I. POLICY STATEMENT

UC San Diego is committed to creating and maintaining an environment in which all individuals who participate in University programs and activities can work and learn together in an atmosphere free of all forms of sexual harassment, exploitation, or intimidation. The University prohibits sexual assault, sexual misconduct, domestic violence, dating violence, and stalking (collectively, sex offenses), as defined in Section III below. Attempts to commit a sex offense are likewise prohibited. Such behavior violates both law and University policy. The University will respond promptly and effectively to reports of sex offenses and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this UC San Diego Sex Offense Policy (hereafter referred to as Policy). Conduct by an employee that constitutes a sex offense in violation of this Policy is considered to be outside the course and scope of employment.

This UC San Diego Policy implements the sexual violence portion of the University of California Policy on Sexual Harassment and Sexual Violence. The UC San Diego Policy for Reporting and Responding to Discrimination and Harassment implements the sexual harassment portion of the UC Policy.

II. PURPOSE AND APPLICATION

This Policy applies to all members of the UC San Diego community, including faculty and other academic personnel, staff employees, students, and those participating in University programs (hereafter referred to as students, staff and faculty). It defines the sex offenses prohibited by UC San Diego, provides guidance about what individuals should do if they believe they have been
the subject of a sex offense or have been accused of a sex offense, and describes what the University will do if a sex offense is reported.

Individuals found responsible for violations under this Policy may be sanctioned under the applicable procedure (see Appendix B) and may also be separately prosecuted under California criminal statutes. The determination whether a matter will be criminally prosecuted is made solely by the applicable prosecutor’s office. Any criminal process is distinct from administrative proceedings at the University. Whether or not the criminal justice authorities choose to prosecute, the University may commence investigatory and disciplinary proceedings with a student or employee alleged to have violated this Policy.

The University has jurisdiction over alleged violations of this Policy by students, staff and faculty that occur on University grounds and facilities such as offices and residence halls, and that occur in connection with official university-sponsored activities or events. In addition, although the University will not routinely invoke its disciplinary processes over conduct that occurs off-campus, the University has discretion under this Policy to exercise jurisdiction over conduct that occurs off-campus but affects the learning or working environment. For incidents involving student respondents, the University may exercise jurisdiction over off-campus conduct that would violate other University Policies if it occurred on-campus. Please refer to Section IV of the Student Conduct Code for further information about the University’s exercise of off-campus jurisdiction in such cases.

This Policy also prohibits retaliation related to reports of a sex offense.

This Policy applies to sex offenses as defined below. Reports of sexual harassment should be brought under the UC San Diego Policy for Reporting and Responding to Discrimination and Harassment, which addresses unwelcome conduct of a sexual nature. Some types of conduct may be addressed under either or both of these Policies. Consensual romantic relationships between members of the University community may be subject to other University policies; for example, those governing faculty-student relationships are detailed in the Faculty Code of Conduct (the Faculty Code of Conduct may be found in Academic Personnel Manual (APM) section 015), and those governing relationships between employees are found in the Policy on Conflicts of Interest Arising Out of Consensual Relationships.

III. DEFINITIONS

A. “Sexual assault” occurs when physical sexual activity is deliberately engaged in without the affirmative consent of the other person. Such conduct may include:

- Physical force, violence, threat or intimidation;
- Ignoring the objections of the other person;
- Causing the other person’s intoxication or impairment through the use of drugs or alcohol;
• Taking advantage of the other person’s incapacitation (including voluntary intoxication), state of intimidation, or other inability to consent.

Sexual assault includes conduct where a person actually, but unreasonably, believes that affirmative consent was given. Sexual assault does not include conduct where a person actually and reasonably believes affirmative consent was given.

It is not a valid excuse to an alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

(1) The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.

(2) The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

It is not a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

(A) The complainant was asleep or unconscious.

(B) The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.

(C) The complainant was unable to communicate due to a mental or physical condition.

B. “Sexual misconduct” includes non-consensual sexual activity that does not involve touching, such as:

• Recording, photographing, producing or transmitting intimate or sexual utterances, sounds, or images of another person;
• Allowing third parties to observe sexual acts; or
• Engaging in voyeurism.

C. An “attempt” occurs when anyone attempts to commit an act defined herein but fails, or is prevented or intercepted in its perpetration.

