Applying to Nondiscrimination on the Basis of Sex
- University of California Nondiscrimination and Affirmative Action Policy Regarding Academic and Staff Employment (referenced in Section III.D, footnote 2)
- UC Business and Finance Bulletin RMP-8, Legal Requirements on Privacy of and Access to Information (referenced in Section V, footnote 4)
- University of California Policies Applying to Campus Activities, Organizations, and Students (referenced in Section III.D, footnote 2)
- University of California Non-Discrimination Policy
- U.S. Department of Education Campus Safety and Security Resources (Clery)
- California Government Code 12950.1
VII. FREQUENTLY ASKED QUESTIONS

FAQ’s are available at http://sexualviolence.universityofcalifornia.edu/faq/index.html

VIII. REVISION HISTORY

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

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

February 25, 2014 - This policy was reformatted into the standard University of California policy template effective. As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:

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

Applicable complaint resolution and grievance procedures for members of the University community:

**Academic Personnel:**
Members of the Academic Senate
Non-Senate Academic Appointees
Exclusively Represented Academic Appointees

**Students:**

**Staff Personnel:**
Senior Managers
Managers and Senior Professionals, Salary Grades VIII and IX
Managers and Senior Professionals, Salary Grades I – VII; and Professional and Support Staff
Exclusively Represented Staff Personnel

Lawrence Berkeley National Laboratory Employees

All:
The University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy) and the University of California Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy), which govern the reporting and investigation of violations of state or federal laws or regulations and University policy, including sexual harassment.
APPENDIX II: University Disciplinary Procedures

Applicable disciplinary action procedures if a report of sexual harassment or sexual violence results in a recommendation for disciplinary action:

A. The Faculty Code of Conduct (APM - 015) as approved by the Assembly of the Academic Senate and by The Regents outlines ethical and professional standards which University faculty are expected to observe. It also identifies various forms of unacceptable behavior which are applicable in cases of sexual harassment or sexual violence. Because the forms of unacceptable behavior listed in The Faculty Code of Conduct are interpreted to apply to sexual harassment or sexual violence, a violation of the University’s Policy on Sexual Harassment and Sexual Violence constitutes a violation of the Faculty Code of Conduct. The University Policy on Faculty Conduct and the Administration of Discipline (APM - 016), as approved by the Assembly of the Academic Senate and by The Regents, outlines sanctions and disciplinary procedures for faculty.

B. Provisions of the policy on Non-Senate Academic Appointees/Corrective Action and Dismissal (APM - 150) (applicable to non-exclusively represented academic appointees) and collective bargaining agreements (applicable to exclusively represented academic appointees) provide for corrective action or dismissal for conduct which violates University policy.

C. The Policies Applying to Campus Activities, Organizations, and Students sets forth in Section 100.00 the types of student misconduct that are subject to discipline and the types of disciplinary actions that may be imposed for violation of University policies or campus procedures.

D. Provisions of the Personnel Policies for Staff Members, and the Lawrence Berkeley National Laboratory personnel policies (applicable to non-exclusively represented staff employees), and collective bargaining agreements (applicable to exclusively represented staff employees) prohibit conduct which violates University policy with respect to sexual harassment or sexual violence and provide for disciplinary action for violation of University policy.
APPENDIX B
I. Purpose
   A. This section provides the primary procedures for students, faculty, staff, or others to report allegations of sexual harassment and sexual violence, and procedures for responding to such reports. While there are other complaint resolution and grievance procedures through which such complaints may be made, this section takes precedence over any other available procedures.
   B. This policy defines acts of sexual violence prohibited by UC Davis, provides guidance to those who believe they have been subject to sexual violence or have been accused of sexual violence and describes what the University will do if sexual violence is reported through administrative channels.