D. “Affirmative Consent” is an affirmative, conscious, and voluntary agreement by each participant to engage in sexual activity. It is the responsibility of each person involved in
the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

- Consent is informed.
- Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act of expressing intent to engage in the act pursuant to an exercise of free will.
- Consent is revocable. It may be withdrawn at any time. 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 or unable to communicate. A person cannot consent if he or she is unconscious or coming in and out of consciousness. A person cannot consent if he or she is under the threat of violence, bodily injury, or other forms of coercion.
- For purposes of this Policy, the age of consent is 18 years of age, consistent with California Penal Code Section 261.5.

It is the responsibility of every person wanting to engage in a specific act of a sexual nature to make sure that he or she has consent from each person with whom he or she initiates sexual activity. In making determinations of consent the following will be taken into consideration:

- Silence does not equal consent.
- Because incapacitation may be difficult to discern, individuals are strongly encouraged to err on the side of caution, (i.e. when in doubt, assume that another person is incapacitated and therefore unable to give consent).

E. "Incapacitation" is defined as the physical and/or mental impairment such that the person could not understand the fact, nature, or extent of the sexual activity. States of incapacitation include, but are not limited to unconsciousness, sleep, and blackouts. Where alcohol or drugs are involved, incapacitation is defined with respect to how the alcohol or other drug consumed affects a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. Being intoxicated by
drugs or alcohol does not diminish one’s responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the person accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

F. “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.

G. “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.

H. “Abuse” means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable fear of imminent serious bodily injury to himself or herself or another. Abuse may include:

- Acts such as hitting, slapping, pushing, punching, kicking, and choking;
- Using a weapon or object to threaten or hurt someone; or
- Throwing, smashing, or damaging personal items and hurting or killing of pets.

I. “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.

IV. THE ROLE OF ALCOHOL AND DRUGS

It is a violation of this Policy and a criminal offense to engage in sexual acts with someone who has been using alcohol, drugs, or other intoxicants to the degree that he or she is unable to provide consent. This is true whether or not the person reporting the sex offense voluntarily consumed the alcohol, drug, or intoxicant.

Intentionally causing someone to become intoxicated in order to facilitate a sex offense will be considered as a factor when determining responsibility and, where responsibility has been found, imposing appropriate sanctions.

Because alcohol, drugs, and other intoxicants are often involved in sex offense matters, complainants may be afraid to report sex offenses to authorities where they also have engaged in an activity that violated University policy or state law, such as a person under age 21 drinking alcohol. UC San Diego encourages the reporting of sex offenses and therefore generally does not hold complainants and/or witnesses accountable for alcohol or drug-related Student Conduct Code violations that may have occurred at the time of the alleged sex offense.
The use of intoxicants by a student or employee accused of a sex offense does not excuse the offense.

V. REPORTING SEX OFFENSES

The University encourages the timely reporting of all sex offenses. The University’s first responsibility in responding to such reports is attending to the needs of the individuals involved (e.g., the Complainant, the Respondent, and potential witnesses). The University is also dedicated to ensuring that both individuals alleging a violation of this Policy and accused of violating this Policy are treated fairly by the University. All reports of sex offenses are taken with the utmost seriousness; individuals will be provided a fair process and referred to appropriate services for assistance.

Persons who have been the subject of a sex offense may exercise any or all of the following options:

A. Seek immediate and confidential support services.

CARE at SARC: Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center (CARE at SARC) staff is on-call 24 hours a day and on weekends throughout the year. They provide individuals with counseling, advocacy, and court escorts. For more information, see the CARE at SARC website.

CARE at SARC, licensed counselors at Counseling and Psychological Services or the Faculty Staff Assistance Program, and the Office of the Ombuds provide places where individuals who may be considering bringing a report of a sex offense can discuss their concerns and learn about the procedures and potential outcomes while remaining anonymous. Individuals consulting with these confidential resources will be advised that their discussions in these settings are not considered an official notice or report to UC San Diego about a sex offense. Without additional action by the individual, such as reporting the incident to Office for the Prevention of Harassment & Discrimination (OPHD), the Police, or other University Officials, these discussions will not result in any action by the University to resolve their concerns, except as otherwise required by law.

B. Request a Non-Investigative Report

A sexual assault victim has the option to have a Sexual Assault Forensic Exam (commonly referred to as “rape kit” or “rape exam”) conducted. No police report is required. The exam is conducted at only one facility in San Diego County.

The Sexual Assault Nurse Examiner (SANE) interviews the victim, collects any physical evidence from the sexual assault, and stores evidence in a secure location using a case
number without the victim’s name or contact information. Physical evidence will be held for a period of 18 months, and then it will be destroyed.

The Non-Investigative Report (NIR) will not trigger an investigation; therefore, no action will be taken against the alleged party as the result of this report. If the victim changes his/her mind and wants to make an investigative report to law enforcement, the victim will sign a release allowing the SANE to release evidence to the police. CARE at SARC staff is available to assist with this process. For more information about the NIR Exam option, contact CARE at SARC.

C. Report to the UC San Diego Police.

Although it is never too late to file a police report, it is highly recommended to report a sex offense as soon as possible in order to allow for the collection of evidence. When the UC San Diego Police Department is contacted, an officer trained in sex offense cases will be dispatched to the scene and will explain the police procedures. If it is determined that a Sexual Assault Forensic Exam is advisable, the police will assist with transportation and contacting the SANE, who will conduct the exam. The officer will inform the complainant that he or she has the right to have a support person present during the investigative interview. Detectives will assist with the investigation and proper evidence collection. CARE at SARC staff is available to accompany the individual.

At the conclusion of the police investigation, the case may be forwarded to the prosecutor’s office for review. The prosecutor’s office makes the final decision whether to criminally prosecute the person accused. If the prosecutor does not move forward with the complaint, the complainant may request that a representative from CARE at SARC accompany him or her to the prosecutor’s office for a meeting to discuss the decision.

A complainant may make a police report or participate as a witness in the court proceedings at his or her own discretion.

If a complainant chooses to file a police report, the Victim/Witness Assistance Program, funded by the State of California, is available to assist. Its services include counseling, court escort, advocacy and financial assistance.

If the sex offense occurred off-campus, the complainant may file a report with the appropriate police department.

D. Seek medical attention

Health providers can examine and treat physical injuries and provide pregnancy tests and/or testing for sexually transmitted diseases. Student Health Services provides
medical care for all registered students. Employees may obtain medical attention through their medical provider.

It is important to note that any health center or physician treating the complainant of a violent crime is obligated by law to report the crime to the police. Student Health Services and UC San Diego Medical Center do not conduct Sexual Assault Forensic Exams.

E. Report the Sex Offense to the Office for the Prevention of Harassment & Discrimination

The complainant may request an administrative investigation from the UC San Diego Office for the Prevention of Harassment & Discrimination (OPHD) whether or not a report has been filed with the police. OPHD will make a preliminary determination regarding whether a report should be referred to another office, such as the Office of Student Conduct, Human Resources, Academic Personnel, etc.

UC San Diego encourages all persons who have experienced a sex offense to report the offense as soon as possible after its occurrence, in order for appropriate and timely action to be taken. All University officials will refer reports of sex offenses to OPHD as soon as possible after receipt of the report or knowledge of the incident, unless rules regarding privacy or confidentiality prevent this disclosure.

OPHD will perform fact-finding and, when appropriate, complete a fact-finding report, including a finding of whether there is reasonable cause to believe that this Policy has been violated. The fact-finding report and finding will be submitted to a University official with the authority to implement the actions necessary to resolve the complaint, generally the Office of Student Conduct in the case of students, and the appropriate supervisor in the case of employees. In addition, OPHD may propose interim remedies for the parties, such as adjustments to on-campus housing assignments or class schedules, or alternative work arrangements for employees.

F. Consult with other resources.

There are many options, resources, and information available both on-campus and in the San Diego County community to provide advice, medical services, counseling, and support services to sex offense complainants. Appendix A lists on-campus and off-campus resources for persons who have experienced a sex offense, persons who have been accused of a sex offense, witnesses, and support persons. Information regarding resources both on campus and in the community is also available from the UC San Diego CARE at SARC: Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center (CARE at SARC).

VI. PROCEDURES FOR ADMINISTRATIVE RESOLUTION
Individuals making reports of sexual offenses will be provided information about options for addressing such reports, including alternatives to formal University adjudication, which may informally resolve complaints as well as procedures for formal adjudication. In addition, individuals making reports will be informed about policies applying to confidentiality of reports.