II. Policy
   A. The University of California is committed to creating and maintaining a community where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation.
   B. The University maintains a list of medical, counseling, support and response resources for victims of sexual violence (see http://sahelp.ucdavis.edu).
   C. The University will respond promptly and effectively to all reports of sexual harassment and sexual violence and take appropriate action to prevent, correct, and if necessary, impose discipline for behavior that violates this policy.
   D. This policy applies to allegations of sexual harassment and sexual violence that occur on University property and in connection with University programs. The University also exercises jurisdiction over allegations of sexual harassment and sexual violence that occur off-campus and outside of University programs if the alleged conduct affects the complainant’s employment or access to the University’s educational programs.
   E. The University recognizes that, as participants in a public university, the faculty and other academic appointees, staff and students enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution and Article I, Section I of the California Constitution. This policy is intended to protect members of the University community from sexual harassment and sexual violence, not to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to the following:
      1. course content, teaching methods, scholarship, or public commentary of individual faculty; or
      2. the educational, political, artistic, or literary expression of students in classrooms and public forums.

III. Conduct Constituting Sexual Harassment or Sexual Violence
A. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct affects a person’s employment or education, unreasonably interferes with a person’s work or educational performance, or creates an intimidating, hostile, or offensive working or learning environment. Sexual harassment includes sexual violence.

1. Sexual harassment may include incidents between any members of the UC community, including academic personnel, staff, student employees, coaches, residents, interns, students, or non-student or non-employee participants in UC programs such as vendors, contractors, visitors, or patients.

2. Sexual harassment may occur in hierarchical relationships or between peers.

3. Sexual harassment may occur between persons of the same sex or different sex.

4. Relationships that begin as consensual may evolve into situations that lead to charges of sexual harassment that are subject to this policy.

5. Behavior that creates a hostile or intimidating environment for individuals who are not the direct target of the behavior may also be sexual harassment.

6. Harassment that is not sexual in nature but is based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation is subject to the University’s nondiscrimination policies and procedures (e.g., Section 380-15, APM 035, PPSM 12). However, in determining whether a hostile environment due to sexual harassment exists, the University may consider acts of discrimination based on these protected characteristics.

7. In determining whether conduct constitutes sexual harassment, consideration shall be given to the record of the conduct as a whole and the totality of circumstances, including the context in which the conduct occurred.

B. Sexual violence includes sexual assault, domestic violence, dating violence and stalking.

C. Sexual assault occurs when physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity.

1. Consent to sexual activity is:
   a. Informed
      Each participant must make an affirmative, unambiguous and conscious decision to engage in mutually agreed-upon sexual activity.
   b. Voluntary
      1) There must be positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.
      2) There must be no coercion, force, violence, threats or intimidation.
   c. Revocable
      1) Consent to some form of sexual activity does not imply consent to other forms of sexual activity, nor does consent on one occasion imply consent for other occasions.
      2) A current or previous dating relationship is not sufficient to constitute consent.
      3) Consent must be ongoing throughout a sexual encounter and can be revoked at any time.
d. Not possible where a person is incapacitated

1) Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include but are not limited to unconsciousness, sleep and blackouts.

   (i) Where alcohol or drugs are involved, incapacitation is defined with respect to how the alcohol or other drugs consumed affects a person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments.

   (ii) Being intoxicated by alcohol or drugs does not diminish one’s responsibility to obtain consent for sexual activity.

2) A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

3) The factors to be considered include whether the respondent knew, or a reasonable person should have known, that the complainant was incapacitated.

D. Domestic violence is abuse committed against an adult or minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has had a child, and has an existing dating or engagement relationship or had a former dating or engagement relationship.

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

F. Stalking is behavior in which an individual repeatedly engages in conduct directed at a specific person that places that person in reasonable fear for his or her safety, or the safety of others.

IV. Prohibited Acts

A. This policy prohibits sexual harassment, sexual assault, domestic violence, dating violence and stalking as defined in III, above.

B. Any manager, supervisor, or designated employee responsible for reporting or responding to sexual harassment and sexual violence who knew about the incident and took no action to stop it or failed to report it may be subject to disciplinary action.