Individuals bringing reports of sex offenses will also be informed about the range of possible outcomes of the report, including:

- interim protections,
- remedies for the complainant, and
- disciplinary actions that might be taken against the respondent as a result of the report, including information about the procedures leading to such outcomes.

A. Alternatives to Formal University Adjudication

1. Purpose

Alternatives to formal University adjudication are intended to provide a forum for resolution of reports of sex offenses outside of a formal hearing process, where the complainant prefers to pursue such options and where such options are reasonable under the circumstances alleged. The options attempt to balance the interests of the parties while reaching resolutions that are fair and that protect the interests of the complainant, the University community and the respondent. These options will only be used when all parties agree to participate and to be bound by the resolution plan. These options may also be used where the complainant is anonymous or where requests for confidentiality prevent a formal investigation. These options are typically not appropriate in cases where there is an alleged sexual assault unless the person accused has accepted responsibility.

2. Options

Alternatives to formal University adjudication are intended to be flexible and encompass a full range of possible appropriate outcomes. Alternatives may include an inquiry into the facts, but typically do not include a full investigation. Options include, but are not limited to, opportunities for assistance from OPHD in facilitating communication regarding remedies, or a negotiated resolution reached with the assistance of the appropriate Dean. These options can be explored in a number of venues (for possible options, see resources identified in Appendix A). All options for resolution must be reviewed with and approved by OPHD before implementation.
Complainants are never required to try to resolve their concerns directly with the respondent or participate in any resolution activity that is not supervised by the University. Mediation is not an option under this Policy.

3. Resolutions and Records

If a resolution is reached using an alternative to formal University adjudication to which both the complainant and the respondent agree, the matter is considered closed. At any time prior to reaching such a resolution, the complainant may request that the matter be handled through the procedures for formal adjudication outlined below.

B. Procedures for Formal Administrative Investigation

1. The administrative investigation begins with an inquiry into the facts by OPHD. The investigation may be initiated when an individual reporting a sex offense files a written request for an investigation with OPHD. In cases where there is no written request, OPHD may initiate an investigation after making a preliminary inquiry into the facts and taking into consideration, among other things, the seriousness of the alleged conduct, the risk of harm to others or to the University community, and other complaints of similar conduct or against the same individual. In cases where OPHD learns of potential sexual offenses from third parties, such as the media, witnesses, or an anonymous report, OPHD has the discretion to initiate a formal investigation, after considering the source and nature of the information, the seriousness of the alleged incident, the specificity of the information, the objectivity and credibility of the source of the report, and the ability to effectively gather evidence, including obtaining cooperation from alleged victims.

The investigation will be conducted in such a way as to protect the privacy of those involved to the greatest extent possible. The respondent will be provided a copy of the written request for formal investigation or a full and complete written statement of the alleged violation along with a copy of this Policy within a reasonable period of time following the initiation of the formal investigation. The respondent(s) will also be advised of support services available to them.

The individual(s) conducting the investigation will be familiar with this Policy and have training or experience in conducting sex offense investigations. All deadlines and time requirements in this Policy may be extended for good cause by the Director of OPHD or their designee.

2. The investigation generally includes interviews with the parties, interviews with other witnesses as needed, and a review of other relevant evidence as
appropriate. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation. The investigator will take reasonable steps to contact parties, but may proceed with an investigation even if the parties choose not to participate.

3. Upon request, the complainant and respondent may each have a support person present when they are interviewed. Other witnesses may have a support person present at the discretion of the investigator or as required by applicable University policy. In addition, resources such as CARE at SARC: Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center (CARE at SARC) may be consulted.

4. At any time during the investigation, OPHD may recommend that interim protections or remedies be implemented by the appropriate UC San Diego official. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative academic, working or student housing arrangements, regardless of the outcome of the student conduct or disciplinary process. Failure to comply with the terms of interim protections or remedies may be considered a separate violation of University policy.

5. The investigation will be completed as promptly as possible and in most cases within 60 calendar days of the date the request for formal investigation was filed. Generally, an investigation will result in a Report of Findings that includes a statement of the allegations, a summary of the evidence, findings of fact, and a determination by the investigator as to whether there is reasonable cause to believe that University policy has been violated. The standard of proof for the purposes of the investigation is preponderance of the evidence (whether it is more likely than not that the facts occurred as alleged).