C. This policy also prohibits retaliation against persons making a report about sexual harassment or sexual violence, assisting someone with such a report, or participating in any manner in an investigation or resolution of a sexual harassment or sexual violence report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

V. Reporting Sexual Harassment and Sexual Violence to the University

A. Reporting sexual harassment

   1. Individuals who experience or observe behavior that may be sexual harassment may report the harassment to any of the following designated officials:

      a. The Sexual Harassment Officer (SHO)


      b. The Title IX Officer; (530) 752-9466
c. The Deputy Title IX Officer at UCDHS, (916) 734-8104
d. Any department chair, manager, supervisor, faculty member, or academic supervisor.
e. Any Sexual Harassment Advisor (see http://hdapp.ucdavis.edu/advisors.htm).
f. Any non-student employee holding one of the following positions:
   1) Coach for sports teams (non-volunteer).
   2) Leadership Coordinator, Academic Coordinator or Conduct Coordinator in the residence halls.

B. Reporting sexual violence

1. Individuals who experience or observe behavior that may be sexual violence may report it to any of the following designated officials:
   a. The Sexual Harassment Officer (SHO)
   b. The Title IX Officer; (530) 752-9466
c. The Deputy Title IX Officer at UCDHS, (916) 734-8104
d. Any department chair, manager, supervisor, faculty member, or academic supervisor.
e. Any non-student employee holding one of the following positions:
   1) Coach for sports teams (non-volunteer).
   2) Leadership Coordinator, Academic Coordinator or Conduct Coordinator in the residence halls.
f. The UC Davis Police Department, (530) 752-1727 or 752-1230 (emergency), http://police.ucdavis.edu/.

2. Complainants should preserve any potential evidence for administrative or criminal investigations.

3. A lack of corroborating evidence should not discourage complainants from reporting sexual violence and will not affect the University’s obligation to respond to such reports.

C. Use of the Sexual Harassment Complaint Form (Exhibit A) is encouraged, but not mandatory.

D. Reports should provide as much information as possible. If insufficient information is provided to the University (e.g., certain anonymous reports or reports that do not identify the respondent), the University may not be able to respond other than by general outreach and education.

E. Reports should be made as soon as possible after the alleged conduct occurs.

1. The University will respond to all reports to the greatest extent possible.

2. A delay in reporting an incident may impede the University's ability to conduct an investigation and/or take appropriate remedial action.

F. Allegations of sexual harassment or sexual violence made under other complaint resolution or grievance procedures
1. An individual who believes he or she has been subjected to sexual harassment or sexual violence may file a complaint or grievance pursuant to the applicable complaint resolution or grievance procedure (see Appendix I of the UC Sexual Harassment and Sexual Violence Policy, http://policy.ucop.edu/doc/4000385/SHSV).

2. Such complaint or grievance may be filed either instead of or in addition to making a report to one of the individuals identified in IV.A.1 or IV.B.2, above.

3. A complaint or grievance alleging sexual harassment or sexual violence must meet all the requirements under the applicable complaint resolution or grievance procedure, including time limits for filing.

4. If a complaint or grievance alleging sexual harassment or sexual violence is filed under a complaint resolution or grievance procedure other than this section, the complaint or grievance will be held in abeyance pending the outcome of the early resolution or formal investigation procedures described in VI, below.

G. Complaint that University response failed to follow policy

1. A complainant may file a complaint or grievance under the applicable complaint resolution or grievance procedure (see Appendix I of the UC Sexual Harassment and Sexual Violence Policy, http://policy.ucop.edu/doc/4000385/SHSV) alleging that actions taken by the University in response to the report did not follow appropriate procedures.

2. A complaint or grievance alleging that the University has failed to follow this policy shall be filed in a timely manner.
   a. The time period for filing begins on the date the individual was notified of the outcome of the investigation or other resolution process, or of the actions taken by the administration in response to the report, whichever is later.
   b. The time period for filing a complaint differs based on the applicable complaint resolution or grievance procedure.

3. A complaint or grievance may not be filed to challenge or seek modification of a disciplinary sanction imposed on the respondent.

H. Reporting retaliation

1. An individual who believes that s/he has been subjected to retaliation for reporting sexual harassment or sexual violence in good faith, assisting someone with such a report, or participating in any manner in an investigation or resolution of a report of sexual harassment or sexual violence, may make a report of retaliation under the procedures described in V.A, above.

2. A report of retaliation will be subject to these same procedures.

VI. University Response to Reports of Sexual Harassment or Sexual Violence

A. The University will inform individuals making reports of sexual harassment and sexual violence of resolution processes (e.g., early resolution, formal investigation, complaint resolution or grievance procedures), confidentiality policies, and the range of possible outcomes (including interim protections, remedies for the individual harmed by the harassment and disciplinary action that may be taken against the respondent).

B. Early Resolution
1. Early resolution may be used when parties want to resolve the situation cooperatively and/or when a formal investigation is unlikely to lead to a satisfactory outcome.

2. Early resolution may include but is not limited to the following:
   a. No-fault conversation with written confirmation.
   b. Mediating agreement between the parties.
   c. Separating the parties.
   d. Administrative review or preliminary inquiry, including fact-finding.
   e. Negotiating agreement for disciplinary action.
   f. Conducting targeted educational and training programs.
   g. Referring parties to a counseling program.
   h. Providing remedies and/or referral to support services for the individual harmed by the harassment.

3. The early resolution process shall be coordinated by the SHO and steps taken to encourage early resolution and agreements reached shall be documented.

4. While the University encourages early resolution of a complaint, the University does not require parties to participate in early resolution prior to the University’s decision to initiate a formal investigation.
   a. Some reports of sexual harassment or sexual violence may not be appropriate for early resolution but may require a formal investigation at the discretion of the Title IX Officer.
   b. Mediation will not be used to resolve a complaint of sexual violence.

C. Formal investigation

1. An individual reporting sexual harassment or sexual violence may request a formal investigation and determination of whether University policy has been violated.

2. Generally, where early resolution is inappropriate (such as where the facts are in dispute in reports of serious misconduct, or when reports involve a pattern of inappropriate behavior or criminal acts such as sexual violence, or physical assault) or where early resolution was unsuccessful, the University will conduct a formal investigation.

3. The Title IX Officer will determine whether an investigation is necessary subject to this policy and the University of California policy on Sexual Harassment and Sexual Violence. The wishes of the individual reporting the sexual harassment or sexual violence shall be considered, but are not determinative in the University’s decision to initiate a formal investigation.

4. The Title IX Officer will initiate an investigation by:
   a. identifying a trained investigator familiar with this policy and procedure;
   b. providing the investigator with a charge letter describing the nature of the complaint, a definition of the standard of review and a date for the report to be completed; and
   c. notifying the individual who reported the sexual harassment or sexual violence and the respondent that an investigation has been initiated. The notification will include a
statement of the allegations, the name of the investigator, a date for completion of the investigation, contact information for the SHO and a weblink to this policy.

5. The following procedures shall be used to ensure a full, fair, and impartial investigation.

a. The investigator will interview the parties, if available, as well as other witnesses as needed.
   1) On request, parties may each have a representative present when interviewed by the investigator.
   2) Other witnesses may be accompanied by a representative if required by applicable University policy or at the investigator’s discretion.
   3) A representative who impedes or interferes with the investigative process may be excluded from the proceedings.

b. The investigator will review relevant evidence, including documents.

c. When appropriate, parties and witnesses will be instructed that maintaining confidentiality is necessary to protect the integrity of the investigation. Disclosure of facts or allegations to parties and witnesses will be limited to what is reasonably necessary to conduct a full and fair investigation.