The Report will be submitted to the Director of Student Conduct (for students) or a University official with the authority to implement the actions necessary to resolve the complaint (for employees).

6. The Report may be used as evidence in other related proceedings such as subsequent complaints, grievances and/or student conduct actions. Disciplinary action will be governed by the appropriate relevant University Disciplinary Procedures applying to the Respondent. See Appendix B.

7. The complainant and the respondent will be informed promptly in writing when the investigation is complete. They may each request a copy of the Report of Findings. However, in accordance with University policy, the Report will be redacted to protect, to the extent necessary, the privacy of personal and
confidential information regarding all individuals other than the individual requesting the Report.

8. All deadlines and time requirements in this Policy may be extended for good cause by the Director of OPHD or designee.

VII. ADDITIONAL CONSIDERATIONS

A. Lack of Evidence

Because reports of sex offenses may involve interactions between persons that are not witnessed by others, reports of sex offenses cannot always be substantiated by additional evidence other than the accounts by the persons involved. It is important that complainants preserve any potential evidence for administrative or criminal investigations; however, lack of corroborating evidence or “proof” should not discourage individuals from reporting sex offenses.

B. Intentionally False Reports

Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action under the applicable University disciplinary procedures (See Appendix B). This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

C. Retaliation

This Policy prohibits retaliation against persons making a report under this Policy, assisting someone with a report of a sex offense, or participating in any manner in an investigation or resolution of a report of a sex offense. Retaliation means the taking of adverse action that negatively affects a person in a material way because the person made a report, assisted another with a report, or participated in the investigation or resolution of a report of a sex offense. Retaliation includes, but is not limited to, harassment, threats, intimidation, reprisals, and/or adverse actions. Such actions could be physical, verbal, written or electronic. Any individual who is subjected to retaliation (e.g. threats, intimidation, reprisals, or adverse employment or education actions) for having reported a sex offense in good faith, for having assisted someone with a report of a sex offense, or for having participated in any manner in an investigation of resolution of a report of a sex offense may make a report of retaliation under these procedures. The report of retaliation will be treated as a report of a sexual offense and will be subject to the same procedures.

D. Privacy
The University shall protect the privacy of individuals involved in a report of a sex offense to the extent permitted by law and University Policy. A report of a sex offense may result in the gathering of extremely sensitive information about individuals in the University community. (University administrators are required to report to the police any information they receive of any sex offense involving an individual under the age of 18 years). 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 a sex offense. In such cases, the University will try to redact the records in order to protect the privacy of individuals. An individual who has made a report of a sex offense may be advised of sanctions imposed against the respondent when the individual needs to be aware of the sanction in order for it to be fully effective (such as restrictions on communication or contact with the individual who made the report). In addition, when the offense involves a crime of violence or a non-forcible sex offense, the Family Educational Rights and Privacy Act permits disclosure to the complainant of the final results of a disciplinary proceeding against the respondent, regardless of whether the University concluded that a violation was committed.

Information regarding disciplinary action taken against the respondent shall not be disclosed without the respondent’s consent, unless permitted by law as noted above, or unless it is necessary to ensure compliance with the action or the safety of individuals.

E. Confidentiality

University employees, such as managers, supervisors, and other designated employees may have an obligation to respond to reports of sex offenses, even if the individual making the report requests that no action be taken. An individual’s requests regarding the confidentiality of reports of sex offenses will be considered in determining an appropriate response; however, such requests will be considered in light of the University’s legal obligation to ensure a working and learning environment free from such conduct and the due process rights of the respondent 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 reasonably possible.

Members of the UC San Diego community may consult with the confidential resources listed below for advice and information regarding making a report of a sex offense. These resources provide individuals who may be interested in bringing a report of a sex offense with a safe place to discuss their concerns and learn about the procedures and potential outcomes involved. Individuals who consult with confidential resources are advised that their discussions in these settings are not considered reports of a sex offense and that without additional action by the individual, the discussions will not result in any action by the University to resolve their concerns.
Confidential Resources at UC San Diego include:

- CARE at SARC: Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center (CARE at SARC)
- Office of the Ombuds
- Faculty Staff Assistance Program
- Counseling and Psychological Services (CAPS)
- Student Legal Services Office

Contact information for these resources may be found online at the website for the Office for the Prevention of Harassment and Discrimination, and may also be found on Blink.