d. The investigator may recommend interim protections or remedies for the complainant or witnesses at any time during the investigation.
   1) Interim protections include but are not limited to separating the parties, placing limitations on contact between the parties, or making alternative academic, working, or housing arrangements.
   2) Failure to comply with the terms of any interim protections may be considered a separate violation of this policy.

e. The investigator will prepare and submit a written report to the Title IX Officer. The report shall include the following components:
   1) A statement of the allegations and issues.
   2) The positions of the parties.
   3) A summary of the evidence.
   4) Findings of fact based on a preponderance of the evidence standard.
   5) The investigator’s determination as to whether University policy has been violated.
   6) The report may also contain a recommendation for actions to resolve the complaint.

f. The Title IX Officer will submit the report to the appropriate University official with authority to implement the actions necessary to resolve the complaint. The report may be used as evidence in other procedures, such as subsequent complaints, grievances and/or disciplinary actions.

6. The investigation shall be conducted and completed as promptly as possible, usually within 60 working days of the date of initiation of the formal investigation. If a criminal investigation is occurring simultaneously, the University will not delay the administrative investigation to await the outcome of the criminal investigation, but may need to coordinate the collection of evidence with law enforcement authorities.
a. This deadline may be extended by the Title IX Officer.

b. Written notice of the extension shall be provided to the complainant and the respondent.

7. Within 30 days of receiving the final report, the Title IX Officer shall notify the complainant and the respondent in writing that the investigation has been completed. This notification will indicate:

a. Whether or not there was a finding that University policy was violated.

b. Consistent with law and policies regarding confidentiality, whether action was taken to resolve the complaint.

c. How to obtain a copy of the final investigation report.

8. The complainant and respondent may request a copy of the final report from the Information Practices Analyst, who can be reached at PublicRecords@ucdavis.edu, 530-752-3189. The release of the report is subject to University policy regarding privacy and confidentiality and will generally be redacted to protect the privacy of personal and confidential information regarding all individuals other than the individual requesting the report (see VIII, below).

D. Discipline

1. Disciplinary action shall be considered following a finding of violation of the policy, including engaging in sexual harassment, sexual violence, retaliation, violating interim actions, or filing intentionally false charges of sexual harassment.

a. Disciplinary actions will be pursued according to the procedures described in the appropriate policy (see Appendix II of the UC Sexual Harassment and Sexual Violence Policy, http://policy.ucop.edu/doc/4000385/SHSV).

b. Investigative reports prepared for a formal investigation under this policy may be used as evidence in disciplinary actions.

VII. Roles and Responsibilities

A. The Title IX Officer

1. Develops and implements procedures for prompt and effective response to reports of sexual harassment and sexual violence.

2. Appoints Deputy Title IX Officers.

3. Initiates formal investigations under section VI.C. This responsibility may be delegated to Deputy Title IX Officers.

4. With the SHOs, identifies and addresses any patterns or systemic problems that arise during the review of sexual harassment and sexual violence complaints.

5. Ensures the University offers prevention education programs to all incoming students and new employees and ongoing prevention and awareness campaigns to the University community.

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

7. Identifies on and off campus resources for reporting sexual harassment and sexual violence, including law enforcement, medical and victim support services.

B. The SHOs
1. Maintain accurate contact information for SHOs and Sexual Harassment Advisors on the Web.

2. Plan and manage the local sexual harassment education and training programs and ensure the program:
   a. Widely disseminates this policy to the University community.
   b. Provides educational and training materials to promote compliance with the policy and familiarity with local reporting procedures.
   c. Coordinates training required by state law and University policy.

3. Receive reports of sexual harassment and sexual violence directly and from designated officials and ensure that the timelines, rights of the complainant, procedures, and remedies provided herein are met.

4. Coordinate the early resolution process.

5. Ensures victims who report sexual violence receive the written notifications required by V.B.1 of the University of California Policy on Sexual Harassment and Sexual Violence.

6. Maintain records of reports of sexual harassment and sexual violence and actions taken in response to reports, including records of investigations, voluntary resolutions, and disciplinary action as appropriate. Records shall be maintained in accordance with University record retention policies.