VIII. REVISION HISTORY

April 22, 2015 – Revised to include technical updates: reformat header and change name of CARE to
CARE at SARC – Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center
APPENDIX A

Resources

**UC San Diego Police** provides a timely response for staff, students, faculty, and members of the community experiencing a sex offense on campus. (For sex offenses off campus, local police should be contacted.) In addition, the police can arrange for medical evidentiary examinations in order to provide admissible evidence when the person reporting the sex offense desires prosecution through the criminal justice system.

The UC San Diego Police Department encourages the University community, including students, to immediately contact them by dialing 911 or 858/534-HELP (534-4357) to report a sex offense. The preservation of evidence is essential to the successful prosecution of a sex offense. UC San Diego Police Department personnel have been specially trained in the proper handling, identification, collection and preservation of such evidence.

**CARE at SARC: Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center** (CARE at SARC) is a primary, confidential source for information, crisis intervention and follow-up support regarding sexual assault, dating violence and stalking on the UC San Diego campus. CARE at SARC provides accompaniment services for student victims to the police, evidentiary exams and the court system. In addition, individual and group counseling is also available to students who are crime victims. After hours and on weekends, CARE at SARC staff are available by contacting the UC San Diego Police at (858) 534-HELP.

**Office for the Prevention of Harassment & Discrimination** (OPHD) is responsible for receiving and conducting the administrative investigation of all reports of sex offenses filed on campus and is available to discuss options, provide support, explain University policies and procedures, and provide education on relevant issues. OPHD is available only during normal business hours. The OPHD investigation is not a criminal procedure.

**Student Health Services** can provide medical attention to students experiencing a sex offense on campus. It is important to note that any health center or physician treating the victim of a violent crime is obligated by law to report the crime to the police.

**Counseling and Psychological Services** (CAPS) offers free and confidential short-term and crisis counseling by licensed mental health providers to all UC San Diego students on an urgent basis, or by appointment. CAPS also offer certain free and confidential psychiatric services. Referrals to off-campus psychotherapeutic and psychiatric providers are also available through CAPS.

**Faculty and Staff Assistance Program** (FSAP) is a confidential service for all university employees that provides one-on-one information, support and counseling.
Student Legal Services (SLS) offers confidential counseling and education on legal topics to currently-registered students. SLS can assist directly as well as make referrals to appropriate resources.

The Office of the Ombuds provides confidential, neutral and informal dispute resolution services to everyone in the University community and provides information about University policies and procedures and makes referrals.

The Office of Student Conduct provides leadership for UC San Diego's campus-wide non-academic student conduct process and manages the formal hearing process for sex offense cases. The Office of Student Conduct also provides assistance, information, and referrals for students involved in sex offense cases.

Colleges and Residential Staff, specifically the individual College Deans, Resident Deans, and Assistant Resident Deans, are all knowledgeable about this Policy and the resources available at UC San Diego and can provide assistance, information and support for the person filing the report of a Sex Offense and the person accused.

The Office of Graduate Studies provides information for graduate students on a broad array of topics relevant to graduate education. The Assistant Dean of Graduate Studies works to resolve student conduct issues and advises students about resource options for conflict resolution.

The School of Medicine Deans and Program Directors are available to support, and refer medical students, residents and fellows should the need arise. Help with arranging treatment and confidential counseling is available.

The Associated Students Office of Student Advocacy informs, advises and represents individual students involved with academic and non-academic student conduct incidents.

The Campus Community Centers are available to provide support and assistance in locating campus and community referral services.

REVISION HISTORY

April 22, 2015 – Revised to include technical updates: reformat header and change name of CARE to CARE at SARC – Campus Advocacy, Resources, and Education at the Sexual Assault Resource Center
APPENDIX B

University Disciplinary and Grievance Procedures

Academic Personnel Manual and Senate Bylaws (for faculty)

Policies Applying to Campus Activities, Organizations, and Students (for students)

Applicable Collective Bargaining Agreement (for represented academic appointees and represented staff personnel)

Personnel Policies for Staff Members (for staff personnel)