C. Designated Officials

1. Maintain a work or educational environment free from all forms of harassment or discrimination.

2. Immediately consult with the SHO following notice of alleged sexual harassment or sexual violence. Failure to report sexual harassment or sexual violence allegations to the SHO may be grounds for disciplinary action.

3. In consultation with the SHO, implement appropriate interim actions.

4. Participate in training as required by state law.

D. Sexual Harassment Case Management Team (SHCMT)

1. The SHCMT includes the Title IX Officer, any designated Deputy Title IX Officer, the SHOs, and representatives from Human Resources, Academic Affairs, Student Judicial Affairs, and other members as required.

2. The SHCMT meets regularly and on an as-needed basis to serve as a resource to the SHOs and the Title IX Officer.

E. Sexual Harassment Advisors

1. Serve under the auspices of the SHO as additional resources to the campus for handling complaints of sexual harassment.

2. Respond to questions regarding this policy.

3. Provide copies of the policy and procedures upon request.

4. Provide information about complaint resolution options.

5. Notify the SHO of reports of alleged sexual harassment.
6. Assist the SHO in early resolution efforts.

VIII. Privacy and Confidentiality

A. The University shall protect the privacy of individuals involved in a report of sexual harassment or sexual violence to the extent permitted or required by law and University policy.

1. A report of sexual violence may result in the gathering of extremely sensitive information about individuals in the campus community. Accordingly, the University protects the privacy of individuals involved in a report of sexual violence to the greatest extent permitted or required by law and University policy.

2. The University will comply with requests for confidentiality in all cases whenever possible, but may need to make disclosures to complete a fair investigation and ensure a working and learning environment free from sexual harassment and sexual violence.

3. If disclosure is required by law or University policy, the records shall be redacted to protect the privacy of all persons other than the person requesting the report (see PPM Section 320-20).

4. An individual who has made a report of sexual harassment or sexual violence may be advised of the specific sanctions imposed against the respondent when the individual needs to be aware of the sanction in order for it to be fully effective (e.g., restrictions on communication or contact).

5. Information on disciplinary actions taken against the respondent will not be disclosed without the respondent’s consent, unless it is necessary to ensure compliance with the action, the safety of individuals, or is required by law.

B. The University cannot guarantee anonymity. Requests that the complainant’s name remain anonymous or not be disclosed to the respondent will be considered in the context of the due process rights of the respondent, the need to ensure a complete and fair investigation, and factors such as the safety and protection of the complainant and campus community.

C. University employees designated in V.A.1.a-f and V.B.1.a-f, above, have an obligation to respond to reports of sexual harassment and sexual violence, even if the individual making the report requests that no action be taken and, therefore, cannot agree to keep such information confidential.

D. Confidential resources

1. Staff in the following units are identified as confidential resources who can be consulted for advice and information, and are not designated officials.
   a. Academic and Staff Assistance Program ((530)752-2727; (916)734-2727).
   b. Campus Violence Prevention Program ((530)752-3299).
   c. Counseling and Psychological Services ((530)752-0871).
   d. Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual Resource Center ((530)752-2452).
   e. Ombuds Office ((530) 219-6750).
   f. Women’s Resources and Research Center (752-3372).
g. Legal, medical, or other advisors whose communication is protected by a statutory privilege.

2. Consultation with these resources will not lead to a report of sexual harassment or sexual violence unless additional action is taken by the individual seeking advice.

IX. Further Information

A. The following agencies may serve as neutral fact finders to facilitate the voluntary resolution of disputes between parties. Contact information for the nearest office is available in local telephone books or on the agencies' Web sites.

1. The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing investigate complaints of discrimination, including unlawful sexual harassment in employment.

2. The U.S. Department of Education Office for Civil Rights investigates complaints of discrimination, including unlawful sexual harassment of students, in educational programs or activities.

B. UC Davis sexual harassment education programs provide information and assistance to all members of the campus community. Contact the Davis campus program at (530)752-9255 or the UCDHS program at (916)734-2259.

C. The UCD and UCDHS Campus Violence Prevention Program provides information and assistance regarding sexual assault, dating/domestic violence and stalking to students, staff, faculty and volunteers. Contact CVPP at (530) 752-3299.

X. References and Related Policies

A. Office of the President (http://policy.ucop.edu/):


2. Policies Applying to Campus Activities, Organizations, and Students:
   a. Section 100.00, Policy on Student Conduct and Discipline.
   b. Section 110.00, Policy on Student Grievance Procedures.


1. Section 280-05, Procedures for Student Complaints of Prohibited Discrimination or Arbitrary Treatment.
2. Section 320-20, Privacy of and Access to Information.
4. Section 380-17, Improper Governmental Activities.

   1. Section 010, Academic Freedom.
   2. Section 015, Faculty Code of Conduct and UCD-015, Procedures for Faculty Misconduct Allegations.
   3. Section 016, University Policy on Faculty Conduct and the Administration of Discipline and UCD-016, Procedures for Faculty Discipline.
   5. Section 140 and UCD-140, Non-Senate Academic Appointees/Grievances.
   6. Section 150, Non-Senate Academic Appointees, Corrective Action and Dismissal.

I. Academic Senate Bylaw 335 and Davis Division Bylaw 87 (http://academicsenate.ucdavis.edu/cerj/manual.htm).

   1. Policy and UCD Procedure 12, Nondiscrimination.
   3. Policy and UCD Procedure 70, Complaint Resolution.


L. Resident Medical Staff Personnel Policy and Procedure:
   1. Policy 200, Nondiscrimination.
   2. Policy 440, Grievances.


N. UCD Principles of Community (http://occr.ucdavis.edu/poc/).
Sexual Harassment and Sexual Violence Complaint Form

Instructions: This form may be used by any member of the University community (academic appointee, staff member, student, administrator, or other member) to report allegations of sexual harassment or sexual violence to a designated official. Attach additional pages if necessary. Use of this form is not mandatory but is encouraged.

Your information:

Name _______________________________________________________________________________

Address _______________________________________________________________________________

_____________________________________________________________________________________

Phone ____________________________________ Email _______________________________________
☐ Academic appointee  ☐ Staff  ☐ Student  ☐ Other _________________________

Person you allege violated PPM Section 400-20:

Name ____________________________________________

Department (if known) ____________________________________________
☐ Academic appointee  ☐ Staff  ☐ Student  ☐ Other _________________________

Describe, in detail, the actions or behavior that led you to file this complaint. Include the following information:
1. Specific actions
2. Dates of actions
3. How you were adversely affected by these actions
4. Desired remedy (desired remedy may be considered but is not determinative)

Have you filed another complaint about these actions under any other complaint procedure (e.g., APM 015, PPM 280-05, PPSM 70, collective bargaining agreement)?  ☐ Yes  ☐ No

Signature ____________________________________________ Date _____________________________

Designated official:

Date received ____________ Date forwarded to SHO ____________ Signature ___________________
Report made to Designated Official

Designated Official forwards report to SHO

Title IX Officer/SHO determine appropriate method for resolution

Formal Investigation

Case assigned to trained investigator

Title IX Officer informs complainant and respondent of allegations and name of investigator

Investigator conducts investigation following established procedures

Investigator issues report

Complainant and respondent are informed of the investigation findings

Policy violation found

Matter referred to disciplinary procedure (if applicable)

Appropriate remedies enacted

Policy violation not found

Matter closed

Precautionary measures enacted (if necessary)

Early Resolution**

SHO coordinates Early Resolution process

University determines that Early Resolution was unsuccessful

University determines that Early Resolution was successful

SHO informs complainant of outcome

Matter resolved

**Early resolution is generally not used in sexual violence cases
APPENDIX C
Support Services Available On and Off-Campus

Confidential campus resources:
- CARE (Center for Advocacy, Resources and Education) 530-752-3290 care.ucdavis.edu
  CARE is the advocate office for sexual and gender-based violence and sexual misconduct. CARE provides free, confidential crisis intervention, advocacy and accommodation services to any survivor of sexual assault, intimate partner violence or stalking. The CARE unit serves in an advocacy role for your interests and needs, and will discuss options and procedures regarding academic and financial aid assistance, housing, safety, transportation, employment, and medical and counseling needs. Services are available to any UC Davis student, staff or faculty.
- Counseling Services 530-752-2349 shcs.ucdavis.edu/services/counseling.html Counseling Services offers free, confidential short-term individual counseling to all registered UC Davis students.
- ASAP (Academic & Staff Assistance Program) 530-752-2721 www.hr.ucdavis.edu/worklife-wellness/ASAP
  ASAP offers free, confidential assessment, intervention, consultation and referral services to all UC Davis faculty, staff and their immediate families.
- WRRRC (Women’s Resources and Research Center) 530-752-3372 wrrc.ucdavis.edu
  The WRRRC spaces, programs, and services are open to all. The WRRRC offers confidential support and referrals on a wide range of topics, including sexual assault and dating violence.
- LGBTQIA (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual Resource Center) 530-752-2452 ghcs.ucdavis.edu
  The LGBTQIA Resource Center provides an open, safe, inclusive and confidential space and community for all individuals.
- Office of the Ombuds 530-219-6750 ombuds.ucdavis.edu
  The UC Davis Ombuds Office is a confidential, independent, impartial, and informal problem-solving and conflict management resource for all members of the UC Davis campus community.
- Family Protection and Legal Assistance Clinic 530-752-6942 law.ucdavis.edu/clinics/family-protection-clinic.html
  The Family Protection and Legal Assistance Clinic provides free legal representation to victims of domestic violence seeking restraining orders in Yolo and Sacramento County.
- ASUCD Legal Services 530-752-1990 asucd.ucdavis.edu/legal-services
  ASUCD legal services provide each UC Davis undergraduate student a free fifteen minute consultation with an attorney.

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

You can report an incident of sexual harassment or sexual violence to the University by contacting the Harassment & Discrimination Assistance and Prevention Program (HDAPP) at 530-752-2235. If you would like a victim advocate to accompany you when making a report, you may also contact the Center for Advocacy, Resources and Education (CARE) at 530-752-3299.

Formal University Investigation

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

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

If the investigator concludes that the University’s policy was violated, disciplinary action is considered according to the procedures described in the appropriate policy (see Appendix II of the UC Sexual Harassment and Sexual Violence Policy, http://policy.ucop.edu/policies/400385). The investigation report may be used as evidence in disciplinary hearings. The University will simultaneously inform both you and the accused (1) of the procedures and deadlines associated with any disciplinary proceeding, (2) the outcome of the proceeding, (3) the procedures and deadlines for appealing the outcome, if applicable, (4) any change to the outcome of the disciplinary action before the action becomes final, and (5) when the action becomes final.

Report to Law Enforcement

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

Interim Protections

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

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

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

Confidentiality

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

Timing and Preservation of Evidence

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

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

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

Additional Information

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

- Website for information on sexual assault, domestic violence, stalking, and dating violence, http://sexualviolence.ucdavis.edu
- Website for Center for Advocacy Resources and Education (CARE), http://care.ucdavis.edu
- Website for Harassment and Discrimination Assistance and Prevention Program (HDAPP), http://hdapp.ucdavis.edu

University biscuits

- Services for International Students and Scholars 530-752-0864 siss.ucdavis.edu (non-confidential)
- Center for International Education 530-757-8686 cie.ucdavis.edu/general-information/center-international-education-visa-information (non-confidential)
- California Rural Legal Assistance Foundation, Inc. 916-446-7904 www.crlaf.org (confidential)